



# NATIONAL CONGRESS OF AMERICAN INDIANS

## The National Congress of American Indians Resolution ECWS #10-009

### TITLE: In Support Of The Appropriation Of Tribal Education Department Authorizations In The Fiscal Year 2011 Federal Budget

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**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**, the NCAI supports tribal control over Indian education; and

**WHEREAS**, in 1988 Congress authorized appropriations for Tribal Education Departments (TED) within the Bureau of Indian Affairs (BIA) budget of the U.S. Department of the Interior (DOI) (Pub. L. No. 100-297, Section 5199); and

**WHEREAS**, in 1994 Congress authorized appropriations for TEDs in the budget of the U.S. Department of Education (DOE) (Pub. L. No. 103-382, Section 9125); and

**WHEREAS**, both of these authorizations are retained in the "No Child Left Behind" (NCLB) Act of 2001; and

**WHEREAS**, the BIA authorization is in NCLB Title X, Section 1140, currently codified at 25 U.S.C. Sec. 2020(a); and

**WHEREAS**, the DOE authorization is in NCLB Title VII, Section 7135, currently codified at 20 U.S.C. Sec. 7455; and

**WHEREAS**, in these authorizations, Congress envisions TEDs as facilitating tribal control over education, coordinating education programs, developing and enforcing tribal education codes, policies, and standards, and providing support services and technical assistance to schools and programs; and

**WHEREAS**, securing federal funding for TEDs is critical to achieving the Congressional intent of tribal sovereignty and control over education and to secure equality in the education of Indian children; and

**WHEREAS**, appropriation requests are due March 19<sup>th</sup> 2010 on the fiscal year 2011 Budget which seeks to retain the “never funded” authorization which includes TED funding from the Department of Education and the Department of Interior.

**NOW THEREFORE BE IT RESOLVED**, that NCAI supports the appropriation of two million dollars for both the DOI and DOE fiscal year 2011 budgets for Tribal Education Departments to ensure financial support for tribal control over education, coordinating education programs, developing and enforcing tribal education codes, policies, and standards, and providing support services and technical assistance to schools and programs.

**BE IT FURTHER RESOLVED**, that this resolution shall be the policy of NCAI until it is withdrawn or modified by subsequent resolution.