

**May 8, 2024, TESTIMONY OF CECILIA FIRE THUNDER BEFORE THE HOUSE
COMMITTEE ON APPROPRIATIONS SUBCOMMITTEE ON INTERIOR,
ENVIRONMENT, AND RELATED AGENCIES**

Chairman Simpson, Ranking Member Pingree, and members of the House Subcommittee on Interior, Environment, and Related Agencies thank you for the opportunity to testify today on Indian Education funding. My name is Cecilia Firethunder, President of the Oglala Lakota Nation Education Coalition (OLNEC), President of the Little Wound School (LWS) Board, and a member of the Board of Directors for the Oglala Lakota College (OLC).

OLNEC represents the Oglala Sioux Tribe's six tribally controlled grant schools, thus expressing a unique voice within the Bureau of Indian Education (BIE) system of schools. As a Board of Directors for OLC, which started in 1971, it has become a beacon of hope for our students and community, providing equitable access to all students who want to attend college.

Tribal Education Program Requests for FY2025:

Indian Schools Equalization Program:	\$951.5 Million¹
Education Facilities Operation:	\$109 Million (move to forward funding)
Education Facilities Maintenance:	\$100 Million (move to forward funding)
Student Transportation:	\$75.5 Million
Tribal Grant Support Costs:	\$115 Million (move to forward funding)
BIE School Construction:	\$400 million²
BIE School Resource Officers	\$93 million

Although some BIE programs are forward funded for one year, any delay in Congressional appropriation significantly affects the operation of tribal schools. Thus, we recommend moving all forward-funded costs to mandatory funding.

- 100-297 Tribally Controlled Grant Schools

Tribally Controlled Schools (TCS) are the primary provider of education for on-reservation Indian students. Yet, schools operating within the BIE system are woefully underfunded, outdated, and dangerous for students and staff. According to the BIE, in fiscal year (FY) 2023, the federal government funded Indian students at roughly half, \$6,910, of the average state per-pupil funding of \$16,080³. However, Indian student funding is dwarfed compared to the only other fully funded federal education system, the Department of Defense Education Agency, which is funded at \$25,000 per student.⁴

Since more than 90% of tribally controlled school funding comes from Congress to meet the federal government's treaty and trust obligations for Indian education, only Congress can solve our funding problem.

¹ This request reintroduces the FY12/13 4.5% sequestration cut to the Indian Student Equalization Program (ISEP) adjusted for inflation (conservatively at 2.5% over 12 years) until FY2025.

² The FY 2023 Deferred Maintenance and Repair for Education Construction is estimated at \$804 million for more than 180 schools: 80 BIE schools in "poor" condition. This does not include the estimated backlog of \$2.5 billion in school replacement funding needs. – See FY2025 BIE Greenbook Needs Estimates.

³ Hanson, Melanie. "U.S. Public Education Spending Statistics" EducationData.org, September 8, 2023, <https://educationdata.org/public-education-spending-statistics>.

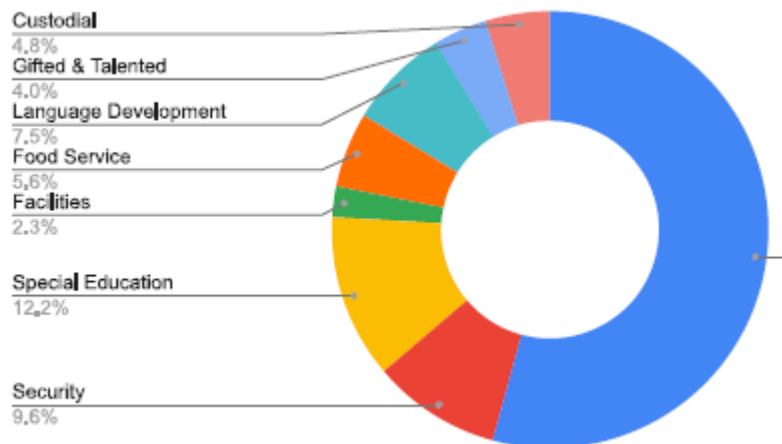
⁴ *Who Runs the Best U.S. Schools? It May Be the Defense Department.* <https://www.nytimes.com/2023/10/10/us/schools-pandemic-defense-department.html>. 4/10/2024.0

- Indian School Equalization Program Funding

All BIE-funded schools receive Indian School Equalization Program (ISEP) formula funds, the largest single source of revenue for tribal schools. ISEP funds are intended for teacher salaries, classroom supplies, textbooks, extracurricular activities, field trips, sports, and related programming. However, according to the BIE, ISEP does not assess the actual cost of school operations. In FY 23, Little Wound School received \$7.5 million in ISEP funding, which was woefully inadequate for the intended purpose. As a result, we, and every BIE school, cannot provide the education necessary to give our students a competitive education.

Our teacher salaries are already less than the South Dakota average, which, according to South Dakota Public Broadcasting, is already dead last in the nation. These inadequate funds are further constrained by our need to use ISEP funds for expenditures other than educational programs, like facilities operations and facilities maintenance, student nutrition, and School Resource Officers.

BIE schools need at least a 50% increase in ISEP funding to bring Indian students' education funding to parity with the national average. Without a significant increase in ISEP funding, Indian students will continue to fall further behind their non-Indian peers attending DoDEA, public and private funded schools.



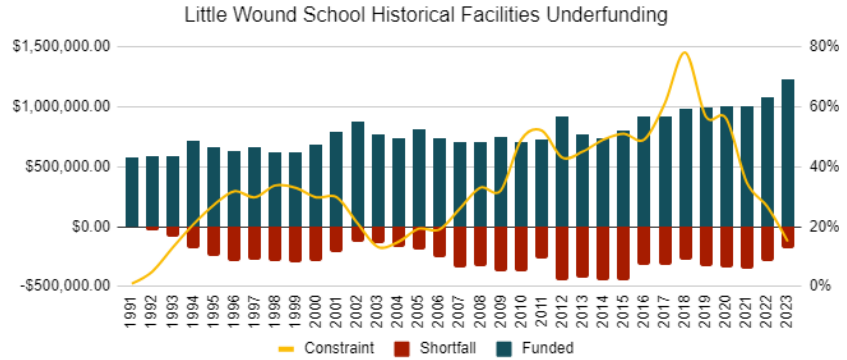
100% of ISEP funds should go to student education. This chart shows the shortfalls that ISEP funding must fill to replace inadequate federal funding, thus consuming critical education funding meant for the education of Indian students.

- BIE Facilities, Operation, and Maintenance Funding

According to the BIE, facilities operations and facilities maintenance (O&M), funding is intended for (1) operations, including utilities, water, sewage, basic safety, and cleanliness; (2) basic school maintenance, including upkeep of outdoor lighting, fixing broken windows, and replacing deteriorated floors and surfaces; and (3) unscheduled maintenance.

Each O&M category is a necessary and fundamental element of school operation. Unfortunately, for the last 40 years, O&M funding has been consistently inadequate. To make matters worse, the Department of the Interior (Interior) has not requested it, and Congress has not appropriated full funding to cover essential operational needs.

Since 1990, Little Wound School has had a \$9 million (33%) shortfall in O&M funding compared to our identified need. As a result of the lack of funds to perform the basic upkeep of our facilities, they fall into disrepair. Our elementary school building is over 80



years old, and our middle school is a 45-year-old, poorly insulated metal building designed for temporary use. These buildings are heated by an outdated oil-burning furnace that would cost more than \$5 million to replace. In 2021, this outdated furnace cost the school over \$100,000 for heating.

Do not forget that these schools are federally-built and federally-owned buildings that tribes operate on behalf of the Federal government's trust responsibility to tribes. In no other scenario would Congress not appropriate enough funds to pay their bills, not in the military or federal agencies, but for over 40 years, Congress has let Native students take the fall for under-appropriating their utilities and operations bills. We need full funding for O&M costs.

- School Construction and Replacement

Our school’s facilities date from the 1930s through the 1980s and include several portable classrooms. These facilities are outdated, inefficient to operate, contain asbestos and mold, are not ADA-compliant, and are dangerous.⁵ We have advocated for new school construction funds since the early 2000s, specifically through placement on the Bureau of Indian Affairs’ construction priority list. While we received a \$500,000 planning and feasibility grant from the BIA for the initial work associated with new school construction, the cost of new school construction is projected to be over \$180 million using construction costs from similar-sized replaced schools.

In addition to the four schools in South Dakota on the BIE school replacement, other schools on the immediate replacement include schools in Washington, Maine, and Montana. However, with the average annual school replacement funding appropriated amounting to just \$116 million, it would take decades to replace the current priority list totaling over \$3.7 billion. This does not include the FY2024 BIE estimate of \$804 million deferred maintenance backlog.

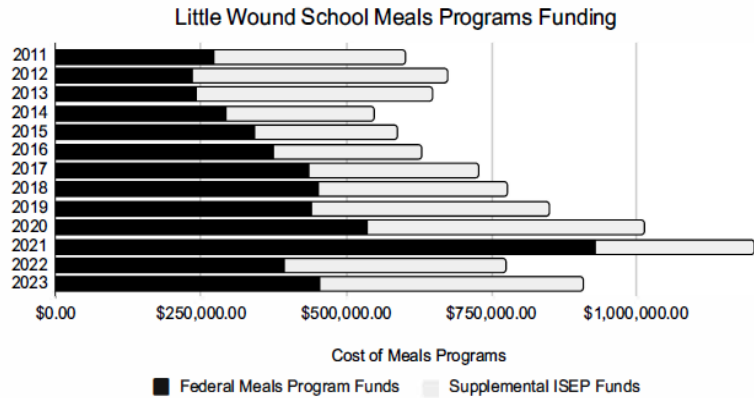
- USDA School Breakfast and Lunch Programs

Our schools provide no-cost meals to all students under the Community Eligibility Provision (CEP). Despite this, we must significantly subsidize our meal program. BIE funding does not pay for child nutrition and school lunch services. Traditionally, the USDA programs paid for around 60% of school lunches, but for the 2023-24 school year, the USDA reduced the reimbursement rate to just 36%. The USDA School Lunch Programs are each vital to K-12 student health and, currently one of the highest tribal school-associated costs, are all entirely state-administered, leaving out many financial and cultural concerns. In communities like the Pine Ridge Indian

⁵ Safety of Native American schoolchildren repeatedly compromised under government watch. https://richmond.com/news/nation-world/education/native-american-boarding-schools-indian-education/article_5136f166-5903-593c-b628-9813884e041d.html 4/10/2024.

Reservation, meals at BIE-funded schools are often the only reliable food source for Indian students.

Allowing tribal schools to administer USDA Nutrition Programs directly would help lower the administrative costs. In the 2014 Farm Bill, Congress instructed USDA to issue a Report on the “Feasibility of Tribal Administration of Federal Nutrition Assistance Programs.” The Report showed that over 90 percent of tribes surveyed expressed an interest in directly administering USDA Nutrition Programs. We ask that direct administration by tribes be authorized to strengthen tribal sovereignty, increase the nutritional quality of the food provided, increase culturally appropriate food, and prioritize local food.



- School Resource Officers

As Oglala Sioux Tribal President and Acting Chief of Police Pettigrew pointed out yesterday, drugs, guns, and violence have plagued our community, and our school system has not been spared. Over 500 school incidents were responded to last year on our reservation. Neighboring communities have refused to play sports against our school in our communities due to public safety concerns. Since the 2011-12 school year, Little Wound School has diverted over \$5.6 million from our student education funds - ISEP to provide safety and security for our students.

BIE has revealed that Indian Country needs at least \$93 million to fund School Resource Officers in our schools. Some tribal schools like ours support these positions with ISEP funds, but we can no longer afford to secure the safety of our children while simultaneously providing them with a decent education to advance as adults. We implore this Committee to help fund SROs at BIE-funded schools.

- The Oglala Sioux Tribe chartered Oglala Lakota College (OLC)

Many tribal college students cannot meet their basic needs. In 2019, OLC students reported on the #RealCollege Survey that they experienced food insecurity, housing insecurity, and homelessness slightly more often than other tribal colleges and universities students and much more often than students at all participating 4-year institutions combined. According to the BIE, Congressionally appropriated scholarship funding for Indian students is just \$2,750 annually per student. Nationwide, the average 2-year public institution is funded at approximately \$6,000, and 4-year institutions over \$10,000. Increasing BIE scholarship funding supports access and affordability at BIE post-secondary schools.

OLC keeps up with regular infrastructure upgrades such as repairing roofs and paving parking lots, installing security features, smart classrooms, and a new heating system. However, considering that more than a third of OLC's buildings are over 20 years old, continued construction funding to improve school facilities, such as dorms, to prevent homelessness is one of our greatest challenges.

We thank this Committee for its commitment to Indian students and Indian education. - Wopila.