



NATIONAL CONGRESS OF AMERICAN INDIANS

The National Congress of American Indians Resolution #PDX-20-004

TITLE: Provide Forward Funding for BIE Higher Education Grant Programs

WHEREAS, we, the members of the National Congress of American Indians of the United States, invoking the divine blessing of the Creator upon our efforts and purposes, in order to preserve for ourselves and our descendants the inherent sovereign rights of our Indian nations, rights secured under Indian treaties and agreements with the United States, and all other rights and benefits to which we are entitled under the laws and Constitution of the United States and the United Nations Declaration on the Rights of Indigenous Peoples, to enlighten the public toward a better understanding of the Indian people, to preserve Indian cultural values, and otherwise promote the health, safety and welfare of the Indian people, do hereby establish and submit the following resolution; and

WHEREAS, the National Congress of American Indians (NCAI) was established in 1944 and is the oldest and largest national organization of American Indian and Alaska Native tribal governments; and

WHEREAS, tribal nations are sovereigns that predate the United States, with prior and treaty protected rights to self-government, and to our tribal lands, and

WHEREAS, the Constitution of the United States, through the Treaty, Commerce, and Apportionment Clauses and the 14th Amendment, recognizes the sovereign status of Indian Tribes as tribal nations established prior to the United States; and

WHEREAS, before the United States, tribal nations were independent sovereigns with complete authority over our lands and our citizens; and

WHEREAS, tribal nations are the original American sovereigns that predate the United States, vested with the power of self-government through treaties and agreements with the United States; and

WHEREAS, the Constitution establishes treaties as an essential part of the Supreme Law of the Land and recognizes tribal nations as sovereigns with the power to make treaties on a nation-to-nation basis; and

WHEREAS, the United States of America, through treaty, pledged to provide education to tribal nations and American Indian and Alaska Native (AI/AN) students; and

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WHEREAS, in the modern Self-Determination Era, Congress committed itself to support and assist tribal nations in developing strong, stable tribal governments to administer quality programs and develop the economies of our respective native communities; and

WHEREAS: the Bureau of Indian Education currently operates the Higher Education Grant Program as authorized by the Act of November 2, 1921, commonly referred to as "the Snyder Act" (25 U.S.C. 13) which provides higher education assistance directly to Indian students or through P.L. 93-638 contracts; and

WHEREAS, across Indian Country, numerous tribal nations administer their own scholarship programs through P.L. 93-638 contracts; and

WHEREAS, the federal government routinely operates under continuing resolutions which results in delayed funding for the BIE Higher Education Program and consequently delays to college scholarship payments and institutional disbursements; and

WHEREAS, this is particularly problematic for AI/AN college students that arrive on college campuses with little or no money and who depend on these scholarship funds to pay for tuition, books, and room and board; and


WHEREAS, within the BIE many Elementary & Secondary and Post-Secondary programs are already forward funded creating a precedent for all BIE programs to be treated as such.

NOW THEREFORE IT BE RESOLVED, the National Congress of American Indians support forwarding funding of the Bureau of Indian Education Higher Education Grant Program and calls upon Congress to enact authorizing and appropriations legislation to achieve forward funding; and

BE IT FINALLY RESOLVED, that this resolution shall be the policy of NCAI until it is withdrawn or modified by subsequent resolution.

CERTIFICATION

The foregoing resolution was adopted by the General Assembly at the 2020 Annual Session of the National Congress of American Indians, held Nov 8, 2020 - Nov 13, 2020, with a quorum present.



Fawn Sharp, President

ATTEST:



Juana Majel Dixon, Recording Secretary