



**COALITION OF LARGE TRIBES**

Blackfeet Nation • Cheyenne River Sioux Tribe • Crow Nation • Eastern Shoshone Tribe  
Fort Belknap Indian Community • Mandan, Hidatsa & Arikara Nation • Navajo Nation • Northern Arapaho Tribe  
Oglala Sioux Tribe • Rosebud Sioux Tribe • Sisseton Wahpeton Sioux Tribe  
Shoshone Bannock Tribes • Spokane Tribe • Ute Indian Tribe • Walker River Paiute Tribe

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**Coalition of Large Tribes (COLT)**

**Resolution: 09-22-2023-Resolution #01 2023 (Washington DC)**

**Resolution in Support of Amending the Immigration and Naturalization Act to Authorize Tribal Schools to Waive the Foreign Residence Requirement for J-1 Visa Educators**

**WHEREAS**, the Coalition of Large Tribes (COLT) was formally established in early April 2011, and is comprised of Tribes with large land base, including the Blackfeet Nation • Cheyenne River Sioux Tribe • Crow Nation • Eastern Shoshone Tribe • Fort Belknap Indian Community • Mandan, Hidatsa & Arikara Nations • Navajo Nation • Northern Arapaho Tribe • Oglala Sioux Tribe • Rosebud Sioux Tribe • Sisseton Wahpeton Sioux Tribe • Shoshone Bannock Tribes • Spokane Tribe • Ute Indian Tribe • Walker River Paiute Tribe and is Chaired by Councilman Marvin Weatherwax, Blackfeet Tribal Business Council; and

**WHEREAS**, COLT was organized to provide a unified advocacy base on all issues affecting Tribes that govern large trust land bases; and

**WHEREAS**, COLT Tribes consist of Tribes that have a land base of 100,000 acres of land or more, of which, of the 574 Federally recognized Tribes, more than 50 Tribes meet this criterion; and these Tribes control 95 percent of tribal lands and consist of one half of the Native population; and

**WHEREAS**, COLT recognizes that the nation has a shortage of qualified educators and teachers, which particularly affects the schools funded by the Department of Interior Bureau of Indian Education (BIE). The teacher shortage vulnerability in the BIE-funded school system stems from the lack of adequate funding appropriated from Congress to BIE for tribal schools, and the limited funding provided to tribal schools makes it hard to attract and retain qualified teachers in rural tribal areas; and

**WHEREAS**, to cope with the continued underfunding and the exacerbated teacher shortage that required continued in-person teaching during the Covid-19 Pandemic, many tribal schools found innovative solutions such as hosting educators under J-1 Exchange Visitor Visas, which are non-immigrant visas that allow teachers to participate in an exchange program in the United States for educational and cultural purposes for up to five years; and



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**WHEREAS**, while dozens of tribal schools have chosen to host teachers on J-1 Visas to fulfill the vital need for student education, these teachers are required to return to their home country after their two-year foreign residency requirement because BIE-funded teachers are “financed in whole or in part directly or indirectly by the U.S. government or the government of the exchange visitor’s nationality or last residence” under 22 C.F.R. § 41.63(a)(1); and

**WHEREAS**, for example, on the Oglala Sioux Tribe’s Pine Ridge Indian Reservation, the BIE funds seven tribal schools, and among those schools, there are currently an estimated one (100) hundred teachers on a J-1 non-immigrant student, trainee or teaching Visas, out of five (500) hundred teachers in the Oglala Sioux Tribal school system and tribal schools have no way of replacing these critically important teachers; and

**WHEREAS**, the INA, has several exemptions to the J-1 two-year foreign residency requirement, including due to the request of an interested U.S. Federal Agency for J-1 visa extensions (8 U.S.C. 1182); and

**WHEREAS**, the INA also has several exemptions to the two-year foreign residency waiver after the completion of the initial J-1 visa period and an extension for certain fields, one of which is the Conrad 30 Amendment, which exists to address the shortage of qualified doctors in medically under-served areas, however, there is not a comparable amendment for teacher shortages in under-served areas such as tribal lands.

**THEREFORE BE IT RESOLVED**, the COLT requests that the Bureau of Indian Education (BIE) and the Department of the Interior (DOI) work with BIE schools and tribally-controlled schools to ensure residency waivers for J-1 extensions are easily applied to teach at these schools; and

**THEREFORE BE IT RESOLVED**, the tribal leaders of the COLT call upon Congress to support an amendment similar to the Conrad 30 Amendment to the Immigration and Nationality Act (INA) that would authorize tribal schools, through the DOI, BIE to allow J-1 visa employees to apply for alternate immigrant and non-immigrant visas from the United States without the foreign residency requirements provided these educators agree to work for at least three years in a BIE school.

**BE IT FINALLY RESOLVED**, that this resolution shall be the policy of COLT until it is withdrawn or modified by subsequent resolution.



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**CERTIFICATION**

This resolution was enacted at a duly called meeting of the Coalition of Large Tribes held on ancestral lands of the Anacostans (also documented as Nacotchtank), and the neighboring Piscataway and Pamunkey peoples, Washington, DC on September 22, 2023, at which a quorum was present, with the resolution approved unanimously.

Dated this September 22, 2023

Attest:

Marvin Weatherwax  
COLT Chairman

*Oliver Semans Sr*

OJ Semans  
COLT Executive Director  
(Carrying out duties delegated by Secretary Nathan Small upon his retirement)