

**The Tulalip Tribes of Washington
Resolution # 2021 – 328**

**Statement and Support for the Truth and Healing Commission on
Indian Boarding School Policies Act and Associated Efforts**

WHEREAS, the Board of Directors is the governing body of the Tulalip Tribes under the Constitution and Bylaws Article VI., Sec. 1.B. of the Tribes and approved by the United States Commissioner of Indian Affairs and the Secretary of the Interior on January 24, 1936, pursuant to the Act of June 18, 1934 (48 Stat. 984, 25 U.S.C. §476); and

WHEREAS, the Tulalip Board of Directors under Article VI, Section 1 (F) and (L) of the Tribal Constitution desire to promote and manage the Tribal Reservations economic affairs through continued development of businesses within the Exterior Boundaries, and to safeguard and promote the communities peace, safety and general welfare; and

WHEREAS, assimilation processes against Native Americans, such as the Indian Boarding School Policies, were adopted by the United States Government to strip American Indian, Alaska Native, and Native Hawaiian children of their Indigenous identities, beliefs, and languages to assimilate them into non-Native culture through federally funded and controlled Christian-run schools, which had the intent and, in many cases, the effect, of termination, with dire and intentional consequences on the cultures and languages of Indigenous peoples; and

WHEREAS, the Indian Boarding school policies began with the enactment of the Act of March 3, 1819 (3 Stat. 516, chapter 85) and the peace policy with Tribal nations advanced by President Ulysses Grant in 1868, under which more than 100,000 American Indian and Alaska Native children were forcibly removed from their family homes and placed in any of 460 Bureau of Indian Affairs-operated schools, including at least 367 known Indian boarding schools, often church-run, at which assimilation and “civilization” practices were inflicted on those children as part of the assimilation efforts of the Federal Government, advancing eradication of Indigenous peoples in the United States; and

WHEREAS, the Indian boarding schools, and the policies that created, funded, and fueled their existence, were designed to assimilate American Indian, Alaska Native, and Native Hawaiian children into non-Native culture by stripping them of their cultural identities, often through physical, sexual, psychological, industrial, and spiritual abuse and neglect, leading to the forced removal of hundreds of thousands of American Indian and Alaska Native children as young as 3 years old, relocating them from their traditional homelands to 1 of at least 367 known Indian boarding schools, of which 73 remain open today, across 30 States; and

WHEREAS, a boarding school was located here on the Tulalip Indian reservation and many Tulalip tribal children were sent here, this boarding school and others schools were a place to experiment on and abuse our children medically, physically, psychologically and sexually; and

WHEREAS, the longstanding intended consequences and ramifications of the treatment of American Indian, Alaska Native, and Native Hawaiian children, families, and communities because of Federal policies and the funding of Indian boarding schools continues to impact Native communities through intergenerational trauma, cycles of violence and abuse, disappearance, health disparities, substance abuse, premature deaths, additional undocumented physical, sexual, psychological, industrial, and spiritual abuse and neglect, and trauma; and

WHEREAS, the 2018 Broken Promises Report published by the United States Commission on Civil Rights reported that American Indian and Alaska Native communities continue to experience intergenerational trauma resulting from experiences in Indian boarding schools, which divided cultural family structures, damaged Indigenous identities, and inflicted chronic psychological ramifications on American Indian and Alaska Native children and families; and

WHEREAS, Congress intends to introduce legislation titled: To establish the Truth and Healing Commission on Indian Boarding School Policies in the United States, and for other purposes, the Act may be cited as the “Truth and Healing Commission on Indian Boarding School Policies Act”; and


WHEREAS, the purposes of this Act are to establish a Truth and Healing Commission (Commission) on Indian Boarding School Policies in the United States to formally investigate and document, for the first time in history, the attempted termination of cultures and languages of Indigenous peoples, assimilation practices, and human rights violations that occurred against American Indians, Alaska Natives, and Native Hawaiians through Indian Boarding School Policies in furtherance of the motto to “kill the Indian in him and save the man”; and to formally investigate and document the impacts and ongoing effects of historical and intergenerational trauma in Native communities, including the effects of the attempted cultural and linguistic termination of American Indians, Alaska Natives, and Native Hawaiians, resulting from Indian Boarding School Policies, among other things; and

WHEREAS, the Commission’s main role is to develop recommendations on actions the Federal Government can take to adequately hold itself accountable for, and redress and heal, the historical and intergenerational trauma inflicted by the Indian Boarding School Policies.

NOW THEREFORE BE IT RESOLVED by the Board of Directors of the Tulalip Tribes hereby supports all congressional efforts to pass legislation approving the Truth and Healing Commission on Indian Boarding School Policies Act and similar initiatives, and subsequent recommendations, to hold the federal government accountable for, and redress and heal, the historical and intergenerational trauma inflicted by the Indian Boarding School Policies.

ADOPTED by the Board of Directors of the Tulalip Tribes of Washington at a regular meeting assembled on the 6 of August, 2021, with a quorum present, by a vote of 6 for and 0 against.

THE TUPALIP TRIBES OF WASHINGTON


Teri Gobin, Chairwoman

ATTEST:



Marie Zackuse, Secretary



Board of Directors:

Teri Gobin – Chair
Glen Gobin – Vice Chair
Mel R. Sheldon – Secretary
Misty Napeahi – Treasurer
Marlin Fryberg Jr. – Council Member
Marie Zackuse – Council Member
Hazen Shopbell – Council Member

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The Tulalip Tribes are federally recognized successors in interest to the Snohomish, Snoqualmie, Skykomish, and other allied tribes and bands signatory to the Treaty of Point Elliott.

August 3, 2021

Honorable Elizabeth Warren
Hart Senate Office Building
Washington, DC 20510

Re: Tulalip Tribes Support for the “Truth and Healing Commission on Indian Boarding School Policies Act” Legislation

The Honorable Senator Warren:

The Tulalip Tribes supports your efforts to introduce legislation to establish a Truth and Healing Commission on Indian Boarding School Policies to formally investigate and document human rights violations and genocide that occurred against the Tulalip people and others in Indian country.

The federal government’s boarding school policies have had a profound negative impact on the Tulalip people and other Indian tribes in the Pacific Northwest, no different than other tribal communities in the United States. A boarding school was located on the Tulalip Indian reservation. From 1857 to 1932 many children attended this school, both from Tulalip and other reservations on northern Puget Sound. Attendance was not optional. School officials would take the children from their parents, and they would live at the school except during the summer when they returned home.

Based on accounts from Tulalip attendees, the children missed their families and could be heard crying after the lights were out. Consistent with all boarding schools across the United States, this school stripped our children of their cultural identities, and children suffered through physical, sexual, psychological, and spiritual abuse and neglect. Our people emerged from these schools broken. The intentional consequences of the boarding school policies on our communities have been devastating and we live with these consequences daily.

The Tulalip Tribes support and urges the introduction of the bill “To establish the Truth and Healing Commission on Indian Boarding School Policies in the United States, and for other

purposes.” The atrocities of the Indian Boarding School Policies can no longer be ignored, and the Federal Government must adequately be accountable for the historical and intergenerational trauma inflicted on us by these policies. This will be the first time that the atrocities committed against our tribal communities will be investigated and documented at a national level, and we support this effort wholeheartedly.

The Tulalip Tribes is committed to help move this measure across the finish line this legislative session. Thank you for your work on this effort. If you have any questions, please do not hesitate to contact Tulalip Chairwoman Teri Gobin at trgobin@tulaliptribes-nsn.gov or Federal Advocate Lisa Koop Gunn at lkoop@tulaliptribes-nsn.gov or 206-683-5667.

Thank you,



Teri Gobin,
Tulalip Tribal Chairwoman

Cc:

Tulalip Board of Directors
Ryan Miller, Governmental Affairs
The Honorable Maria Cantwell
The Honorable Patty Murray
National Native American Boarding School Healing Coalition

1 Title: To establish the Truth and Healing Commission on Indian Boarding School Policies in the
2 United States, and for other purposes.

3
4

5 Be it enacted by the Senate and House of Representatives of the United States of America in
6 Congress assembled,

7 SECTION 1. SHORT TITLE.

8 This Act may be cited as the “Truth and Healing Commission on Indian Boarding School
9 Policies Act”.

10 SEC. 2. FINDINGS.

11 Congress finds that—

12 (1) assimilation processes, such as the Indian Boarding School Policies, were adopted by
13 the United States Government to strip American Indian, Alaska Native, and Native
14 Hawaiian children of their Indigenous identities, beliefs, and languages to assimilate them
15 into non-Native culture through federally funded and controlled Christian-run schools,
16 which had the intent and, in many cases, the effect, of termination, with dire and intentional
17 consequences on the cultures and languages of Indigenous peoples;

18 (2) assimilation processes can be traced back to—

19 (A) the enactment of the Act of March 3, 1819 (3 Stat. 516, chapter 85), which
20 created a fund to administer the education, healthcare, and rations promised to Tribal
21 nations under treaties those Tribal nations had with the United States; and

22 (B) the peace policy with Tribal nations advanced by President Ulysses Grant in
23 1868, which, among other things, authorized amounts in the fund established under the
24 Act of March 3, 1819 (3 Stat. 516, chapter 85) to be used by churches;

25 (3) the Federal Government funded church-run boarding schools for Native Americans
26 from 1819 through the 1960s under the Act of March 3, 1819 (3 Stat. 516, chapter 85),
27 which authorized the forced removal of hundreds of thousands of American Indian and
28 Alaska Native children as young as 3 years old, relocating them from their traditional
29 homelands to 1 of at least 367 known Indian boarding schools, of which 73 remain open
30 today, across 30 States;

31 (4) beginning in 1820, missionaries from the United States arrived in Hawaii, bringing a
32 similar desire to civilize Native Hawaiians and convert “Hawaiian heathens” to Christians,
33 establishing day schools and boarding schools that followed models first imposed on Tribal
34 nations on the East Coast of the United States;

35 (5) by 1926, nearly 83 percent of American Indian and Alaska Native school-age children
36 were enrolled in Indian boarding schools in the United States, but, the full extent of the
37 Indian Boarding School Policies has yet to be fully examined by—

38 (A) the Federal Government or the churches who ran those schools; or

39 (B) other entities who profited from the existence of those schools;

1 (6) General Richard Henry Pratt, the founder and superintendent of the Carlisle Indian
2 Industrial School in Carlisle, Pennsylvania, stated that the ethos of Indian Boarding School
3 Policies was to “kill the Indian in him, and save the man”;

4 (7) in 1878, General Pratt brought a group of American Indian warriors held as prisoners
5 of war to what was then known as the Hampton Agricultural and Industrial School in
6 Hampton, Virginia, for a residential experiment in the education of Indigenous people;

7 (8) prior to arriving to the Hampton Agricultural and Industrial School in 1878, the
8 American Indian warriors held as prisoners of war had already spent 3 years imprisoned,
9 during which time they were forced to shave their traditionally grown hair, dress in military
10 uniforms, participate in Christian worship services, and adopt an English name;

11 (9) General Samuel C. Armstrong, founder and, in 1878, principal, of the Hampton
12 Agricultural and Industrial School, was influenced by his parents and other missionaries in
13 the United States involved in the education of Native Hawaiian children;

14 (10) General Armstrong modeled the Hampton Agricultural and Industrial School after
15 the Hilo Boarding School in Hawai’i, a missionary-run boarding school that targeted high
16 performing Native Hawaiians to become indoctrinated in Protestant ideology, which was
17 similar to boarding schools led by missionaries in the similarly sovereign Five Tribes of
18 Oklahoma, including the Cherokee and Chickasaw;

19 (11) in addition to bringing a group of American Indian warriors held as prisoners of war
20 to the Hampton Agricultural and Industrial School in 1878, General Pratt influenced
21 Sheldon Jackson, a Presbyterian missionary who, in 1885, was appointed by the Secretary
22 of the Interior to be a General Agent of Education in the Alaska Territory;

23 (12) Hampton Agricultural and Industrial School continued as a boarding school for
24 American Indians, Alaska Natives, and Native Hawaiians until 1923;

25 (13) founded in 1879, the Carlisle Indian Industrial School set the precedent for
26 government-funded, off-reservation Indian boarding schools in the United States, where
27 more than 10,000 American Indian and Alaska Native children were enrolled from more
28 than 140 Indian Tribes;

29 (14) Indian boarding schools, and the policies that created, funded, and fueled their
30 existence, were designed to assimilate American Indian, Alaska Native, and Native
31 Hawaiian children into non-Native culture by stripping them of their cultural identities,
32 often through physical, sexual, psychological, industrial, and spiritual abuse and neglect;

33 (15) many of the children who were taken to Indian boarding schools did not survive, and
34 of those who did survive, many never returned to their parents, extended families, and
35 communities;

36 (16) at the Carlisle Indian Industrial School alone, approximately 180 American Indian
37 and Alaska Native children were buried;

38 (17) while attending Indian boarding schools, American Indian, Alaska Native, and
39 Native Hawaiian children suffered additional physical, sexual, psychological, industrial, and
40 spiritual abuse and neglect as they were sent to non-Native homes and businesses for
41 involuntary and unpaid manual labor work during the summers;

1 (18) many American Indian, Alaska Native, and Native Hawaiian children escaped from
2 Indian boarding schools by running away, and then remained missing or died of illnesses
3 due to harsh living conditions, abuse, or substandard health care provided by the Indian
4 boarding schools;

5 (19) many American Indian, Alaska Native, and Native Hawaiian children died at
6 hospitals neighboring Indian boarding schools, including the Puyallup Indian School that
7 opened in 1860, which was first renamed the Cushman Indian School in 1910 and then the
8 Cushman Hospital in 1918;

9 (20) many of the American Indian and Alaska Native children who died while attending
10 Indian boarding schools or neighboring hospitals were buried in unmarked graves or off-
11 campus cemeteries;

12 (21) ground penetrating radar and magnetometry research has found evidence of those
13 unmarked graves and off-campus cemeteries, including—

14 (A) unmarked graves at Chemawa Indian School in Salem, Oregon; and

15 (B) remains of children who were burned in incinerators at Indian boarding schools;

16 (22) inaccurate, scattered, and missing school records make it difficult for families to
17 locate their loved ones, especially because—

18 (A) less than 38 percent of Indian boarding school records have been located, from
19 only 142 of the at least 367 known Indian boarding schools; and

20 (B) all other records are believed to be held in catalogued and uncatalogued church
21 archives, private collections, or lost or destroyed;

22 (23) parents of the American Indian, Alaska Native, and Native Hawaiian children who
23 were forcibly removed to Indian boarding schools were prohibited from visiting or engaging
24 in correspondence with their children;

25 (24) parental resistance to compliance with the harsh no-contact policy described in
26 paragraph (23) resulted in the parents being incarcerated or losing access to basic human
27 rights, food rations, and clothing;

28 (25) in 2013, post-traumatic stress disorder rates among American Indian and Alaska
29 Native youth were 3-times the general public, the same rates for post-traumatic stress
30 disorder among veterans;

31 (26) in 2014, the White House Report on Native Youth declared a state of emergency due
32 to a suicide epidemic among American Indian and Alaska Native youth;

33 (27) the 2018 Broken Promises Report published by the United States Commission on
34 Civil Rights reported that American Indian and Alaska Native communities continue to
35 experience intergenerational trauma resulting from experiences in Indian boarding schools,
36 which divided cultural family structures, damaged Indigenous identities, and inflicted
37 chronic psychological ramifications on American Indian and Alaska Native children and
38 families;

39 (28) the Centers for Disease Control and Prevention Kaiser Permanente Adverse
40 Childhood Experiences Study shows that adverse or traumatic childhood experiences

1 disrupt brain development, leading to a higher likelihood of negative health outcomes as
2 adults, including heart disease, obesity, diabetes, autoimmune diseases, and early death;

3 (29) American Indians, Alaska Natives, and Native Hawaiians suffer from
4 disproportional rates of each of the diseases described in paragraph (28) compared to the
5 national average;

6 (30) the longstanding intended consequences and ramifications of the treatment of
7 American Indian, Alaska Native, and Native Hawaiian children, families, and communities
8 because of Federal policies and the funding of Indian boarding schools continues to impact
9 Native communities through intergenerational trauma, cycles of violence and abuse,
10 disappearance, health disparities, substance abuse, premature deaths, additional
11 undocumented physical, sexual, psychological, industrial, and spiritual abuse and neglect,
12 and trauma;

13 (31) according to the Child Removal Survey conducted by the National Native American
14 Boarding School Healing Coalition, the First Nations Repatriation Institute, and the
15 University of Minnesota, 75 percent of Indian boarding school survivors who responded to
16 the survey had attempted suicide, and nearly half of respondents to the survey reported
17 being diagnosed with a mental health condition;

18 (32) the continuing lasting implications of the Indian Boarding School Policies and the
19 physical, sexual, psychological, industrial, and spiritual abuse and neglect of American
20 Indian and Alaska Native children and families influenced the present-day operation of
21 Bureau of Indian Education-operated schools;

22 (33) Bureau of Indian Education-operated schools have often failed to meet the many
23 needs of nearly 50,000 American Indian and Alaska Native students across 23 States;

24 (34) in Alaska, where there are no Bureau of Indian Education-funded elementary and
25 secondary schools, the State public education system often fails to meet the needs of Alaska
26 Native students, families, and communities;

27 (35) the assimilation policies imposed on American Indians, Alaska Natives, and Native
28 Hawaiians during the Indian boarding school era have been replicated through other Federal
29 actions and programs, including the Indian Adoption Project in effect from 1958 to 1967,
30 which placed American Indian and Alaska Native children in non-Indian households and
31 institutions for foster care or adoption;

32 (36) the Association on American Indian Affairs reported that the continuation of cultural
33 genocide and assimilation policies through Federal American Indian and Alaska Native
34 adoption and foster care programs between 1941 to 1967 separated as many as one-third of
35 American Indian and Alaska Native children from their families in Tribal communities,
36 prompting the enactment of the Indian Child Welfare Act of 1978 (25 U.S.C. 1901 et seq.)
37 to stop the removal of those children;

38 (37) in some States, greater than 50 percent of foster care children in State adoption
39 systems are American Indian, Alaska Native, or Native Hawaiian children, including in
40 Alaska, where over 60 percent of children in foster care are Alaska Native;

41 (38) the general lack of public awareness, accountability, education, information, and
42 acknowledgment of the ongoing and direct impacts of the Indian Boarding School Policies

1 and related intergenerational trauma persists, signaling the overdue need for an investigative
2 Federal committee to further document and expose assimilation and termination efforts to
3 eradicate the cultures and languages of Indigenous peoples implemented under Indian
4 Boarding School Policies; and

5 (39) in the secretarial memorandum entitled “Federal Indian Boarding School Initiative”
6 and dated June 22, 2021, Secretary of the Interior Deb Haaland stated the following: “The
7 assimilationist policies of the past are contrary to the doctrine of trust responsibility, under
8 which the Federal Government must promote Tribal self-governance and cultural integrity.
9 Nevertheless, the legacy of Indian boarding schools remains, manifesting itself in
10 Indigenous communities through intergenerational trauma, cycles of violence and abuse,
11 disappearance, premature deaths, and other undocumented bodily and mental impacts.”.

12 SEC. 3. PURPOSES.

13 The purposes of this Act are—

14 (1) to establish a Truth and Healing Commission on Indian Boarding School Policies in
15 the United States to formally investigate and document, for the first time in history, the
16 attempted termination of cultures and languages of Indigenous peoples, assimilation
17 practices, and human rights violations that occurred against American Indians, Alaska
18 Natives, and Native Hawaiians through Indian Boarding School Policies in furtherance of
19 the motto to “kill the Indian in him and save the man”;

20 (2) to formally investigate and document the impacts and ongoing effects of historical
21 and intergenerational trauma in Native communities, including the effects of the attempted
22 cultural and linguistic termination of American Indians, Alaska Natives, and Native
23 Hawaiians, resulting from Indian Boarding School Policies;

24 (3) to hold culturally respectful and meaningful public hearings for American Indian,
25 Alaska Native, and Native Hawaiian survivors, victims, families, communities,
26 organizations, and Tribal leaders to testify, discuss, and add to the documentation of, the
27 impacts of the physical, psychological, and spiritual violence of Indian boarding schools;

28 (4) to collaborate and exchange information with the Department of the Interior with
29 respect to the review of the Indian Boarding School Policies announced by Secretary of the
30 Interior Deb Haaland in the secretarial memorandum entitled “Federal Indian Boarding
31 School Initiative” and dated June 22, 2021; and

32 (5) to further develop recommendations for the Federal Government to acknowledge and
33 heal the historical and intergenerational trauma caused by the Indian Boarding School
34 Policies and other cultural and linguistic termination practices carried out by the Federal
35 Government and State and local governments, including recommendations—

36 (A) for resources and assistance that the Federal Government should provide to aid
37 in the healing of the trauma caused by the Indian Boarding School Policies;

38 (B) to establish a nationwide hotline for survivors, family members, or other
39 community members affected by the Indian Boarding School Policies; and

40 (C) to stop the continued removal of American Indian, Alaska Native, and Native
41 Hawaiian children from their families and Native communities under modern-day

1 assimilation practices carried out by State social service departments, foster care
2 agencies, and adoption services.

3 SEC. 4. DEFINITIONS.

4 In this Act:

5 (1) **ADVISORY COMMITTEE.**—The term “Advisory Committee” means the Truth and
6 Healing Advisory Committee established by the Commission under section 5(g).

7 (2) **COMMISSION.**—The term “Commission” means the Truth and Healing Commission
8 on Indian Boarding School Policies in the United States established by section 5(a).

9 (3) **INDIAN BOARDING SCHOOL POLICIES.**—The term “Indian Boarding School Policies”
10 means—

11 (A) the assimilation policies of the Federal Government, which began with the
12 enactment of the Act of March 3, 1819 (3 Stat. 516, chapter 85) and the peace policy
13 with Tribal nations advanced by President Ulysses Grant in 1868, under which more
14 than 100,000 American Indian and Alaska Native children were forcibly removed from
15 their family homes and placed in any of 460 Bureau of Indian Affairs-operated
16 schools, including at least 367 known Indian boarding schools, at which assimilation
17 and “civilization” practices were inflicted on those children as part of the assimilation
18 efforts of the Federal Government, advancing eradication of Indigenous peoples in the
19 United States; and

20 (B) the assimilation practices inflicted on Native Hawaiian children in boarding
21 schools following the arrival of Christian missionaries from the United States in
22 Hawai’i in 1820 who sought to extinguish Hawaiian culture.

23 SEC. 5. TRUTH AND HEALING COMMISSION ON INDIAN 24 BOARDING SCHOOL POLICIES IN THE UNITED STATES.

25 (a) **Establishment.**—There is established the Truth and Healing Commission on Indian
26 Boarding School Policies in the United States.

27 (b) **Membership.**—

28 (1) **IN GENERAL.**—The Commission shall include 10 members, of whom—

29 (A) 2 shall be appointed by the President;

30 (B) 2 shall be appointed by the President pro tempore of the Senate, on the
31 recommendation of the majority leader of the Senate;

32 (C) 2 shall be appointed by the President pro tempore of the Senate, on the
33 recommendation of the minority leader of the Senate; and

34 (D) 4 shall be appointed by the Speaker of the House of Representatives, of whom
35 not fewer than 2 shall be appointed on the recommendation of the minority leader of
36 the House of Representatives.

37 (2) **REQUIREMENTS FOR MEMBERSHIP.**—To the maximum extent practicable, the President
38 and the Members of Congress shall appoint members of the Commission under paragraph

1 (1) to represent diverse experiences and backgrounds and so as to include Tribal and Native
2 representatives and experts who will provide balanced points of view with regard to the
3 duties of the Commission, including Tribal and Native representatives and experts—

4 (A) from diverse geographic areas;

5 (B) who possess personal experience with, diverse policy experience with, or
6 specific expertise in, Indian boarding school history and the Indian Boarding School
7 Policies; and

8 (C) who possess expertise in truth and healing endeavors that are traditionally and
9 culturally appropriate.

10 (3) PRESIDENTIAL APPOINTMENT.—The President shall make appointments to the
11 Commission under this subsection in coordination with the Secretary of the Interior and the
12 Director of the Bureau of Indian Education.

13 (4) DATE.—The appointments of the members of the Commission shall be made not later
14 than 120 days after the date of enactment of this Act.

15 (5) PERIOD OF APPOINTMENT; VACANCIES; REMOVAL.—

16 (A) PERIOD OF APPOINTMENT.—A member of the Commission shall be appointed for
17 a term of 5 years.

18 (B) VACANCIES.—A vacancy in the Commission—

19 (i) shall not affect the powers of the Commission; and

20 (ii) shall be filled in the same manner as the original appointment.

21 (C) REMOVAL.—The President or a Member of Congress making an appointment
22 under paragraph (1) may remove a member appointed by that President or Member of
23 Congress, respectively, only for neglect of duty or malfeasance in office.

24 (c) Meetings.—The Commission shall meet at the call of the Chairperson.

25 (d) Quorum.—A majority of the members of the Commission shall constitute a quorum, but a
26 lesser number of members may hold hearings.

27 (e) Chairperson and Vice Chairperson.—The Commission shall select a Chairperson and Vice
28 Chairperson from among the members of the Commission.

29 (f) Commission Personnel Matters.—

30 (1) COMPENSATION OF MEMBERS.—A member of the Commission who is not an officer
31 or employee of the Federal Government shall be compensated at a rate equal to the daily
32 equivalent of the annual rate of basic pay prescribed for level IV of the Executive Schedule
33 under section 5315 of title 5, United States Code, for each day (including travel time)
34 during which the member is engaged in the performance of the duties of the Commission.

35 (2) TRAVEL EXPENSES.—A member of the Commission shall be allowed travel expenses,
36 including per diem in lieu of subsistence, at rates authorized for employees of agencies
37 under subchapter I of chapter 57 of title 5, United States Code, while away from their
38 homes or regular places of business in the performance of services for the Commission.

39 (g) Truth and Healing Advisory Committee.—

1 (1) ESTABLISHMENT.—The Commission shall establish an advisory committee, to be
2 known as the “Truth and Healing Advisory Committee”.

3 (2) MEMBERSHIP.—The Advisory Committee shall consist of—

4 (A) 1 representative from each of—

5 (i) the National Native American Boarding School Healing Coalition;

6 (ii) the National Congress of American Indians;

7 (iii) the National Indian Education Association;

8 (iv) the National Indian Child Welfare Association;

9 (v) the Alaska Federation of Natives; and

10 (vi) the Office of Hawaiian Affairs;

11 (B) the Director of the Bureau of Indian Education;

12 (C) the Director of the Office of Indian Education of the Department of Education;

13 (D) the Commissioner of the Administration for Native Americans of the Office of
14 the Administration for Children and Families of the Department of Health and Human
15 Services; and

16 (E) not fewer than—

17 (i) 5 members of different Indian Tribes from diverse geographic areas, to be
18 selected from among nominations submitted by Indian Tribes;

19 (ii) 1 member representing Alaska Natives, to be selected by the Alaska
20 Federation of Natives from nominations submitted by an Alaska Native
21 individual, organization, or village;

22 (iii) 1 member representing Native Hawaiians, to be selected by a process
23 administered by the Office of Hawaiian Affairs;

24 (iv) 2 health care or mental health practitioners, Native healers, counselors, or
25 providers with experience in working with former students of Indian boarding
26 schools, to be selected from among nominations of Tribal chairs or elected Tribal
27 leadership local to the region in which the practitioner, counselor, or provider
28 works;

29 (v) 3 members of different national American Indian, Alaska Native, or Native
30 Hawaiian organizations, regional American Indian, Alaska Native, or Native
31 Hawaiian organizations, or urban Indian organizations that are focused on, or
32 have relevant expertise with, the history and systemic and ongoing trauma
33 associated with the Indian Boarding School Policies;

34 (vi) 2 family members of students who attended Indian boarding schools, who
35 shall represent diverse regions of the United States;

36 (vii) 4 alumni who attended a Bureau of Indian Education-operated school,
37 tribally controlled boarding school, State public boarding school, private
38 nonprofit boarding school formerly operated by the Federal Government,

1 parochial boarding school, or Bureau of Indian Education-operated college or
2 university;

3 (viii) 2 former teachers who taught at an Indian boarding school for not fewer
4 than 5 years;

5 (ix) 2 students who, as of the date of enactment of this Act, attend an Indian
6 boarding school; and

7 (x) 1 representative of the International Indian Treaty Council or the
8 Association on American Indian Affairs.

9 (3) DUTIES.—The Advisory Committee shall—

10 (A) serve as an advisory body to the Commission; and

11 (B) provide to the Commission advice and recommendations, and submit to the
12 Commission materials, documents, testimony, and such other information as the
13 Commission determines to be necessary, to carry out the duties of the Commission
14 under subsection (h).

15 (4) SURVIVORS SUBCOMMITTEE.—The Advisory Committee shall establish a
16 subcommittee that shall consist of not fewer than 4 former students or survivors who
17 attended an Indian boarding school.

18 (h) Duties of the Commission.—

19 (1) IN GENERAL.—The Commission shall develop recommendations on actions the
20 Federal Government can take to adequately hold itself accountable for, and redress and
21 heal, the historical and intergenerational trauma inflicted by the Indian Boarding School
22 Policies, including recommendations for protections of unmarked graves and accompanying
23 land protections and ways to stop the continued removal of American Indian, Alaska
24 Native, and Native Hawaiian children from their families and reservations under modern-
25 day assimilation practices carried out by States, including social service departments, foster
26 care agencies, and adoption agencies of States.

27 (2) MATTERS INVESTIGATED.—The matters investigated by the Commission under
28 paragraph (1) shall include—

29 (A) the implementation of the Indian Boarding School Policies at the schools
30 operated by the Bureau of Indian Affairs;

31 (B) how the assimilation practices of the Federal Government advanced the
32 attempted cultural and linguistic termination of American Indians, Alaska Natives, and
33 Native Hawaiians;

34 (C) the impacts and ongoing effects of the Indian Boarding School Policies;

35 (D) the location of American Indian, Alaska Native, and Native Hawaiian children
36 who are still, as of the date of enactment of this Act, buried at Indian boarding schools
37 and off-campus cemeteries; and

38 (E) church and government records, including records relating to attendance,
39 infirmary, deaths, land, and other correspondence.

40 (3) ADDITIONAL DUTIES.—In carrying out paragraph (1), the Commission shall—

1 (A) locate, document, analyze, and preserve records from schools described in
2 paragraph (2)(A), including any records held at State and local levels; and

3 (B) provide to, and receive from, the Department of the Interior any information that
4 the Commission determines to be relevant—

5 (i) to the work of the Commission; or

6 (ii) to any investigation of the Indian Boarding School Policies being conducted
7 by the Department of the Interior.

8 (4) TESTIMONY.—The Commission shall take testimony from—

9 (A) survivors of schools described in paragraph (2)(A), in order to identify how the
10 experience of those survivors impacts their lives, so that their stories will be
11 remembered as part of the history of the United States; and

12 (B) American Indian, Alaska Native, and Native Hawaiian individuals, tribes, and
13 organizations directly impacted by assimilation practices supported by the Federal
14 Government, including assimilation practices promoted by—

15 (i) religious groups receiving funding, or working closely with, the Federal
16 Government;

17 (ii) local, State, and territorial school systems;

18 (iii) any other local, State, or territorial government body or agency; and

19 (iv) any other private entities; and

20 (C) those who have access to, or knowledge of, historical events, documents, and
21 items relating to the Indian Boarding School Policies and the impacts of those policies,
22 including—

23 (i) churches;

24 (ii) the Federal Government;

25 (iii) State and local governments;

26 (iv) individuals; and

27 (v) organizations.

28 (5) REPORTS.—

29 (A) INITIAL REPORT.—Not later than 3 years after the date of enactment of this Act,
30 the Commission shall make publicly available and submit to the President, the White
31 House Council on Native American Affairs, the Secretary of the Interior, the
32 Committee on Indian Affairs of the Senate, the Committee on Natural Resources of the
33 House of Representatives, and the Members of Congress making appointments under
34 subsection (b)(1), an initial report containing—

35 (i) a detailed statement of the findings and conclusions of the Commission;

36 (ii) the recommendations of the Commission for such legislation and
37 administrative actions as the Commission considers appropriate;

1 (iii) the recommendations of the Commission to provide or increase Federal
2 funding to adequately fund—

3 (I) American Indian, Alaska Native, and Native Hawaiian programs for
4 mental health and traditional healing programs;

5 (II) a nationwide hotline for survivors, family members, or other
6 community members affected by the Indian Boarding School Policies; and

7 (III) the development of materials to be offered for possible use in K–12
8 Native American and United States history curricula to address the history of
9 Indian Boarding School Policies; and

10 (iv) other recommendations of the Commission to identify—

11 (I) possible ways to address historical and intergenerational trauma
12 inflicted on American Indian, Alaska Native, and Native Hawaiian
13 communities by the Indian Boarding School Policies; and

14 (II) ongoing and harmful practices and policies relating to or resulting
15 from the Indian Boarding School Policies that continue in public education
16 systems.

17 (B) FINAL REPORT.—Not later than 5 years after the date of enactment of this Act,
18 the Commission shall make available and submit a final report in accordance with the
19 requirements under subparagraph (A) that have been agreed on by the vote of a
20 majority of the members of the Commission.

21 (i) Powers of Commission.—

22 (1) HEARINGS AND EVIDENCE.—The Commission may, for the purpose of carrying out
23 this section—

24 (A) hold such hearings and sit and act at such times and places, take such testimony,
25 receive such evidence, and administer such oaths as the Commission may determine
26 advisable; and

27 (B) subject to subparagraphs (A) and (B) of paragraph (2), require, by subpoena or
28 otherwise, the attendance and testimony of such witnesses and the production of such
29 books, records, correspondence, memoranda, papers, videos, oral histories, recordings,
30 documents, or any other paper or electronic material, as the Commission may
31 determine advisable.

32 (2) SUBPOENAS.—

33 (A) IN GENERAL.—

34 (i) ISSUANCE OF SUBPOENAS.—Subject to subparagraph (B), the Commission
35 may issue subpoenas requiring the attendance and testimony of witnesses and the
36 production of any evidence relating to any matter that the Commission is
37 empowered to investigate under this section.

38 (ii) VOTE.—Subpoenas shall be issued under clause (i) by agreement between
39 the Chairperson and Vice Chairperson of the Commission, or by the vote of a
40 majority of the members of the Commission.

1 (iii) ATTENDANCE OF WITNESSES AND PRODUCTION OF EVIDENCE.—The
2 attendance of witnesses and the production of evidence may be required from any
3 place within the United States at any designated place of hearing within the
4 United States.

5 (B) PROTECTION OF PERSON SUBJECT TO A SUBPOENA.—

6 (i) IN GENERAL.—When issuing a subpoena under subparagraph (A), the
7 Commission shall—

8 (I) consider the cultural, emotional, and psychological well-being of
9 survivors, family members, and community members affected by the Indian
10 Boarding School Policies; and

11 (II) take reasonable steps to avoid imposing undue burden, including
12 cultural, emotional, and psychological trauma, on a survivor, family member,
13 or community member affected by the Indian Boarding School Policies.

14 (ii) QUASHING OR MODIFYING A SUBPOENA.—On a timely motion, the district
15 court of the United States in the judicial district in which compliance with the
16 subpoena is required shall quash or modify a subpoena that subjects a person to
17 undue burden as described in clause (i)(II).

18 (C) FAILURE TO OBEY A SUBPOENA.—

19 (i) ORDER FROM A DISTRICT COURT OF THE UNITED STATES.—If a person does
20 not obey a subpoena issued under subparagraph (A), the Commission is
21 authorized to apply to a district court of the United States for an order requiring
22 that person to appear before the Commission to give testimony, produce evidence,
23 or both, relating to the matter under investigation.

24 (ii) LOCATION.—An application under clause (i) may be made within the
25 judicial district where the hearing relating to the subpoena is conducted or where
26 the person described in that clause is found, resides, or transacts business.

27 (iii) PENALTY.—Any failure to obey an order of a court described in clause (i)
28 may be punished by the court as a civil contempt.

29 (D) SUBJECT MATTER JURISDICTION.—The district court of the United States in
30 which an action is brought under subparagraph (C)(i) shall have original jurisdiction
31 over any civil action brought by the Commission to enforce, secure a declaratory
32 judgment concerning the validity of, or prevent a threatened refusal or failure to
33 comply with, the applicable subpoena issued by the Commission.

34 (E) SERVICE OF SUBPOENAS.—The subpoenas of the Commission shall be served in
35 the manner provided for subpoenas issued by a district court of the United States under
36 the Federal Rules of Civil Procedure.

37 (F) SERVICE OF PROCESS.—All process of any court to which an application is made
38 under subparagraph (C) may be served in the judicial district in which the person
39 required to be served resides or may be found.

40 (3) ADDITIONAL PERSONNEL AND SERVICES.—

1 (A) IN GENERAL.—The Chairperson of the Commission may procure additional
2 personnel and services to ensure that the work of the Commission avoids imposing an
3 undue burden, including cultural, emotional, and psychological trauma, on survivors,
4 family members, or other community members affected by the Indian Boarding School
5 Policies.

6 (B) COMPENSATION.—The Chairperson of the Commission may fix the
7 compensation of personnel procured under subparagraph (A) without regard to chapter
8 51 and subchapter III of chapter 53 of title 5, United States Code, relating to
9 classification of positions and General Schedule pay rates, except that the rate of pay
10 for such personnel may not exceed the rate payable for level V of the Executive
11 Schedule under section 5316 of that title.

12 (4) POSTAL SERVICES.—The Commission may use the United States mails in the same
13 manner and under the same conditions as other agencies of the Federal Government.

14 (5) GIFTS.—The Commission may accept, use, and dispose of gifts or donations of
15 services or property relating to the purpose of the Commission

16 (j) Application.—The Commission shall be subject to the Federal Advisory Committee Act (5
17 U.S.C. App.).

18 (k) Termination of Commission.—The Commission shall terminate 90 days after the date on
19 which the Commission submits the final report required under subsection (h)(5)(B).

20 (l) Authorization of Appropriations.—There are authorized to be appropriated to the
21 Commission to carry out this section such sums as may be necessary, to remain available until
22 expended.