

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:

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