



2018 Mid-Year Convention Toppenish, Washington

RESOLUTION #18 – 24 (#18-23 REVISED)

“NATIONS NOT RACES IN HIGHER EDUCATION”

PREAMBLE

We, the members of the Affiliated Tribes of Northwest 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 rights secured under Indian Treaties, Executive Orders, and benefits to which we are entitled under the laws and constitution of the United States and several states, to enlighten the public toward a better understanding of the Indian people, to preserve Indian cultural values, and otherwise to promote the welfare of the Indian people, do hereby establish and submit the following resolution:

WHEREAS, the Affiliated Tribes of Northwest Indians (ATNI) are representatives of and advocates for national, regional, and specific tribal concerns; and

WHEREAS, ATNI is a regional organization comprised of American Indians/Alaska Natives and tribes in the states of Washington, Idaho, Oregon, Montana, Nevada, Northern California, and Alaska; and

WHEREAS, the health, safety, welfare, education, economic and employment opportunity, and preservation of cultural and natural resources are primary goals and objectives of the ATNI; and

WHEREAS, American Indian and Alaska Native tribes, nations, and confederacies individually determine citizenship standards; and

WHEREAS, Tribal membership is not a racial nor ethnic classification but a unique status between sovereign tribal entities and the United States Government;¹ and

WHEREAS, State agencies are obligated to honor treaty and executive orders in regulations as it pertains to the Indian Trust Doctrine; and

WHEREAS, Indian Trust Doctrine includes education (Bienstock, 1996) as defined in 24 U.S.C. § 450a,

“Congress declares that a major national goal of the United States is to provide the quantity and quality of educational services and opportunities which will permit Indian children to compete and excel in the life areas of their choice...;” and

WHEREAS, this policy carries forward to higher education as defined in 25 C.F.R. Parts 40, 41. Where courts “...found state education programs for Indians to be within the scope of the Indian trust doctrine;”¹ and

WHEREAS, Initiative 200 (I-200) passed in 1998 by state vote to become RCW 49.60.400 and uses the following language:

“The state shall not discriminate against, or grant preferential treatment to, any individual or group on the basis of race, sex, color, ethnicity, or national origin in the operation of public employment, public education, or public contracting;” and

WHEREAS, RCW 49.60.400 is a state law which cannot affect federally recognized tribal citizenship; and

WHEREAS, affirmative actions for American Indian and Alaska Native students will have been upheld by the courts, so long as eligibility is based on tribal citizenship¹; and

WHEREAS, “Indigenous,” “Indigeneity,” “Native American,” “First Nations,” are identifiers used by world indigenous populations, and in solidarity, they are not protected by treaty or executive order; and

WHEREAS, as a citizenship status, higher education institutions are required to create an American Indian/Alaska Native citizenship question, which requires enrollment or lineage documentation, such as US Citizenship and Veteran Status; now

BE IT FURTHER RESOLVED, that ATNI does hereby hold higher education institutions responsible to work with Sovereign Nations to solve the recruitment, outreach, admission, and misidentification of American Indian and Alaska Native students; and

¹ Bienstock, R. Memo to College & University Administrators, The University of New Mexico, University Counsel Office, Albuquerque, NM. 2 January 1996

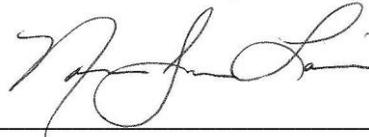
BE IT FURTHER RESOLVED, that this resolution be the policy of ATNI until it is withdrawn or modified by subsequent resolution.

CERTIFICATION

The foregoing resolution was adopted at the 2018 Mid-Year Convention of the Affiliated Tribes of Northwest Indians, held at the Legends Casino Hotel - Toppenish, Washington, on May 21-24, 2018, with a quorum present.



Leonard Forsman, President



Norma Jean Louie, Secretary