

**Testimony before the
United States House of Representatives
Committee on Appropriations, Subcommittee on Interior,
Environment, and Related Agencies
March 16, 2017**

Introduction

Chairman Calvert, Ranking Member McCollum, and members of the Subcommittee, thank you for this opportunity to provide testimony on behalf of the National Indian Education Association. NIEA is the only national organization advocating for improved educational opportunities that enable Native students to thrive in the classroom and beyond. NIEA equips all educators with the knowledge and tools needed to support Native students in reaching their full potential. NIEA offers professional development opportunities, policy and advocacy assistance, and educational resources.

As President of the Board of NIEA and the first Alaska Native President in the history of NIEA, the needs of the more than 650,000 Native students across the country are daily concerns that must be national priorities. Native students must have the resources to receive an education that prepares them to succeed in life.

Over the past year, the Every Student Succeeds Act has begun to be implemented in states, leading to changes in how leaders in states across the country—from Oklahoma to California to Alaska to Minnesota—think about how to best educate students. NIEA has been leading the way, working with the tribes in each of the states, as well as the Chief State School Officers to make sure to seize the opportunity that ESSA provides: greater local leadership to improve educational outcomes for all students, including American Indian, Alaska Native, and Native Hawaiian students.

As NIEA notes the progress in states where tribal leaders have been at the table, Congress, tribal leaders, and Native education stakeholders should not lose sight of the many challenges that remain and the fulfillment of the Federal trust responsibility. Members of Congress, tribal leaders, NIEA and state leaders have a shared responsibility to serve Native students in need—and all stakeholders must act with urgency. In particular, funding for students attending Bureau of Indian Education schools is a critical priority that stands out as something this Subcommittee must lead on.

The Subcommittee's work on FY 2017 shows that you understand the importance of funding to improve BIE schools. NIEA thanks the Subcommittee for holding firm and including increases in several key areas. In particular, NIEA would like to thank you for the \$2 million in funding for Native language immersion in the report language and the overall moderate increases in funding for BIE. NIEA also commends you on your leadership to hold the Department of Interior and BIE accountable on the ongoing reform. NIEA ask you continue your commitment to Native students for Fiscal Year 2018 appropriations.

The Subcommittee's work shows an understanding of the Federal trust responsibility. Established through treaties, federal law, and U.S. Supreme Court decisions, this relationship includes a fiduciary obligation to provide parity in access and equal resources to all American Indian and Alaska Native students, regardless of where they attend school. Under the federal government's trust corpus in the field of Indian education, it is important to state that the obligation is a shared trust among the Administration and Congress for federally-recognized Indian tribes will continue to be undermined until the federal government fully appropriates funding.

FY 2018 Recommendations

Appendix A provides a complete view of our budget priorities, but NIEA would like to highlight four particularly urgent issues.

- **Provide \$263.4 million for BIE education construction.** Full funding of school construction would likely decrease costs over time, as less money would be spent attempting to maintain decrepit facilities. NIEA recognizes that there are administrative issues with fully appropriating BIE's school construction list. However, our students should not suffer and be expected to learn in dilapidated buildings.

The facilities need, put simply is urgent. Far too many BIE schools are not in adequate physical condition to put Native students in schools where students will succeed. Numerous examples have come to NIEA's attention over the last year. Schools with no air conditioning, broken windows, wiring uncovered, and ceilings and floor exposed. Our country simply must do better.

NIEA requests **\$130.3 million above the FY 2017 amount to fully fund school construction and repair.** NIEA also requests that you make funds available for facilities and maintenance as separate line items, but the construction funding for BIE Schools is our top priority.

- **Provide \$431 million for the Indian School Equalization Program.** These funds provide the core budget account for BIE elementary and secondary schools by covering teacher salaries, aides, principals, and other personnel. Unfortunately, ISEP funds are often reallocated to cover the program cuts in other areas of education. ISEP must have adequate funding to ensure all program needs are fulfilled and must not be reduced

to provide funds for new initiatives that have not been vetted by tribes. NIEA recommends \$30.78 million above the FY 2017 Omnibus.

- **Provide \$5 million for BIE immersion demonstration programs.** I want to thank the Chairmen, Ranking Member and Subcommittee for the \$2 million in the FY 2017 bill. NIEA deeply appreciates it. It is well documented that Native students are more likely to thrive in environments that align with their culture. This immersion program will support Native students to strengthen their language, improve academic outcomes, and become future leaders of their tribes. NIEA recommends that the BIE immersion demonstration grants be a line item moving forward with a \$5 million request.
- **Continue the investment and oversight for and of the Bureau of Indian Affairs so that BIE Schools serve all Native students who attend them well.** The BIE's ongoing work to reform and better serve Native students is critically important to NIEA. BIE funded schools must meet the needs of the more than 43,000 students in the BIE students in the 183 schools in the system. NIEA has and continues to support reform, with the critical respectful recommendation that tribal leaders and Native education experts be included at every step so that reform is collaboratively done, and not imposed upon Native communities.

Conclusion

Fiscal Year 2018 funding has the potential to translate bipartisan commitment to improving BIE school construction into action. By ensuring that schools have the facilities and resources necessary to provide a 21st century education, Congress and the nation can reverse the challenges BIE faces and address the needs of Native

students. The over 43,000 students who depend on BIE funding deserve nothing less than full funding for the schools they need to realize their dreams through education.

Thank you again for the opportunity to address this Subcommittee, which has always made sure that Native education issues are fully considered. NIEA will be happy to answer any questions that you may have. For questions regarding this testimony, please email or call Ahniwake Rose, Executive Director of NIEA at arose@niea.org or 202-847-0033.

Appendix A: Appropriations Requests for the Department of Interior from the National Indian Education Association

Education Construction

Provide \$430 million for Bureau of Indian Education (BIE) school construction and repair. *An increase of \$125.2 million above FY 2017 enacted.*

- This funding category includes school construction, facilities improvement and repair, and replacement school construction.
- Schools operating within the BIE system are woefully outdated, and in some cases, dangerous for student and staff.
- The Department of the Interior's Office of Inspector General published in September of 2016, an evaluation titled "Condition of Indian School Facilities," estimated the cost of fixing the dilapidated BIE schools, concluding that more than \$430 million would be needed to fix the problems already identified.

Facilities Operations

Provide \$109 million for BIE facilities operations. *An increase of \$42 million above FY 2017 enacted.*

- BIE schools use this funding for costs such as electricity, heating fuels, communications, GSA vehicle rentals, custodial services, and other vital operating expenses.
- For years, schools have only received roughly 50 percent of funding needed for these expenses. This shortfall is unacceptable as costs continue to rise for vital services.

Facilities Maintenance

Provide \$76 million for BIE facilities maintenance. *An increase of \$16 million above FY 2017 enacted.*

- BIE schools use this funding for the preventative and routine upkeep, as well as for unscheduled maintenance of school buildings, grounds, and utility systems.
- Underfunding of maintenance continues to be an issue as buildings are in poor conditions and cannot maintain proper standards.
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Indian School Equalization Program (ISEP)

Provide \$431 million for the Indian School Equalization Program. *An increase of \$31 million above FY 2017 enacted.*

- These funds provide the core budget account for BIE elementary and secondary schools by covering teacher salaries, aides, principals, and other personnel.
- ISEP funds are often reallocated to cover the program cuts in other areas of education.
- ISEP must have adequate funding to ensure all program needs are fulfilled and must not be reduced to provide funds for new initiatives that have not been vetted by tribes.

Johnson O'Malley

Provide \$42 million for full funding. *An increase of \$27.2 million above FY 2017 enacted.*

- The Johnson O'Malley program has provided grants to supplement basic student needs since 1934.
- It is currently being used across the country in innovative ways to assist with the unique cultural and scholastic needs of Native students.
- The federal government allocated \$125 per student in JOM funding in 1995.
- Current funds (FY 2017) provide less than \$63.80 per student, which are often the only source through which Native students – including those in public schools – can engage in basic education activities.
- Tribal nations request additional funds to increase the current per student allocation to previous levels and prepare for student count increases in future years.

Student Transportation

Provide \$73 million for student transportation in the BIE system. *An increase of \$17 million above FY 2017 enacted.*

- BIE schools incur significant costs in transporting Native students to and from school.
- These costs are considerably higher than most school systems due to the often-rural location of BIE facilities.
- Poor road conditions that link the BIE-funded schools increase vehicle maintenance costs.
- These high costs often lead to funding shortfalls, which then must either go unpaid or funded by diverting funds from other education programs.

Tribal Grant Support Costs

Provide \$75 million for tribal grant support costs for tribally-operated schools. *An increase of \$1.7 million above FY 2017 enacted.*

- Tribal Grant Support Costs fund the administrative costs of existing tribally-operated schools.
- Full funding is critical as these funds help tribes expand self-governance and tribal control over education programs by allocating monies for administrative costs such as accounting, payroll, and other legal requirements.
- Schools must divert critical teaching and learning funding to cover any shortfalls in operational costs.

Bureau of Indian Education Immersion Demonstration Grants

Provide \$5 million for BIE immersion programs. *An increase of \$3 million above FY 2017 enacted.*

- According to UNESCO, 74 Native languages stand to disappear in the next decade, with only 20 Native languages being spoken by 2050.
- Funding under the BIE reform efforts should strengthen tribal sovereignty to increase capacity to support Native language immersion schools and provide Native students equal access to learning their cultures and languages.
- Providing Immersion Demonstration Grant funds would protect the cultural and linguistic heritage of Native students in education systems by providing Native students immersion learning in order to strengthen their language, improve academic outcomes, and become future leaders of their tribes.

Tribal Education Agencies/Departments

Provide \$10 million to fund Tribal Education Agencies/Departments. *An increase of 7 million above FY 2017 enacted.*

- This funding assists Tribal Education Agencies (TEAs), who are uniquely situated at the local level to implement innovative education programs that improve Native education.
- Because they are administered by tribes, TEAs are best equipped to deliver education programs tailored to improve education parity for Natives.
- TEAs would use this much-needed funding to develop academic standards, assess student progress, and create math and science programs that require high academic standards for students in tribal, public, and BIE schools.
- Tribes utilizing self-governance over education have been very successful because they better understand the circumstances of their populations and can develop initiatives that meet local needs.

Broadband Internet Access

Provide \$25 million to extend broadband internet access. *An increase of \$14.7 million above FY 2017 enacted.*

- Technology is no longer a luxury in 2017, and serves as a necessity to keep up with today's advanced society.
- Less than ten percent of Indian Country has access to broadband internet technology.
- 60% of BIE schools do not have adequate digital broadband access, or computer access, to be aligned with college and career readiness standards.

Juvenile Detention Education

Provide \$620,000 for juvenile detention education in BIA-funded facilities. *An increase of \$120,000 above FY 2017 enacted.*

- This essential funding is used to provide educational services to detained and incarcerated youth at 24 BIA-funded juvenile detention facilities.
- One of the best methods to rehabilitate individuals is through education and eliminating this program creates additional costs by increasing the rate of criminal recidivism.

Forward Fund Remaining Three Tribal Colleges and Universities

Provide a One-Time Appropriation of \$20 million to forward fund five TCUs. *Increase of \$18 million above FY 2017 enacted.*

- All other TCUs are able to plan multi-year budgets and start each school year with predictable funding for operations. Forward funding these remaining five institutions is necessary for Haskell Indian Nations University; Southwestern Indian Polytechnic Institute and Institute of American Indian Arts.
- These three tribal colleges, which are the only education institutions funded through the BIE that are not forward funded.

Institute of American Indian Arts (IAIA) and Center for Lifelong Education

Provide \$16.9 million to the Center & Museum under the American Indian, Alaska Native, and Native Hawaiian Culture and Art Development Act. *An increase of \$7.4 million above FY 2017 enacted.*

- IAIA is the only fine arts institution that awards bachelor and master degrees devoted to the study of contemporary Native American and Alaska Native arts.
- IAIA has graduated more than 3,800 students from federally-recognized tribes and beyond. Of the \$16.9 million requested, provide \$11.8 million, with an additional one-time payment of \$5.14 million to provide for forward funding.

Haskell Indian Nations University (HINU) and Southwestern Indian Polytechnic

(SIPI) Provide \$37.8 million to HINU and SIPI under the Snyder Act. *An increase of \$18 million above FY 2017 enacted.*

- These institutions are federally chartered and funded separately from the other tribal higher education institutions and require additional funding considerations.
- A combined appropriation of \$23 million for HINU and SIPI is necessary to ensure continued programs and services are available to Native students.
- Of the \$37.8 million requested, a one-time payment of \$14.8 million is needed to forward fund these institutions, so that they can receive their institutional operating funds on an academic calendar (July 1), rather than the federal fiscal year (October 1)