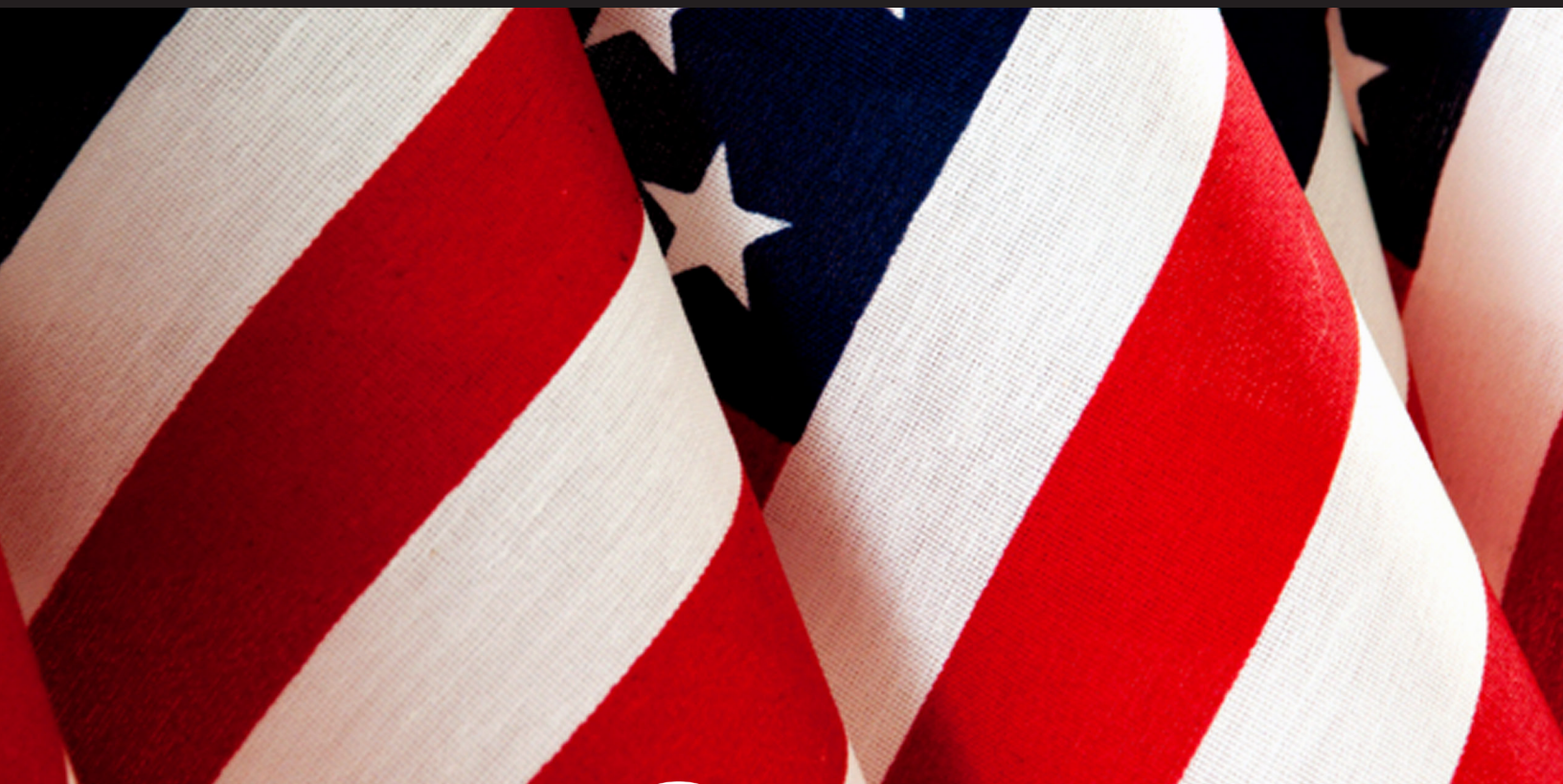




March 2017 **TOOLKIT**

≡ **Executive Order** ≡
on
Tribal Colleges and Universities

TRIBAL Colleges: Educating, Engaging, Innovating, Sustaining, Honoring



121 Oronoco Street, Alexandria, VA 22314

703.838.0400

www.AIHEC.org



*Sovereign Nations through Excellence
in Tribal Higher Education.*



March 17, 2017

REQUEST:

Please help us advance a **separate** Executive Order on Tribal Colleges and Universities. We ask that you:

- (1) **Urge your Tribal Council to pass a resolution on the need for a separate Executive Order on Tribal Colleges and Universities.**
 - *See enclosed draft resolution*
- (2) **Urge your Governing Board to pass a resolution on the need for a separate Executive Order on Tribal Colleges and Universities.**
 - *See enclosed draft resolution*
- (3) **Start a Trump letter-writing campaign to include students, faculty, staff, friends, governing boards, and community members.**
 - *See enclosed sample letters to President Trump and Secretaries Zinke (w/cc to Sec. Devos).*
 - *Speak out on the need for a separate Executive Order on Tribal Colleges and Universities at public events, including those involving the U.S. Department of Education, Interior, and White House staff.*
- (4) **Urge your Senators and Representative(s) to write to President Trump requesting that he sign a separate TCU Executive Order.**
 - *See enclosed draft letter to President Trump and talking points for a call to your Senators and Representatives.*

TOOL KIT CONTENTS:

- One-pager on Background and Need for the TCU Executive Order
 - General Talking Points Justifying a TCU Executive Order
 - Documents for Your Use: Draft Resolutions and Letters
 - Talking Points/Script for Calling Senate and House Offices, with contact information, if necessary
 - Draft TCU Executive Order/ AIHEC transmission letter
-

The Need for a new TCU Executive Order

BACKGROUND:

After both Presidents Bush and Clinton signed separate TCU Executive Orders, former President Obama abandoned a separate Executive Order on Tribal Colleges and Universities, in favor of a “comprehensive” ‘Improving Indian Education’ effort spanning pre-K through postsecondary education (“cradle to career”). The comprehensive or pipeline approach was not beneficial to Tribal higher education. The White House Initiative office focused almost exclusively on K-12 Indian education and TCUs as a focal point for higher education were essentially dismissed from the agenda.

NEED FOR A SEPARATE TCU EXECUTIVE ORDER:

While we support a comprehensive approach to Indian education, we believe that compelling and overriding reasons exist for a stand-alone Executive Order on Tribal Colleges and Universities.

- (1) The foundation of an Executive Order on TCUs is the federal government’s Trust Responsibility and respect for Tribal Sovereignty. Tribal Colleges and Universities are the only institutions of higher education chartered by federally-recognized Indian tribes.
- (2) *A separate and freestanding* federal directive is need for a very specific and appropriate purpose: to encourage federal departments and agencies to reduce administrative and other barriers to TCU participation in federal higher education programs and to work collaboratively with TCUs to address the tremendous achievement gaps facing AI/AN students.
- (3) TCUs, as community-based institutions, already address education in a comprehensive and holistic manner. TCUs do not need to be instructed by the federal government to do this. Strengthening community and culture and preserving/revitalizing our Native language are part of the core mission of Tribal Colleges.
- (4) The challenges facing American Indian/Alaska Native K-12 education are severe and very different from the issues of tribal higher education. As noted earlier, higher education concerns were lost in the execution of the Obama comprehensive Executive Order.
- (5) A key goal of the prior Tribal College Executive Orders was to encourage *all* federal agencies to more effectively and more fully include TCUs in postsecondary education and research programs and, most important, to hold them accountable to this goal. President Obama’s “all Indian Education” Executive Order did not achieve this goal. The issues, concerns, and even programs addressing K-12 education for AI/AN children are very different from issues related to tribal higher education participating in federal programs.

Without question, a TCU Executive Order is critical to hold federal agencies accountable and include TCUs in their higher education program opportunities.

- (6) This is request is neither unreasonable nor partisan:
 - Both former Presidents George W. Bush and William J. Clinton signed TCU Executive Orders.
 - President Trump signed a new Executive Order on HBCUs in February 2017.
 - A draft TCU Executive Order has been proposed to the Trump Administration that is based on the Bush TCU EO. (copy included in the Tool Kit)
-

THE NEED FOR SUSTAINED FUNDING & AN EXECUTIVE ORDER ON TRIBAL COLLEGES AND UNIVERSITIES

REQUEST:

We respectfully request that President Trump return to the practice of honoring tribal sovereignty and acknowledging the root worth of tribal higher education – begun and sustained in a bipartisan way by the Bush and Clinton administrations -- and sign a new Executive Order on Tribal Colleges and Universities.

JUSTIFICATION:

Tribal Sovereignty, Self-Determination, Trust Responsibility, & Treaty Obligations:

- Tribal Colleges are chartered by Federally-recognized American Indian Tribal governments or the Federal government. TCUs are governed by boards appointed by our chartering tribal governments or elected by enrolled tribal members.
- TCUs have a special relationship with the federal government, based on our status as extensions of the federally recognized Indian Tribes that chartered us.
- Our tribes signed binding treaties with the federal government that include certain responsibilities, including education, in exchange for millions of acres of land.
- The Tribally Controlled Colleges and Universities Assistance Act exists -- and federal resources are allocated to TCUs -- because of these treaties and the Federal Trust Responsibility.
- TCUs have a political distinction; not a race-based distinction.

Serving Indian Country

- 36 TCUs operate more than 75 campuses in the 15 states within whose geographic boundaries **80 percent of all American Indian reservations and federal Indian trust land lie.**
- TCUs serve **more than 160,000 American Indians and Alaska Natives and other rural community members** in academic and community education programs, represents well more than 250 federally recognized Indian tribal nations, including the 10 largest federally recognized Indian tribes.

- All seven tribes in Montana have tribal colleges
- Five TCUs in North Dakota; four in South Dakota
- One TCU in Washington State – NWIC -- conducts classes in SIX tribal communities in the state and one in Idaho serving more than 100 tribes and First Nations.
- Diné College and Navajo Technical University serve the Navajo Nation – an area the size of New England, but due to funding limitations, they meet only a fraction of the need.
- TCUs fulfill a fundamental role in maintaining, **preserving and revitalizing irreplaceable American Indian and Alaska Native languages** and cultural traditions and strengthening Indigenous peoples worldwide. In fact, no group has done more to preserve and sustain Native languages than TCUs.
- In addition to providing academic instruction, TCUs are training the next generation of American Indian entrepreneurs, teachers, and health care work forces; engaging in international outreach; providing training for tribal, federal, and regional employers and governments; working with our court systems; running day care and Head Start centers; and in some cases, running the bus service for the entire reservation. We are building and providing housing for our communities and bringing the promise of renewable energy to our reservations.
- About 75 percent of tribal land is forested or agriculture land, so TCUs offer many land-related programs and train large numbers of natural resource management professionals. Salish Kootenai College has an accredited associates and bachelor's degree program in the Science of Hydrology to address a dearth of American Indian water management experts and offers a forestry undergraduate degree program.
- Given the dire health challenges facing our people, Tribal Colleges focus on providing high quality, community-relevant health professions training programs.
 - Two Tribal Colleges – Oglala Lakota College and Salish Kootenai College – are the nation's top two providers of American Indian nurses: Oglala Lakota College and Salish Kootenai College.
 - OLC has graduated 234 students with Nursing degrees, more than 60 percent of whom (148) are AI/AN 147 AI/AN. In 2016, more than 200 OLC students had declared nursing majors. Ninety percent of these students are AI/AN.
 - SKC has graduated 182 AI/AN RN degrees and 407 Dental Assistants.
 - Lac Courte Oreilles Ojibwa Community College in Wisconsin has a nationally accredited Medical Assistants program that has a 10-year satisfaction rating from employers and a 73 percent retention rate. 100 percent of the students in LCO's pre-nursing program continue their education, and the college has established strong employment partnerships with regional non-Indian hospitals and nursing homes.
- OLC is a leading producer of Native American teachers across the nation. According to the *Top 100 Minority Degree Producers Report*, OLC has ranked among the top 20 institutions offering education baccalaureate degrees for six years, ranking fifth in the nation in 2015.

- Between 2008 and 2016, OLC's Teacher Preparation Program had awarded 92 baccalaureate degrees, including 58 elementary education teacher, 27 early childhood (Head Start) teachers, and six K-12 Lakota Studies teachers, and one secondary physical science teacher. 87 of the 92 graduates remain employed in the field of education, for a placement and retention rate of 95 percent. During that same time period, OLC graduated 158 students with associate of arts degrees in education. Statistics like these led the Bill and Melinda Gates Foundation to designate OLC as a *Beating the Odds Institution* in 2011.

Funding Inequities

- Many TCUs are among the most poorly funded institutions of higher education in the country. Overall, our funding lags behind that of other institutions of higher education, including other Minority Serving Institutions.
- To receive institutional operating funds from the federal government – and therefore be eligible to participate in TCU-specific programs within the Department of Education, HUD, NSF: **TCUs must verify – and BIE must certify** that:
 - More than **50 percent** of the student body is comprise of **enrolled members in a federally recognized Indian tribe or biological children of enrolled members**.

TCUs get no funding for institutional operations for students who are not enrolled in a federally recognized tribe or a biological child of an enrolled member. Yet 15 percent of our collective enrollment is non-beneficiary students.

- No other group is held to such a high – and verified/certified – standard:
 - Native Hawaiian Institutions: 10 percent of student body (self-reporting)
 - Alaska Native Institutions: 20 percent of student body (self-reporting)
 - Native American Serving-Non tribal: 10 percent of student body (self-reporting)
 - HBCUs: named in statute and in existence prior to 1964.
 - HSIs: 25 percent of student body (self reporting).
- **Capacity Building:** In the Department of Education's Title III program, for FY 2016: HBCUs/PBIs received \$317.9 million; HSIs received \$117.5 million; and TCUs received only \$27.6 million in discretionary funding.
- **Land-grant Programs:** TCUs are the youngest members of the land grant family and are known as the "1994" institutions. In FY 2016, for **land-grant research programs**, the 1862 land-grants (state) institutions received **\$243.7M**; 1890s (18 HBCUs) received **\$54.2M** for research; and the 1994s (34 TCUs) received **\$1.8M**.

Extension: In FY 2016, Congress appropriated \$476M for extension activities. The **1862s** (state) received **\$300M** in *formula* driven extension funds; **1890s** (18 HBCUs) received **\$46M**, *also formula driven*; and **1994s** (34 TCUs) received **\$4.45M** for competitively awarded grants.

Additionally, the **1994 land-grants** are the only land-grant institutions that are prohibited from competing for over \$85.5M in Smith-Lever 3(d) grant funds, including FRTEP and the Children, Youth, Families at Risk program (CYFAR).

Ability to Participate in Federal Programs

- In 2007 (the most recent year that data is available), NSF awarded **\$4.2 Billion** in science and engineering funding to the nation's institutions of higher education. TCUs received \$10.5 million, or **one quarter of one percent** of this funding.
- Among the MSI community in 2007, NSF awarded:
 - \$144.2 million in science and engineering funding to 174 HBCUs and HSIs, **averaging \$828,545 per institution**
 - \$10.5 million to 29 TCUs, or an **average of \$362,000** per school.
- Prior to the establishment of the USDA's Rural Development Construction program for TCUs (funded at less than \$4 million/year), **only three of the 32 TCU 1994 institutions** received awards under USDA's national rural communities construction program. That represents successful participation by less than 10 percent of the eligible TCUs.
- By contrast, in FY 2001 when the TCU-specific program launched, 22 TCU Land Grant Institutions or almost 70 percent of the 1994 Institutions received grant awards.

History of the White House Initiative on Tribal Colleges

- In an historical recognition of tribal sovereignty and tribal control of Indian education, President William J. Clinton established the first White House Initiative on Tribal Colleges and Universities by Executive Order in 1996.
- Acknowledging the "integral and essential" role that Tribal Colleges and Universities have in their communities, President George W. Bush signed a new TCU Executive Order within 18 months of taking office and maintained it throughout his presidency.
- President Obama abandoned the separate Executive Order for Tribal Colleges and Universities and instead issued a single comprehensive Executive Order entitled: *Improving American Indian and Alaska Native Educational Opportunities; and Strengthening Tribal Colleges and Universities*
- President Trump signed a new Executive Order on Historically Black Colleges and Universities in February 2017.

2017 TCU EO Toolkit

Draft Resolutions & Sample Letters

DRAFT TRIBAL COUNCIL RESOLUTION

March 2017

WHEREAS, education is a high priority for the _____ (Name of Tribe) and our tribal members;

WHEREAS, _____ (Tribe Name) has chartered the _____ (Tribal College Name), which operates ___ campus(es) in _____, ___ (town (if one campus), state(s));

WHEREAS, American Indian and Alaska Native tribal governments and the U.S. government have chartered 37 Tribal Colleges and Universities to ensure that high quality, culturally-based higher education is accessible to American Indian people who were largely excluded from state-supported higher education programs;

WHEREAS, these 37 Tribal Colleges and Universities operate more than 75 campuses in the 16 states within whose geographic boundaries the majority of American Indian reservations and federal Indian trust land lie;

WHEREAS, Tribal Colleges and Universities prepare and educate more than 160,000 American Indians and Alaska Natives in academic and community education programs, and these students represent more than 250 federally recognized Indian tribal nations, including the 10 largest federally recognized Indian tribes;

WHEREAS, Tribal Colleges and Universities fulfill a fundamental role in maintaining, preserving and revitalizing irreplaceable American Indian and Alaska Native languages and cultural traditions and strengthening Indigenous peoples worldwide;

WHEREAS, in addition to providing accredited postsecondary education and technical/career education to American Indians and Alaska Natives, Tribal Colleges and Universities also provide a wide variety of community-based economic and workforce development programs; community-based support services, programs, and collaborative partnerships with tribes, K-12 education systems and schools, and other stakeholders; and important agriculture and land management programs and services, all on extremely limited budgets;

WHEREAS, the majority of Tribal Colleges and Universities are the most poorly funded institutions of higher education in the country, and overall, their funding lags behind that of other institutions of higher education, including other Minority Serving Institutions;

WHEREAS, in an historical recognition of tribal sovereignty and tribal control of Indian education, President William J. Clinton established the first White House Initiative on Tribal Colleges and Universities by Executive Order in 1996, which substantially improved the commitment among Federal agencies to work with our institutions;

For TRIBAL COUNCIL use

WHEREAS, acknowledging the “integral and essential” role that Tribal Colleges and Universities have in their communities, President George W. Bush signed a new TCU Executive Order early in his tenure and maintained it throughout his two term presidency;

WHEREAS, the sustainability of Tribal Colleges and Universities, which the previous executive orders strengthened, is threatened because the TCUs remain unable to fully participate in many of this nation’s higher education and research programs and are often excluded from new federal education initiatives;

WHEREAS, an Executive Order on Historically Black Colleges and Universities was signed by President Trump on February 28, 2017; and

WHEREAS, a unique and legal relationship exists between the United States and Indian tribes, recognized in the U.S. Constitution and established by more than 400 treaties, several Supreme Court decisions, Congressional action, and the ceding of more than one billion acres of land to the Federal government;

NOW THEREFORE BE IT RESOLVED that _____ (Name of Tribe or Tribal Council) does respectfully request that President Trump sign a new Executive Order on Tribal Colleges and Universities and reaffirm his commitment to Tribal Sovereignty and Self-Determination.

DRAFT TRIBAL COLLEGE GOVERNING BOARD RESOLUTION

March 2017

WHEREAS, high quality, culturally-based tribal education at all levels is the highest priority for the governing board of _____ (*Name of Tribal College*);

WHEREAS, _____ (*Tribe Name*) has chartered the _____ (*Tribal College Name*);

WHEREAS, American Indian and Alaska Native tribal governments and the U.S. government have chartered 37 Tribal Colleges and Universities to ensure that high quality, culturally-based higher education is accessible to American Indian people;

WHEREAS, Tribal Colleges and Universities operate more than 75 campuses in the 16 states within whose geographic boundaries the majority of American Indian reservations and federal Indian trust land lie, and they educate more than 160,000 American Indians and Alaska Natives in academic and community education programs;

WHEREAS, Tribal Colleges and Universities fulfill a fundamental role in maintaining, preserving and revitalizing irreplaceable American Indian and Alaska Native languages and cultural traditions and strengthening Indigenous peoples worldwide;

WHEREAS, in addition to providing accredited postsecondary education and technical/career education to American Indians and Alaska Natives, Tribal Colleges and Universities also provide a wide variety of community-based economic and workforce development programs; community-based support services, programs, and collaborative partnerships with tribes, K-12 education systems and schools, and other stakeholders; and important agriculture and land management programs and services, all on extremely limited budgets;

WHEREAS, the majority of Tribal Colleges and Universities are the most poorly funded institutions of higher education in the country, and overall, their funding lags behind that of other institutions of higher education, including other Minority Serving Institutions;

WHEREAS, in an historical recognition of tribal sovereignty and tribal control of Indian education, President William J. Clinton established the first White House Initiative on Tribal Colleges and Universities by Executive Order in 1996, and President George W. Bush signed a new TCU Executive Order early in his tenure and maintained it throughout his two-term presidency; and

WHEREAS, a unique and legal relationship exists between the United States and Indian tribes, recognized in the U.S. Constitution and established by more than 400

For TCU Governing Board use

treaties, several Supreme Court decisions, Congressional action, and the ceding of more than one billion acres of land to the Federal government;

NOW THEREFORE BE IT RESOLVED that _____ (**Name of Tribal College Governing Board**) does hereby respectfully request that President Trump sign a new Executive Order on Tribal Colleges and Universities and reaffirm his commitment to Tribal Sovereignty and Self-Determination.

Write in campaign: Sample Letter to President Trump

Date

The Honorable Donald J. Trump
President
The White House
1600 Pennsylvania Avenue, NW
Washington, DC 20500

Dear Mr. President:

I am writing to urge you to sign an Executive Order on Tribal Colleges and Universities at your earliest convenience. I am a [student, board member, faculty, staff, president, friend] of [name of college], which is one of the nation's 36 Tribal Colleges and Universities (TCUs).

[Insert personal paragraph about your college or experience, for example, describe location, student body, special accomplishments or challenges.]

TCUs operate more than 75 campuses throughout the 16 states within whose geographic boundaries about 80 percent of American Indian reservations and federal Indian trust land lie. TCUs are unique community- and place-based institutions of higher education, providing high quality, culturally-based education opportunity – from cradle through career -- to American Indians and Alaska Natives who have been largely excluded from state- and federally-supported higher education programs.

Chartered by our (*or their*) respective federally-recognized Indian tribes or the federal government, TCUs have a special relationship with this government, recognized in the U.S. Constitution and established by more than 400 treaties, several Supreme Court decisions, Congressional action, and the ceding of more than one billion acres of land to the Federal government. This political relationship requires special attention. However, the majority of TCUs are still among the most poorly funded institutions of higher education in the country.

President William J. Clinton established the first White House Initiative on Tribal Colleges and Universities by Executive Order in 1996. President George W. Bush signed a new TCU Executive Order early in his tenure and maintained it throughout his two-term presidency.

I urge you to continue this vital national effort -- begun and sustained in a bipartisan way by these previous two administrations – by signing a new Executive Order on Tribal Colleges and Universities, as soon as possible.

Sincerely,

CC: The Honorable Betsey DeVos
Secretary of Education
400 Maryland Avenue, SW
Washington, DC 20202

The Honorable Ryan Zinke
Secretary of the Interior
U.S. Department of the Interior
1849 C. Street, NW
Washington, D.C. 20240

Write in campaign: Sample Letter to Secretary Zinke

Date

The Honorable Ryan Zinke
Secretary of the Interior
1849 C. Street, NW
Washington, D.C. 20240

Dear Secretary Zinke:

I am writing to respectfully request that you join with Secretary Betsy DeVos to lead an effort within the Administration to ensure that President Trump signs an Executive Order on Tribal Colleges and Universities at his earliest convenience. I am a [student, board member, faculty, staff, president, friend] of [name of college], which is one of the nation's 37 Tribal Colleges and Universities (TCUs).

[Insert personal paragraph about your college or experience, for example, describe location, student body, special accomplishments or challenges.]

As you may know, TCUs operate over 75 campuses throughout the 16 states within whose geographic boundaries 80 percent of American Indian reservations and federal Indian trust land lie. TCUs are unique community-based institutions of higher education, providing high quality, culturally-based education opportunity – from cradle through career -- to American Indians who have been largely excluded from state- and federally-supported higher education programs.

Chartered by our (*or their*) respective federally-recognized Indian tribes or the federal government, TCUs have a special relationship with this government; and as you know, this political relationship requires special attention.

President William J. Clinton established the first White House Initiative on Tribal Colleges and Universities by Executive Order in 1996. President George W. Bush signed a new TCU Executive Order early in his tenure and maintained it throughout his two term presidency. President Trump signed a new Executive Order on Historically Black Colleges and Universities in February 2017. Clearly, our request for a new separate TCU Executive Order is not unreasonable.

Please help us by doing all that you can within this Administration to explain the fundamental importance of separate and strong Executive Order on Tribal Colleges and Universities. Thank you very much for your attention to this request and your tireless work on behalf of all American Indians and Alaska Natives.

Sincerely,

Cc: The Honorable Betsy DeVos
Secretary of Education
400 Maryland Avenue, SW
Washington, DC 20202

Contact Congressional Delegation Offices

The Need for a new TCU Executive Order

TALKING POINTS: CALL TO CONGRESSIONAL DELEGATION (HOUSE & SENATE):

Hello. This is _____ (name), president of _____ (college name).
First, I want to thank you for all of your past support. We appreciate everything that you do.

I am calling today with a special request:

On behalf of our faculty, staff, governing board members, students, and their families, I ask that the [Senator or Congressman] send a letter to President Trump regarding an Executive Order on Tribal Colleges and Universities.

Even a brief letter would be helpful. The main point is that we need the president to reinstate a separate TCU Executive Order, as Presidents Bush and Clinton had signed. President Obama signed a broad and vague Indian Education Executive Order that did not address the needs of Tribal higher education, and most important, it did not encourage federal agencies to include TCUs in programs and initiatives that are available to other institutions of higher education.

We have drafted a short request letter to the president, which I would like to email to you.

Again, we would greatly appreciate your office's support in this bipartisan effort. We are hoping that the entire Tribal College delegation will contact the president in an effort to restore a separate Executive Order for TCUs.

May I email a draft letter to you?

Also, if you need more information or have questions, please call Meg Goetz or Carrie Billy with AIHEC at 703.838.0400 x 110 or 111.

Thank you very much for your serious consideration of this important request. We greatly appreciate the support that you have given us in the past. Thanks again, and good bye.

[Date]

The Honorable Donald J. Trump
President
The White House
1600 Pennsylvania Avenue, NW
Washington, DC 20500

Dear Mr. President,

I am writing to urge you to sign a new Executive Order on American Indian/Alaska Native Tribal Colleges and Universities. A revitalized White House Initiative on Tribal Colleges and Universities – which has not existed since President George W. Bush was in office -- is one of the best ways to help ensure that the first Americans are included in the goals of student achievement and college affordability and the national effort to reclaim jobs and build a strong U.S. workforce.

The nation's 36 Tribal Colleges and Universities (TCUs) operate more than 75 campuses in the 16 states within whose geographic boundaries 80 percent of American Indian reservations and federal Indian trust land lie – including my home state of Alaska. TCUs are unique place-based institutions of higher education, providing high quality, culturally-based education opportunity to American Indians and Alaska Natives living in some of the most rural and remote areas of the country.

Chartered by their respective Federally-recognized Indian tribes or the Federal government, TCUs have a special relationship with this government. This political relationship requires our special attention. I urge you to join the effort started by President William J. Clinton in 1996 and continued for eight years by President George W. Bush and signed a new TCU Executive Order as soon as possible.

Sincerely,

The Need for a new TCU Executive Order: Senate Contact Information

SENATE OFFICE	STAFF CONTACT	TELEPHONE NUMBER
ALASKA		
Sen. Lisa Murkowski (R)	Karen McCarthy (Ed)	(202) 224-6665
Sen Dan Sullivan (R)	Kate Wolgemuth (LA) or Kate O'Connor (LA)	(202) 224-3005
ARIZONA		
Sen. John McCain (R)	Joe Donoghue (LD)	(202) 224-2235
Sen. Jeff Flake (R)	Helen Heiden (LA)	(202) 224-4521
KANSAS		
Sen. Jerry Moran (R)	Alex Richards (LD)	(202) 224 -6521
Sen. Pat Roberts (R)	Sean Farrell (LA) or Joshua Yurek (LA)	(202) 224-4774
MICHIGAN		
Sen. Gary Peters (D)	Bentley Johnson (LA)	(202) 224-6221
Sen. Debbie Stabenow(D)	Lot Kwarteng (LD)	(202) 224-4822
MINNESOTA		
Sen. Al Franken (D)	Catherine Paolucci (Ed Fellow) or Adam Schiff (LA)	(202) 224-5641
Sen. Amy Klobuchar (D)	Travis Talvitie (Dep. CoS)	(202) 224-3244
MONTANA		
Sen. Jon Tester (D)	Hannah Vanhooose (NA-LA)	(202) 224-2644
Sen. Steve Daines (R)	Sophie Miller (NA-LA)	(202) 224-2651
NEBRASKA		
Sen. Ben Sasse (R)	Megan Reiss	(202) 224-6551
Sen. Deb Fischer (R)	Steven Selde	(202) 224-4224
NEW MEXICO		
Sen. Tom Udall (D)	Lauren Arias (LA)	(202) 224-6621
Sen. Martin Heinrich (D)	Elizabeth Hill (LA)	(202) 224-5521
NORTH DAKOTA		
Sen. Heidi Heitkamp (D)	Libby Marking (NA-LA)	(202) 224-2043
Sen. John Hoeven (R)	Elizabeth Frei (LA)	(202) 224-2551
OKLAHOMA		
Sen. James Inhofe (R)	Jennifer Bowman (ED-LA)	(202) 224-4721
Sen. James Lankford (R)	Derek Osborn (LA)	(202) 224-5754
SOUTH DAKOTA		
Sen. John Thune (R)	Jessica McBride (LA)	(202) 224-2321
Sen. Mike Rounds (R)	Logan Penfield or Josh Jorgensen	(202) 224-5842
WASHINGTON		
Sen. Maria Cantwell (D)	William Hazzard (ED-LA)	(202) 224-3441
Sen. Patty Murray (D)	Tré Easton (Leg. Aide)	(202) 224-2621
IDAHO		
Sen. James E. Risch (R)	Darren Parker (LD)	(202) 224-2752
Sen. Mike Crapo (R)	Casey Attebery (LA)	(202) 224-6142
WISCONSIN		
Sen. Tammy Baldwin (D)	Meghan Ladwig (LA)	(202) 224-5653
Sen. Ron Johnson (R)	John Lambert (LA)	(202) 224-5323
WYOMING		
Sen. John Barrasso (R)	Bryn Stewart (LD)	(202) 224-6441
Sen. Michael B. Enzi (R)	Landon Stropko (LD) or Ali McGuire (LA)	(202) 224-3424

Draft TCU Executive Order

February 2, 2017

Carrie L. Billy
President & CEO

MEMBERSHIP:

ALASKA

Ilisagvik College

ARIZONA

Diné College
Tohono O'odham Community College

KANSAS

Haskell Indian Nations University

MICHIGAN

Bay Mills Community College
Keweenaw Bay Ojibwa Community College
Saginaw Chippewa Tribal College

MINNESOTA

Fond du Lac Tribal and Community College
Leech Lake Tribal College
Red Lake Nation College
White Earth Tribal and Community College

MONTANA

Aaniiih Nakoda College
Blackfeet Community College
Chief Dull Knife College
Little Big Horn College
Fort Peck Community College
Salish Kootenai College
Stone Child College

NEBRASKA

Little Priest Tribal College
Nebraska Indian Community College

NEW MEXICO

Institute of American Indian Arts
Navajo Technical College
Southwestern Indian Polytechnic Institute

NORTH DAKOTA

Cankdeska Cikana Community College
Nueeta Hidatsa Sahnish College
Sitting Bull College
Turtle Mountain Community College
United Tribes Technical College

OKLAHOMA

College of the Muscogee Nation
Comanche Nation College

SOUTH DAKOTA

Oglala Lakota College
Sinte Gleska University
Sisseton Wahpeton College

WASHINGTON

Northwest Indian College

WISCONSIN

College of Menominee Nation
Lac Courte Oreilles Ojibwa Community College

WYOMING

Wind River Tribal College

The Honorable Donald J. Trump
President
The White House
1600 Pennsylvania Avenue, NW
Washington, DC 20500

Dear Mr. President:

As an important component of the national effort to *Make America Great Again* through an expansion of American jobs fueled by a stronger and better prepared U.S. workforce; more stable, safe, and secure communities; and education systems that ensure affordability, excellence, and choice, I am writing to urge you to do what former President Barack H. Obama would not: sign a new and freestanding **Executive Order on Tribal Colleges and Universities** that builds on the legacy of support former President George W. Bush created through the *two* Tribal College executive orders he signed during his eight years in office. A revitalized **White House Initiative on Tribal Colleges and Universities** is one of the surest ways to include the first Americans in strategies aimed at achieving your vital national goal.

The nation's 36 Tribal Colleges and Universities (TCUs), which operate more than 75 sites and campuses in the 16 states within whose geographic boundaries 80 percent of American Indian reservations and federal Indian trust land lie, are unique community- and place-based institutions of higher education, providing *low-cost*, high quality, culturally-based education opportunity – from cradle through career -- to American Indians and Alaska Natives who have been largely excluded from state- and federally-supported higher education programs. Chartered by their respective federally-recognized Indian tribes or the federal government, TCUs have a special relationship with this government and can serve as unique conduits and liaisons between the federal government and rural tribal communities. However, over the past eight years, the relationship between the Administration – particularly the U.S. Department of Education – and Tribal Colleges has waned and the majority of TCUs remain the **most poorly funded institutions of higher education in the country**. In fact, TCUs still cannot fully participate in many federally-supported higher education and research programs, and their overall funding lags far behind even that of other Minority Serving Institutions.

Acknowledging the “integral and essential” role that TCUs have in their communities -- including helping Indian tribes create economic opportunity, build an American Indian workforce, and preserve rapidly disappearing Indigenous languages -- President Bush signed his first TCU Executive Order within 18 months of taking office and maintained it throughout his two-term presidency.



Building on longstanding executive orders for Historically Black Colleges and Universities, President William J. Clinton established the first White House Initiative on Tribal Colleges and Universities by executive order in 1996 to support the important work of TCUs and in an historical recognition of Tribal Sovereignty and tribal control of Indian education.

On behalf of the 36 TCUs and the more than 160,000 American Indians, Alaska Native, and other rural community residents they serve each year, I urge you to continue this vital national effort -- begun and sustained in a bipartisan way by two previous administrations -- by signing a new Executive Order on Tribal Colleges and Universities as soon as possible.

We stand ready to work with your staff on this important effort -- a draft executive order, building on the Bush efforts, is attached. Should you have questions and to arrange follow-up conversations, please contact me at 703-447-1647 (c) or cbilly@aihec.org.

Sincerely,

A handwritten signature in black ink, appearing to read 'Carrie L. Billy', with a stylized flourish at the end.

Carrie L. Billy
President & CEO

DRAFT EXECUTIVE ORDER ON TRIBAL COLLEGES AND UNIVERSITIES.
February 2017 (revised)

By the authority vested in me as President by the Constitution and laws of the United States of America, it is hereby ordered as follows:

Section 1. *Policy.*

American Indian and Alaska Native tribally controlled colleges and universities (TCUs) are community- and place-based institutions of higher education founded and chartered by their respective Indian tribes or the Federal Government. A unique and legal relationship exists between the United States and Indian tribes, and a special relationship exists between the United States and Alaska Native entities. In reaffirming the relationship of the Federal Government to American Indians and Alaska Natives, it is the policy of the Federal Government that this Nation's commitment to innovation, choice, affordability, and accessibility in education, must extend as well to Tribal Colleges and Universities (TCUs). The White House Initiative on Tribal Colleges and Universities (WHITCU) established by this order shall ensure that this national policy regarding TCUs is carried out with direct accountability at the highest levels of the Federal Government.

Tribal Colleges and Universities are integral to the economic and social wellbeing of their communities. Often they are the only postsecondary institutions within some of our Nation's poorest rural areas, strengthening the higher education pipeline and providing affordable and accessible academic, high-demand skills and technical education to underserved populations. TCUs fulfill a vital role in maintaining and preserving endangered languages and irreplaceable cultural traditions; increasing college access and success; offering a high-quality and affordable college education to younger students; and in providing job training and other career-building programs. TCUs also provide crucial services to communities that continue to suffer high rates of unemployment and the resulting economic and social distress.

Finally, postsecondary institutions can play a vital role in promoting choice and ensuring community engagement in early childhood, elementary, and secondary education. The Federal Government will therefore work to implement innovations and reform in education in partnership with TCUs and their American Indian and Alaska Native communities.

The Federal Government's commitment to TCUs is reaffirmed, and the private sector can and should contribute to the TCUs' educational and cultural missions

Section 2. *Definitions.*

- (a) Tribal Colleges and Universities. "Tribal Colleges and Universities" are those institutions that are chartered by their respective Indian tribes through the sovereign authority of the tribes, and defined in Section 316 (20 U.S.C. 1059c) of the Higher Education Act of 1965.
- (b) Indian tribe. "Indian tribe" means any Indian tribe, band, nation, pueblo, or other organized group or community, including any Alaska Native village or regional corporation as defined in or established pursuant to the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.).

- (c) National Indian Higher Education Organization. "National Indian higher education organization" is a national organization that is recognized to have sole focus on and expertise in Tribal Colleges and Universities and Indian higher education.
- (d) Secretary. "Secretary", unless otherwise designated, means the Secretary of Education.
- (e) Director. "Director" means the Director of the Office of Management and Budget.
- (f) Federal Department and Agency. "Federal department and agency" includes: *[to be provided after consultation with OMB]*.

Section 3. *Office of the White House Initiative on Tribal Colleges and Universities.*

There shall be established in the Executive Office of the President the White House Initiative on Tribal Colleges and Universities (WHITCU). WHITCU shall: (a) implement strategies to increase awareness among Federal agencies about TCUs and their role as key contributors and drivers of education and economic opportunity in rural and remote tribal communities; (b) serve the Director in carrying out her or his responsibilities under this order; and (c) engage with national Indian higher education organization(s) to maximize the effectiveness of carrying out the goals of order.

Section 4. *Department and Agency Participation.*

Each participating executive department and agency (agency) shall appoint a senior official who is a full-time officer of the Federal government and who is responsible for management or program administration. The official shall report directly to the agency head on agency activities under this order and serve as liaison to the WHITCU. To the extent permitted by law and regulation, each agency shall provide appropriate information as requested by the WHITCU Office pursuant to this order.

Section 5. *3-Year Federal Plan.*

(a) *Content.* Each agency shall, in collaboration with the TCUs individually or through a national Indian higher education organization, develop and implement a 3-Year Plan of the agency's efforts to fulfill the purposes of this order. These 3-Year Plans shall include annual performance indicators and appropriate measurable objectives related to TCUs, for the agency. The measures should accurately reflect the goals and stated needs and challenges facing TCUs, and further, they should have determined targets and timeframes. The goals and objectives shall address, among other relevant issues:

- (1) increasing the capacity of TCUs to access and compete effectively for any available grants, contracts, cooperative agreements, and other Federal resources;
- (2) increasing TCU engagement in Federal program opportunities by eliminating barriers to TCUs participation in federal research and education programs;
- (3) increasing college access and successful completion for economically disadvantaged American Indian and Alaska Native students;
- (4) preserving and revitalizing American Indian and Alaska Native languages and cultural traditions through programmatic initiatives and other strategies;

- (5) encouraging innovative approaches to better link TCUs with early childhood, elementary, secondary education programs, and with other university and postgraduate institutions;
- (6) assisting TCUs in address critical issues, including: (i) developing tribal economics through entrepreneurship, innovation, workforce training, and increased career and technical education and degree programs in high demand and emerging industries; (ii) tribal nation building and strengthening tribal governments through culturally relevant leadership and management program opportunities; (iii) improving community and behavioral wellbeing in tribal communities through expanded access to health promotion, disease prevention, and other behavioral health programs and services; and (iv) expanding opportunities for TCUs and their students to participate in international outreach activities and efforts to help strengthen the our position in the global economy.

To facilitate the attainment of these performance indicators and objectives, the head of each agency identified by the Secretary, shall provide, as appropriate, technical assistance and information to tribal colleges regarding the program activities of the agency and the preparation of applications or proposals for grants, contracts, or cooperative agreements.

- (b) *Annual Budget Submissions.* The agency's performance indicators and objectives should be clearly reflected in the agency's annual budget submission to the Office of Management and Budget.
- (b) *Integrated Plan of Assistance.* Each agency shall annually submit its 3-year Plan to the WHITCU Office. The WHITCU staff shall compile these plans and draft an Integrated Plan for Assistance to TCUs, which the Secretary shall review and submit to the President. Agencies may revise their 3-Year Plans within the 3-year period.
- (c) *Annual Performance Reports.* Each agency shall submit to the WHITCU Office and the Director of the Office of Management and Budget an Annual Performance Report that shall measure the agency's performance against the objectives set forth in its 3-Year Plan. The Director of the Office of Management and Budget shall be responsible for overseeing compliance with the integrated Plan of Assistance to TCUs and may be assisted in conducting these responsibilities by the WHITCU office.

Section 6. Private Sector.

In cooperation with the Tribal Colleges and Universities, WHITCU shall encourage the private sector, including the energy, technology, construction, finance, healthcare, medical and pharmaceutical industries, to assist and collaborate with TCUs, through increased use of such strategies as: (a) matching funds to support increased endowments; (b) developing expertise and more effectively managing finances, developing innovate curricula and programs in emerging industries and high demand areas, and expanding faculty development; (c) improving information technology infrastructure and the capacity to use new and emerging technologies; (d) enhance physical infrastructure, including through the use of creative financing strategies; (e) expanding institutional capacity to achieve a greater economic impact on tribal communities and contribute to American economic competitiveness; and (f) developing the partnerships and expertise needed to more effectively participate in federal contracting and research programs.

Section 7. Administration.

- (a) *Funding.* The WHITCU Office shall be funded by the Executive Office of the President.
- (b) *Administrative Support.* The Department of Education or Executive Office of the President shall provide, directly or through contract with a national Indian higher education organization, appropriate administrative services and staff support for the WHITCU. With the consent of the Executive Office of the President, other agencies participating in the WHITCU shall provide administrative support (including detailees) to the WHITCU Office consistent with statutory authority. The WHITCU Office shall have staff and shall be supported at appropriate levels commensurate with that of similar White House Initiative Offices.
- (c) *General Provisions.* Insofar as the Federal Advisory Committee Act, as amended (5 U.S.C. App.) (the "Act"), may apply to the administration of any portion of this order, any functions of the President under the Act, except that of reporting to the Congress, shall be performed by the Director of the Domestic Policy Council in accordance with the guidelines issued by the Administrator of General Services.

To Discuss, Please Contact:

Carrie Billy and Meg Goetz
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