



NATIONAL CONGRESS OF AMERICAN INDIANS

The National Congress of American Indians Resolution #FTL-04-016

TITLE: Educational Institutions Requiring the Verification of Tribal Member Status when Considering Native Preference

EXECUTIVE COMMITTEE

PRESIDENT
Tex G. Hall
Mandan, Hidatsa, and Arikara Nation

FIRST VICE-PRESIDENT
Joe A. Garcia
Ohkay Owingeh
(Pueblo of San Juan)

RECORDING SECRETARY
Juana Majel
Pauma-Yuima Band of Mission Indians

TREASURER
W. Ron Allen
Jamestown S'Klallam Tribe

REGIONAL VICE-PRESIDENTS

ALASKA
Edward K. Thomas
Tlingit and Haida Tribes

EASTERN OKLAHOMA
Jefferson Keel
Chickasaw Nation

GREAT PLAINS
Harold Frazier
Cheyenne River Sioux Tribe

MIDWEST
Norman Adams, Jr.
Bois Forte Band of Chippewa Indians

NORTHEAST
Kevin Seneca
Seneca Nation

NORTHWEST
Ernie Stensgar
Coeur d'Alene Tribe

PACIFIC
Leslie Lohse
Paskenta Band of Nomlaki Indians

ROCKY MOUNTAIN
Geri Small
Northern Cheyenne Tribe

SOUTHEAST
Eddie Tullis
Poarch Band of Creek Indians

SOUTHERN PLAINS
Zach Pahmahmie
Prairie Band Potawatomi Nation

SOUTHWEST
Manuel Heart
Ute Mountain Ute

WESTERN
Arlan Melendez
Reno-Sparks Indian Colony

EXECUTIVE DIRECTOR
Jacqueline Johnson
Tlingit

NCAI HEADQUARTERS
1301 Connecticut Avenue, NW
Suite 200
Washington, DC 20036
202.466.7767
202.466.7797 fax
www.ncai.org

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, 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, we have a great concern in the Native community that some people applying to colleges and graduate schools, and taking positions in educational institutions are dishonestly identifying themselves as Native American and educational intuitions are not doing any due diligence to confirm this assertion; and

WHEREAS, for example, statistics given by law schools indicate that between 1990 and 1999 2,306 Juris Doctorates were issued to students whose schools identified them as Native American; and

WHEREAS, in 1990 the census bureau reported that there are 1,502 Native American lawyers in the United States; and

WHEREAS, according to the 2000 census bureau report there are 1,730 Native American lawyers in the United States, an increase of only 228 Native American lawyers despite statistics from the law schools indicating that they graduated 2,306 Native American Juris Doctorates between 1990 and 1999; and

WHEREAS, these statistics are so far apart that many of the persons law schools identified as Native American could not have been; and

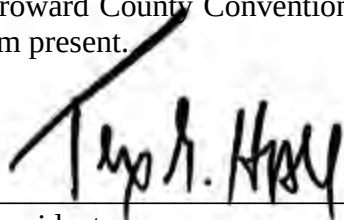
WHEREAS, the Supreme Court in *Grutter v. Bollinger* found that there was a compelling state interest in having diversity in the classroom; and

WHEREAS, if the state interest in diversity is so compelling as to get past the 14th Amendment's prohibition of the use of race there must be an equally compelling state duty to assure that it is getting the diversity it seeks and reports.

NOW THEREFORE BE IT RESOLVED, that the NCAI does hereby call upon all educational institutions to consult with Federally recognized tribes or the Bureau of Indian Affairs to assure that student, faculty and staff applicants claiming Native American heritage are in fact individuals of Native American ancestry and heritage.

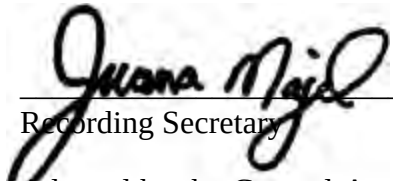
CERTIFICATION

The foregoing resolution was adopted at the 61st Annual Session of the National Congress of American Indians, held at the Greater Fort Lauderdale/Broward County Convention Center, Fort Lauderdale, Florida on October 10-15, 2004 with a quorum present.



President

ATTEST:



Recording Secretary

Adopted by the General Assembly during the 2004 Annual Session of the National Congress of American Indians, held from October 10th to the 15th at the Greater Fort Lauderdale/Broward County Convention Center in Fort Lauderdale, Florida.