



NATIONAL CONGRESS OF AMERICAN INDIANS

Resolutions Committee Recommendation

Resolution # REN-19-022:

Title: Supporting FAFSA Data Sharing with Tribal Organizations and Education Departments for Scholarship purposes

Comments:

This resolution supports the inclusion of language allowing tribal nations and tribal organizations to be recipients of Free Application for Federal Student Aid (FAFSA) data in any upcoming Higher Education Act (HEA) reauthorization. The Resolutions Committee made suggested edits to make the resolution consistent with NCAI's style guide, as well as other technical edits to make the resolution consistent with the National Indian Education Association 2018 resolution covering the same topic.

The resolution is national in scope and addresses national higher education funding and tribal sovereignty, and is emergency in nature because the HEA is currently being discussed in the 116th Congress.

Recommendations:

This resolution is in order and should be forwarded to the Human Resources Committee, Education Subcommittee. The NCAI Resolutions Committee recommends adoption.

Sponsor a member in good standing (yes/no)?: _____



NATIONAL CONGRESS OF AMERICAN INDIANS

The National Congress of American Indians Resolution #REN-19-022

TITLE: Supporting FAFSA Data Sharing with Tribal Organizations and Education Departments for Scholarship purposes

EXECUTIVE COMMITTEE

PRESIDENT
Jefferson Keel
Chickasaw Nation

FIRST VICE-PRESIDENT
Aaron Payment
Sault Ste. Marie Tribe of Chippewa Indians of Michigan

RECORDING SECRETARY
Juana Majel-Dixon
Pauma Band Mission Indians

TREASURER
W. Ron Allen
Jamestown S'Kallam Tribe

REGIONAL VICE-PRESIDENTS

ALASKA
Rob Sanderson, Jr.
Tlingit & Haida Indian Tribes of Alaska

EASTERN OKLAHOMA
Joe Byrd
Cherokee Nation

GREAT PLAINS
Larry Wright, Jr.
Ponca Tribe of Nebraska

MIDWEST
Shannon Holsey
Stockbridge Munsee Band of Mohicans

NORTHEAST
Lance Gumbs
Shinnecock Indian Nation

NORTHWEST
Leonard Forsman
Suquamish Tribe

PACIFIC
Brian Poncho
Bishop Paiute Tribe

ROCKY MOUNTAIN
VACANT

SOUTHEAST
Nancy Carnley
Ma-Chis Lower Creek Indians

SOUTHERN PLAINS
Zach Pahmahmie
Prairie Band of Potawatomi Nation

SOUTHWEST
Joe Garcia
OhkayOwingeh Pueblo

WESTERN
Quintin C. Lopez
Tohono O'odham Nation

CHIEF EXECUTIVE OFFICER
KEVIN ALLIS
FOREST COUNTY POTAWATOMI COMMUNITY

NCAI HEADQUARTERS
1516 P Street, N.W.
Washington, DC 20005
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 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, until the U.S. Department of Education's Privacy and Technical Assistance (PTAC) released its guidance in January 2017 on the Higher Education Act (HEA) relating to student financial aid data sharing and asserted that FAFSA data can not be released by higher education institutions, unless the release satisfies a specific permitted by law, even with a student's written consent; and

WHEREAS, Tribes and Tribal Organizations are currently not recognized in the HEA as possible recipients of FAFSA data; and

WHEREAS, Section 312 of the 2019 Minibus Bill (H.R. 6157) provided Tribes and tribal organizations a temporary relief to this practice until the HEA is reauthorized; and

WHEREAS, hitherto no version of the HEA Reauthorization has contained any language recognizing Tribe and tribal organizations as recipients of FAFSA data.

NOW THEREFORE BE IT RESOLVED, that the National Congress of American Indians (NCAI) shall advocate for the inclusion of language recognizing Tribes and tribal organizations as recipients of FAFSA data in any HEA reauthorization bill; and

BE IT FURTHER 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 2019 Mid-Year Session of the National Congress of American Indians, held at the Nugget Casino Resort, June 24-27, 2019, with a quorum present.

Jefferson Keel, President

ATTEST:

Juana Majel Dixon, Recording Secretary



NATIONAL CONGRESS OF AMERICAN INDIANS

The National Congress of American Indians
Resolution #REN-19-022

EXECUTIVE COMMITTEE

- PRESIDENT Jefferson Keel
FIRST VICE-PRESIDENT Aaron Payment
RECORDING SECRETARY Juana Majel-Dixon
TREASURER W. Ron Allen

REGIONAL VICE-PRESIDENTS

- ALASKA Rob Sanderson, Jr.
EASTERN OKLAHOMA Joe Byrd
GREAT PLAINS Larry Wright, Jr.
MIDWEST Shannon Holsey
NORTHEAST Lance Gumbs
NORTHWEST Leonard Forsman
PACIFIC Brian Poncho
ROCKY MOUNTAIN VACANT
SOUTHEAST Nancy Camley
SOUTHERN PLAINS Zach Pahmahmie
SOUTHWEST Joe Garcia
WESTERN Quintin C. Lopez
CHIEF EXECUTIVE OFFICER KEVIN ALLS
NCAI HEADQUARTERS 1516 P Street, N.W.

TITLE: Supporting FAFSA Data Sharing with Tribal Organizations and Education Departments for Scholarship purposes

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, through its unique relationship with Indian nations and tribes, the federal government has established programs and resources to meet the educational needs of American Indians, and Alaska Natives, residing on and off their reserved or non-reserved homelands; and

WHEREAS, tribes have historically had access to financial aid data from the Free Application for Federal Financial Aid (FAFSA), consistent with tribal sovereignty; and

WHEREAS, Until the U.S. Department of Education's Privacy and Technical Assistance (PTAC) released its guidance in January 2017 on the Higher Education Act (HEA) relating to student financial aid data sharing and asserted that FAFSA data can not be released by higher education institutions, unless the release satisfies a specific purpose permitted by law, even with a student's written consent; and

WHEREAS, Tribes-tribal nations and Tribal organizations are currently not recognized in the HEA as possible recipients of FAFSA data; and

WHEREAS, lack of access to student data limits tribal ability to exercise sovereignty and provide opportunities in higher education to tribal students; and

WHEREAS, Section-section 312 of the 2019 Minibus Bill (H.R. 6157) provided Tribal nations and tribal organizations a temporary relief to this practice until the HEA is reauthorized; and

Formatted: Font: Not Bold
Formatted: Indent: Left: 0.88", First line: 0.5"
Formatted: Font: Not Bold
Formatted: Font: Bold
Formatted: Font: Bold
Formatted: Font: Not Bold
Formatted: Font: Bold

~~WHEREAS, hitherto no version of the HEA Reauthorization has contained any language recognizing Tribe and tribal organizations as recipients of FAFSA data~~

NOW THEREFORE BE IT RESOLVED, that the National Congress of American Indians (NCAI) shall advocate for the inclusion of language ~~recognizing allowing Tribes tribal nations~~ and tribal organizations ~~as to be~~ recipients of FAFSA data in any HEA reauthorization; and ~~bill~~

BE IT FURTHER 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 2019 Mid-Year Session of the National Congress of American Indians, held at the Nugget Casino Resort, June 24-27, 2019, with a quorum present.

Jefferson Keel, President

ATTEST:

Juana Majel Dixon, Recording Secretary