

EDO Principal Correspondence Control

FROM: DUE: 03/02/07

EDO CONTROL: G20070124
DOC DT: 02/14/07
FINAL REPLY:

Margaret Spellings
Department of Education

TO:

Chairman Klein

FOR SIGNATURE OF :

** PRI **

CRC NO: 07-0120

Chairman Klein

DESC:

ROUTING:

E.O. 13270 - Tribal Colleges and Universities -
Measuring Annual Performance Report for FY 2006 -
Against the Goals and Performance Measures for
2006-2008 Action Plan (Due to DOED: 4/27/07)

Reyes
Virgilio
Kane
Silber
Johnson
Cyr/Burns
Johnson, OEDO

DATE: 02/22/07

ASSIGNED TO:

CONTACT:

SBCR

Kelley

SPECIAL INSTRUCTIONS OR REMARKS:

Ref. WITS 200400211. Provide designated senior level official using the Designation of Agency Representative Form by March 2, 2007. Provide copy of form to RidsEdoMailCenter and RidsSECYMailCenter. Response from Chairman due to OEDO by April 18, 2007.

Template: SECY-017

E-RIDS: SECY-01

OFFICE OF THE SECRETARY
CORRESPONDENCE CONTROL TICKET

Date Printed: Feb 21, 2007 16:35

PAPER NUMBER: LTR-07-0120 **LOGGING DATE:** 02/20/2007

ACTION OFFICE: EDO

AUTHOR: Margaret Spellings

AFFILIATION: DOED

ADDRESSEE: Dale Klein

SUBJECT: Executive Order 13270, Tribal Colleges and Universities

ACTION: Signature of Chairman

DISTRIBUTION: RF

LETTER DATE: 02/14/2007

ACKNOWLEDGED No

SPECIAL HANDLING: Chairman's Correspondence

NOTES: Note: Designation of Agency Representative form completion date and returned to the WHITCU by March 2, 2007; Response due NLT April 27, 2007

FILE LOCATION: ADAMS

DATE DUE: 04/20/2007

DATE SIGNED:



THE SECRETARY OF EDUCATION
WASHINGTON, DC 20202

February 14, 2007

Honorable Dale E. Klein
Chairman
Nuclear Regulatory Commission
11555 Rockville Pike
Rockville, Maryland 20852

Dear Dr. Klein:

I am writing to you concerning Executive Order 13270, *Tribal Colleges and Universities*, which the President signed on July 3, 2002. As Secretary of Education, I serve as the lead Cabinet Member designated to implement this Order, which reflects the Federal Government's policy that our Nation's commitment to educational excellence and opportunity must extend to the tribal colleges and universities that serve Indian tribes and Alaska Native entities. The White House Initiative on Tribal Colleges and Universities (WHITCU) assists me with these duties.

In October of last year, I wrote to agency heads concerning one of the requirements of Executive Order 13270, the development and implementation of Three-Year Plans to address agency efforts to increase the capacity of tribal colleges to compete effectively for Federal resources and encourage tribal colleges to participate in Federal programs. I write to you now about the annual reporting requirement for these plans.

As required by the Order, each designated Federal department and agency is to submit to WHITCU an *Annual Performance Report on Executive Agency Actions to Assist Tribal Colleges and Universities*. To assist WHITCU in ensuring that this goal is met, I am requesting the Annual Performance Report for Fiscal Year (FY) 2006, measuring your agency's performance against the goals and performance measures set forth in your 2006-2008 Action Plan, by April 27, 2007.

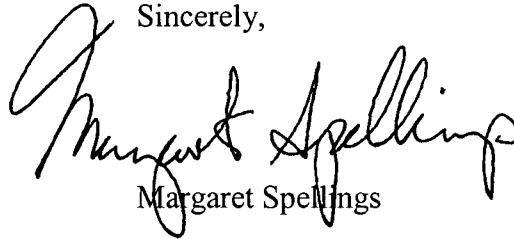
Enclosed are instructions that outline the data to be included in the report as well as the report forms. Electronic copies of the forms, which can be printed out when completed or transmitted electronically, are available at <http://www.ed.gov/about/inits/list/whtc/edlite-index.html>.

The Executive Order also requires that each designated agency head appoint a senior level official -- who reports directly to the agency head or the agency head's designee -- to serve as liaison to WHITCU. I am enclosing a *Designation of Agency Representative* form in case your agency needs to update the information on file from last year. This form should be completed and returned to WHITCU by March 2, 2007.

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I appreciate your cooperation in ensuring that your agency helps us meet the goal of strengthening the capacity of these educational institutions and increasing educational opportunity.

Sincerely,

A handwritten signature in black ink, appearing to read "Margaret Spellings". The signature is written in a cursive style with a large initial "M".

Margaret Spellings

Enclosures



**WHITE HOUSE INITIATIVE ON
TRIBAL COLLEGES AND UNIVERSITIES**

**Federal Agency Awards
To
Tribal Colleges and Universities**

Fiscal Year 2006

**Reporting Instructions and Guidelines
for the
Annual Performance Report
on
Executive Agency Actions to Assist
Tribal Colleges and Universities**

**White House Initiative on Tribal Colleges and Universities
1990 K Street NW, Suite 7010, Washington, DC 20006**



**WHITE HOUSE INITIATIVE ON
TRIBAL COLLEGES AND UNIVERSITIES**

DATE: February 14, 2007
TO: WHITCU – Federal Agency Liaisons
FROM: Deborah J. Cavett, Executive Director
SUBJECT: FY06 Annual Report Deadline

Deborah J. Cavett

Enclosed is a copy of “*Federal Agency Awards to Tribal Colleges and Universities, Fiscal Year 2006*,” containing instructions and guidelines for completing the FY 2006 Annual Performance Report on Executive Agency Actions to Assist Tribal Colleges and Universities. Please note that this report is due by **April 27, 2007**. Please submit the report to:

Deborah J. Cavett, Executive Director
White House Initiative on Tribal Colleges and Universities
Department of Education
1990 K Street, NW, Room 7010
Washington, DC 20006

Telephone: 202-219-7040
Fax: 202-219-7086
E-mail: tonya.ewers@ed.gov

Forms and instructions available at: <http://www.ed.gov/about/inits/list/whtc/edlite-index.html>

**Attachment: Instructions and Guidelines
Including
Definitions of TERMS and CATEGORIES
Summary of Agency Awards
Summary of Awards to Individual Colleges and Universities**

**WHITE HOUSE INITIATIVE ON TRIBAL COLLEGES AND UNIVERSITIES
FISCAL YEAR 2006 ANNUAL PERFORMANCE REPORT
ON
EXECUTIVE AGENCY ACTIONS TO ASSIST TRIBAL COLLEGES AND
UNIVERSITIES**

INSTRUCTIONS AND GUIDELINES

A. Executive Summary

Develop a summary of your agency's performance during Fiscal Year (FY) 2006 regarding:

- 1) Goals and measurable objectives outlined in FY06;
- 2) Comparison of FY06 performance to FY06 Performance Plan;
- 3) Programs (new and/or ongoing) that show specific benefit to tribal colleges;
- 4) Programs implemented that exemplified increased Federal opportunities for tribal colleges;
- 5) Total awarded funding to tribal colleges in FY06; and
- 6) Agency funding increases or decreases for tribal colleges from FY05 to FY06 (please give reason for significant increases or decreases).

B. Summary of Agency Awards by Category:

Please use the attached form "Summary of FY 2006 Agency Awards by Category to Tribal Colleges and Universities" to report total funding resulting from agency initiatives. **Report only those categories your agency supported during FY06.** Funding amounts should be reported in only one program category.

FY06 Award categories:

- 1) Research & Development
- 2) Direct Institutional Subsidies
- 3) Program Evaluation
- 4) Training & Technical Assistance
- 5) Facilities & Equipment
- 6) Fellowships, Internships, Recruitment, IPAs
- 7) Student Tuition Assistance, Scholarships, and Other Aid
- 8) Economic Development
- 9) Administrative Infrastructure
- 10) Third Party Awards
- 11) Private Sector Involvement
- 12) Other Activities

C. Summary of FY06 Agency Awards to Individual Tribal Colleges and Universities

Please use the attached form, "Summary of FY06 Agency Awards to Individual Tribal Colleges and Universities," to report total funding resulting from agency initiatives.

DEFINITIONS of TERMS and CATEGORIES:

The following definitions apply for the purpose of reporting the FY 2006 Annual Federal Performance Report:

Administrative Infrastructure (AI): Federal assistance to strengthen the management and administrative framework of an institution of higher education. An example of AI is when agency personnel participate in planning required to strengthen a research or teaching project or library collections, including attendance at planning sessions regarding administration of the institutional programs and missions.

Agency: All executive departments, establishments, and agencies of the Federal Government.

Award: Funds that an agency provides to an institution of higher education under a grant, contract, or other assistance. This may include the costs of salaries, benefits, and expenses of Federal personnel who are assigned to an institution as a liaison or work on the campus of an institution (whether in a Center of Excellence, a laboratory, or an office setting) to provide technical assistance, program planning guidance, etc. This also includes the costs to support these individuals on-site.

Contract: A legal instrument reflecting a relationship between a Federal agency and an institution of higher education where the principal purpose is to acquire -- by purchase, lease, or barter -- goods or services.

Direct Institutional Subsidies: Federal financial support to institutions of higher education for education and general expenses where the Federal Government either places no restrictions on the uses to which the funds may be put, or where the Federal Government provides a broad range of allowable activities within which the institution has discretion to use the funds.

Economic Development: Awards provided to support creation of new businesses or jobs, or expand existing businesses in order to create new markets.

Facilities and Equipment: Structures, works, fixed equipment, major repairs, or alterations to: structures, works, fixed equipment, facilities, or land for use by an institution of higher education. Also included are major repairs and alterations to these sites.

This category includes *construction*; the building or erecting of new or replacement buildings and facilities to be used as educational facilities by institutions of higher education.

Also included in this category is equipment that provides hardware support to strengthen the capabilities of technology and communications at institutions of higher education (i.e., internet access).

Fellowships, Internships, Recruitment, Traineeships, and Arrangements under the Intergovernmental Personnel Act (IPA): Cooperative education, student and faculty internships, visiting professorships, and personnel and student recruitment at institutions of higher education. Costs include salaries and expenses for student workers paid through a private organization, costs of career fair booths, and salaries and expenses for agency employees who are recruiting. Also includes costs for student fellows and interns, and the costs for employee training on how to mentor students.

Grant: The method of transferring property, money, services, or anything of value to a recipient in order to accomplish a public purpose authorized by statute when the agency is not anticipated to be substantially involved in performing the activity.

Institution of Higher Education (IHE): Any postsecondary education institution in the United States or its territories that offers at least two years of college-level studies. Qualified institutions can be located by searching data published by the National Center for Education Statistics at <http://nces.ed.gov/globallocator>.

Measurable Objectives: Agency activities or support for tribal colleges and universities that can be quantitatively measured in dollar amounts or in discrete, nonfinancial units of measure.

Private Sector Involvement: Activities funded in part or in whole by corporate sponsorship. An example would be if a student were provided work experience at a Federal Laboratory, and paid by a corporation instead of the Federal agency.

Program Evaluation: Actions to assess the effectiveness of institutional programs and activities, as well as the effectiveness of Federal programs and activities. In many cases, program evaluation activities are conducted on a continuous basis and are frequently included as salaries or other budgetary expenses. Costs to be captured may include those for nonteaching activities, contractual services for testing (i.e. laboratory) or evaluation of ongoing programs (on-site reviews).

Research and Development (R&D): Studies, observations, and other activities concerned with the identification, description, experimental investigation, and theoretical explanation of social, physical, and behavioral phenomena. Implementation activities are also included in R&D.

Student Tuition Assistance, Scholarships, and Other Aid: Federal funds awarded to an institution of higher education for students or awarded directly to students for payment of such charges as tuition and room and board.

Technical Assistance: Direct help or services to institutions of higher education in key areas such as writing proposals, negotiating awards, and managing programs and finances. For applicable agencies, this includes scientific and/or technical support. All technical assistance should be included under Category 4, Training. Examples of such activities include: funding of programs that provide technical assistance (many through agency outreach staff) and development of curricula for colleges and universities.

Third-Party Awards: Organizations or other entities receiving Federal awards on behalf of one or more colleges or universities. Examples of such entities include: the National Association for Equal Opportunity in Higher Education (NAFEO); American Indian Higher Education Consortium (AIHEC); American Indian Science and Engineering Society (AISES); National Laboratories, such as Los Alamos or Lawrence Livermore; and various foundations and associations.

Training: Using professional personnel (Federal and nonfederal) to acquire or enhance knowledge or skills at an institution.

Tribal Colleges and Universities (TCUs): Those institutions defined in Section 2 of Executive Order 13270, specifically: institutions cited in section 532 of the Equity in Educational Land-Grant Status Act of 1994 (7 U.S.C. §301 note); any other institution that qualifies for funding under the Tribally Controlled College and University Assistance Act of 1978, (25 U.S.C §1801 *et seq.*); and Dine College, authorized in the Navajo Community College Assistance Act of 1978, Public Law 95-471, title II (25 U.S.C. §640a note).

B. SUMMARY OF FY 2006 AGENCY AWARDS BY CATEGORY TO TRIBAL COLLEGES AND UNIVERSITIES

1. Agency/Organization _____

2. Name, Title, Phone, Fax, and email address of agency representative preparing report:

3. FY-06 Total Funding for all Institutions of Higher Education (IHEs)

CATEGORY	TOTAL AWARDS TO IHEs	TOTAL AWARDS TO TCUs	% OF AWARDS TO TCUs
1. Research & Development			
2. Direct Institutional Subsidies			
3. Program Evaluation			
4. Training & Technical Assistance			
5. Facilities & Equipment			
6. Fellowships, Internships Recruitment, IPAs			
7. Student Tuition Assistance, Scholarships, and Other Aid			
8. Economic Development			
9. Administrative Infrastructure			
10. Third Party Awards			
11. Private Sector Involvement			
12. Other Activities			
Total			

Agency Head (Typed)

Agency Head (Signature)

Date

C. Summary of FY06 Agency Awards to Individual Tribal Colleges and Universities

Agency:														
Tribal Colleges and Universities	ST	Research & Development	Direct Institutional Subsidies	Program Evaluation	Training & Technical Assistance	Facilities & Equipment	Fellowships, Internships, Recruitment, IPAs	Student Tuition Assistance, Scholarships and Other Aid	Economic Development	Administrative Infrastructure	Third Party Awards	Private Sector Involvement	Other Activities	Grand Total
BAY MILLS COMMUNITY COLLEGE	MI													0
BLACKFEET COMMUNITY COLLEGE	MT													0
CANKDESKA CIKANA COMMUNITY COLLEGE	ND													0
CHIEF DULL KNIFE COLLEGE	MT													0
COLLEGE OF MENOMINEE NATION	WI													0
CROWNPOINT INSTITUTE OF TECHNOLOGY	NM													0
DINE COLLEGE	AZ													0
FOND DU LAC TRIBAL & COMMUNITY COLLEGE	MN													0
FORT BELKNAP COLLEGE	MT													0
FORT BERTHOLD COMMUNITY COLLEGE	ND													0
FORT PECK COMMUNITY COLLEGE	MT													0
HASKELL INDIAN NATIONS UNIVERSITY	KS													0
ILISAGVIK COLLEGE	AK													0
INSTITUTE OF AMERICAN INDIAN ARTS	NM													0
LAC COURTE OREILLES OJIBWA COMM. COLLEGE	WI													0
LEECH LAKE TRIBAL COLLEGE	MN													0
LITTLE BIG HORN COLLEGE	MT													0
LITTLE PRIEST TRIBAL COLLEGE	NE													0
NEBRASKA INDIAN COMMUNITY COLLEGE	NE													0
NORTHWEST INDIAN COLLEGE	WA													0
OGLALA LAKOTA COLLEGE	SD													0
SAGINAW CHIPPEWA TRIBAL COLLEGE	MI													0
SALISH KOOTENAI COLLEGE	MT													0
SI TANKA/HURON UNIVERSITY	SD													0
SINTE GLESKA UNIVERSITY	SD													0
SISETON WAHPETON COMMUNITY COLLEGE	SD													0
SITTING BULL COLLEGE	ND													0
SOUTHWESTERN INDIAN POLYTECHNIC INSTITUTE	NM													0
STONE CHILD COLLEGE	MT													0
TOHONO O'ODHAM COMMUNITY COLLEGE	AZ													0
TURTLE MOUNTAIN COMMUNITY COLLEGE	ND													0
UNITED TRIBES TECHNICAL COLLEGE	ND													0
WHITE EARTH TRIBAL AND COMMUNITY COLLEGE	MN													0
Category Totals		0	0	0	0	0	0	0	0	0	0	0	0	0
Notes:														
Name of Agency Liaison:					Title:									
Phone:			Fax:			Email:								
Signature of Agency Head:														
Date:														

Designation of Agency Representative

Please use this form to designate the senior-level official in your department or agency serving as liaison to WHITCU to implement Executive Order 13270. Please fax the completed form to 202-219-7086 by March 2, 2007.

Agency	
Name of Liaison	
Title	
Phone	
Fax	
E-mail	
Office	
Address	
City/State/Zip	
Signature of Agency Head	
Date	

Presidential Documents

Executive Order 13270 of July 3, 2002

Tribal Colleges and Universities

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

Section 1. Policy. There is a unique relationship between the United States and Indian tribes, and a special relationship between the United States and Alaska Native entities. It is the policy of the Federal Government that this Nation's commitment to educational excellence and opportunity must extend as well to the tribal colleges and universities (tribal colleges) that serve Indian tribes and Alaska Native entities. The President's Board of Advisors on Tribal Colleges and Universities (the "Board") and the White House Initiative on Tribal Colleges and Universities (WHITCU) established by this order shall ensure that this national policy regarding tribal colleges is carried out with direct accountability at the highest levels of the Federal Government.

Tribal colleges are both integral and essential to their communities. Often they are the only postsecondary institutions within some of our Nation's poorest rural areas. They fulfill a vital role: in maintaining and preserving irreplaceable languages and cultural traditions; in offering a high-quality college education to younger students; and in providing job training and other career-building programs to adults and senior citizens. Tribal colleges provide crucial services in communities that continue to suffer high rates of unemployment and the resulting social and economic distress.

The Federal Government's commitment to tribal colleges is reaffirmed and the private sector can and should contribute to the colleges' educational and cultural missions.

Finally, postsecondary institutions can play a vital role in promoting excellence in early childhood, elementary, and secondary education. The Federal Government will therefore work to implement the innovations and reforms of the No Child Left Behind Act of 2001 (Public Law 107-110) in partnership with tribal colleges and their American Indian and Alaska Native communities.

Sec. 2. Definition of Tribal Colleges and Universities. Tribal colleges are those institutions cited in section 532 of the Equity in Educational Land-Grant Status Act of 1994 (7 U.S.C. 301 note), any other institution that qualifies for funding under the Tribally Controlled Community College Assistance Act of 1978 (25 U.S.C. 1801 *et seq.*), and Diné College, authorized in the Navajo Community College Assistance Act of 1978, Public Law 95-471, title II (25 U.S.C. 640a note).

Sec. 3. Board of Advisors. (a) *Establishment.* There shall be established in the Department of Education a Presidential advisory committee entitled the President's Board of Advisors on Tribal Colleges and Universities (the "Board").

(b) *Membership.* The Board shall consist of not more than 15 members who shall be appointed by the President, one of whom shall be designated by the President as Chair. The Board shall include representatives of tribal colleges and may also include representatives of the higher, early childhood, elementary, and secondary education communities; tribal officials; health, business, and financial institutions; private foundations; and such other persons as the President deems appropriate.

(c) *Functions.* The Board shall provide advice regarding the progress made by Federal agencies toward fulfilling the purposes and objectives of this order. The Board also shall provide recommendations to the President, through the Secretary of Education (Secretary), on ways the Federal Government can help tribal colleges:

(1) use long-term development, endowment building, and planning to strengthen institutional viability;

(2) improve financial management and security, obtain private-sector funding support, and expand and complement Federal education initiatives;

(3) develop institutional capacity through the use of new and emerging technologies offered by both the Federal and private sectors;

(4) enhance physical infrastructure to facilitate more efficient operation and effective recruitment and retention of students and faculty; and

(5) help implement the No Child Left Behind Act of 2001 and meet other high standards of educational achievement.

(d) *Meetings.* The Board shall meet at least annually, at the request of the Secretary, to provide advice and consultation on tribal colleges and relevant Federal and private-sector activities, and to transmit reports and present recommendations.

Sec. 4. *White House Initiative on Tribal Colleges and Universities.* There shall be established in the Department of Education, Office of the Secretary, the White House Initiative on Tribal Colleges and Universities (WHITCU). The WHITCU shall:

(a) provide the staff support for the Board;

(b) assist the Secretary in the role of liaison between the executive branch and tribal colleges; and

(c) serve the Secretary in carrying out the Secretary's responsibilities under this order.

Sec. 5. *Department and Agency Participation.* Each participating executive department and agency (agency), as determined by the Secretary, 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, or to the agency head's designee, on agency activity 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 staff pursuant to this order.

Sec. 6. *Three-Year Federal Plan.*

(a) *Content.* Each agency identified by the Secretary shall develop and implement a Three-Year Plan of the agency's efforts to fulfill the purposes of this order. These Three-Year Plans shall include annual performance indicators and appropriate measurable objectives for the agency. Among other relevant issues, the plans shall address how the agency intends to increase the capacity of tribal colleges to compete effectively for any available grants, contracts, cooperative agreements, and any other Federal resources, and to encourage tribal colleges to participate in Federal programs. The plans also may emphasize access to high-quality educational opportunities for economically disadvantaged Indian students, consistent with requirements of the No Child Left Behind Act of 2001; the preservation and revitalization of tribal languages and cultural traditions; and innovative approaches to better link tribal colleges with early childhood, elementary, and secondary education programs. 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. 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) *Submission.* Each agency shall submit its Three-Year Plan to the WHITCU. In consultation with the Board, the WHITCU shall then review these Three-Year Plans and develop an integrated Three-Year Plan for Assistance to Tribal Colleges, which the Secretary shall review and submit to the President. Agencies may revise their Three-Year Plans within the three-year period.

(c) *Annual Performance Reports.* Each agency shall submit to the WHITCU an Annual Performance Report that measures the agency's performance against the objectives set forth in its Three-Year Plan. In consultation with the Board, the WHITCU shall review and combine Annual Performance Reports into one annual report, which shall be submitted to the Secretary for review, in consultation with the Office of Management and Budget.

Sec. 7. Private Sector. In cooperation with the Board, the WHITCU shall encourage the private sector to assist tribal colleges through increased use of such strategies as:

(a) matching funds to support increased endowments;

(b) developing expertise and more effective ways to manage finances, improve information systems, build facilities, and improve course offerings; and

(c) increasing resources for and training of faculty.

Sec. 8. Termination. The Board shall terminate 2 years after the date of this order unless the Board is renewed by the President prior to the end of that 2-year period.

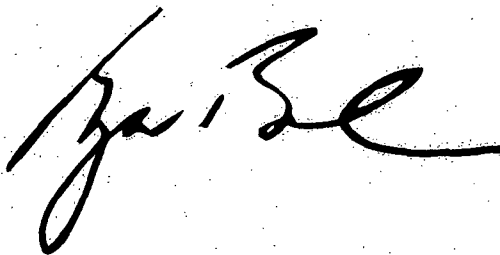
Sec. 9. Administration. (a) *Compensation.* Members of the Board shall serve without compensation, but shall be allowed travel expenses, including per diem in lieu of subsistence, as authorized by law for persons serving intermittently in Government service (5 U.S.C. 5701-5707).

(b) *Funding.* The Board and the WHITCU shall be funded by the Department of Education.

(c) *Administrative Support.* The Department of Education shall provide appropriate administrative services and staff support for the Board and the WHITCU. With the consent of the Department of Education, other agencies participating in the WHITCU shall provide administrative support (including detailees) to the WHITCU consistent with statutory authority. The Board and the WHITCU each shall have a staff and shall be supported at appropriate levels commensurate with that of similar White House Initiative Offices.

(d) *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 Secretary of Education in accordance with the guidelines issued by the Administrator of General Services.

Sec. 10. *Revocation.* Executive Order 13021 of October 19, 1996, as amended, is revoked.

A handwritten signature in black ink, appearing to be "George W. Bush", written in a cursive style.

THE WHITE HOUSE,
July 3, 2002.

[FR Doc. 02-17274
Filed 7-5-02; 10:22 am]
Billing code 3195-01-P