KACIE Advisory Statement

Legal Considerations for Tribal Citizens in Public Institutions as it Relates to Race, Ethnicity, and Political Status

As leaders across the state of Kansas (K-12 and Higher Education) engage in dialogue around issues of race and ethnicity in our educational systems, the Kansas Advisory Council for Indigenous Education strongly recommends to always consider the unique political status of individuals who are citizens of Native Nations when making decisions.

In the past year, leaders across Indian Country and the US Government have offered a variety of communications and legal arguments to emphasize the unique political status of Native Nations and their citizens, and we urge leaders to consider the attached memos and communications when making decisions about educational programming that impacts tribal citizens in Kansas.

See Attached:

- Department of Interior Order 3416 (Jan. 30, 2025)

- Senator Murkowski (Chair – Senate Committee on Indian Affairs) Letter to Office of Management and Budget; *Re: Reaffirming the Status of Tribes as Political Entities and the Legal Obligation of the United States to carry out the Federal Trust Responsibility in the Implementation of Presidential Executive Orders*; Feb. 5, 2025

- Department of Health and Human Services Memo; *Subject: Application of DEI Executive Order to American Indians and Alaska Natives;* Feb. 6 2025

- Senator Merkley and Representative Pingree (Ranking Members, Subcommittee on Interior, Environment, and Related Agencies Committees on Appropriations) Letter to US Department of Health and Human Services; Feb. 10, 2025

- Dalton Henry (Interim President, National Haskell Board of Regents letter *Re: Waiver Request for Haskell Indian Nations University from the President's Executive Order Workforce Optimization Initiative Requiring Reductions in Force*; Feb 17, 2025

- Students for Fair Admissions and Indian College Admissions White Paper (Drafted by Kilpatrick, Townsend, & Stockton LLP with Shawnee Tribal Chief Cover Letter); Mar. 5, 2024 and May 16, 2024

- National Indian Education Association and American Indian Higher Education Consortium; *Call for Exemption in Workforce Reductions at Bureau of Indian Education Tribal Colleges and K-12 Schools;* Feb.19, 2025

- Congressional Letter to President Trump, Secretary Burgum, and Secretary Kennedy (Signed by 100+ members of Congress) – Feb. 26 2025

- US Department of Education letter, response to NIEA – April 25, 2025

- US Department of Agriculture Secretary Memorandum 1078-010 – May 5, 2025

In addition: The following organizations in the Coalition for Tribal Sovereignty (CTS) have listed many letters submitted to governmental entities on these matters: (Located at: https://coalitionfortribalsovereignty.org/coalition-action-center/letters-sent-by-the-coalition/)

- Affiliated Tribes of Northwest Indians (ATNI)
- American Indian Higher Education Consortium (AIHEC)
- Association on American Indian Affairs (AAIA)
- California Tribal Chairpersons' Association (CTCA)
- Great Plains Tribal Chairmen's Association (GPTCA)
- Indian Gaming Association (IGA)
- Inter Tribal Association of Arizona (ITAA)
- Midwest Alliance of Sovereign Tribes (MAST)
- National American Indian Court Judges Association (NAICJA)
- National American Indian Housing Council (NAIHC)
- National Association of Tribal Historic Preservation Officers (NATHPO)
- National Center for American Indian Enterprise Development (NCAIED)
- National Congress of American Indians (NCAI)
- National Council of Urban Indian Health (NCUIH)
- National Indian Child Welfare Association (NICWA)
- National Indian Education Association (NIEA)
- National Indian Health Board (NIHB)
- National Indigenous Women's Resource Center (NIWRC)
- Native American Contractors Association (NACA)

- Native American Finance Officers Association (NAFOA)
- Native American Rights Fund (NARF)
- Northwest Portland Area Indian Health Board (NPAIHB)
- Rocky Mountain Tribal Leaders Council (RMTLC)
- Self-Governance Communication & Education Tribal Consortium (SGCETC)
- United South & Eastern Tribes Sovereign Protection Fund (USET SPF)
- United Tribes of Michigan (UTM)

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Approved by KACIE Vote Aug 22, 2025