

Testimony of Cecilia Fire Thunder

Chairman Simpson, Ranking Member Pingree, and Members of the Subcommittee, thank you for the opportunity to submit testimony regarding funding for the Bureau of Indian Education (BIE).

My name is Cecilia Fire Thunder, and I come before you as a lifelong educator, the President of the Oglala Lakota Nation Education Coalition (OLNEC), and the President of the Little Wound School Board. OLNEC represents the six tribally controlled schools of the Oglala Sioux Tribe, including St. Francis Indian School of the Rosebud Sioux Tribe and Lower Brule Day School of the Lower Brule Sioux Tribe. Collectively, OLNEC advocates on behalf of 34 Bureau of Indian Education-funded schools in the Great Plains region, including 22 schools in South Dakota and 12 schools in North Dakota.

I wish I could sit here today and tell you that our schools are thriving—that our kids have safe buildings, strong teachers, and all the tools they need to succeed. But that is just not the case. Our Locally Controlled - Bureau of Indian Education (BIE) schools are underfunded, outdated, and in some cases, unsafe.

Regarding Fiscal Year 2027 Funding for the Bureau of Indian Education

On behalf of these schools and the Native students they serve, we respectfully request full support for the FY2027 Bureau of Indian Education budget request totaling \$1.844 billion, including \$1.444 billion for Operation of Indian Education Programs and \$400 million for Education Construction.

Program	FY2026 Enacted	FY2027 Request
Indian School Equalization Program (ISEP)	~\$505 million	\$951.5 million
Education Facilities Operations	\$83.8 million	\$109 million
Education Facilities Maintenance	\$76.2 million	\$100 million
Tribal Grant Support Costs (TGSC)	\$98.8 million	\$115 million
Student Transportation	\$71.4 million	\$75.5 million
School Resource Officers Program	—	\$93 million
BIE School Construction Program	\$234.7 million	\$400 million

This request stems from the FY12/13 4.5% sequestration cut to the Indian Student Equalization Program (ISEP) and adjusted inflation (conservatively at 2% over ten years) from the 12/13 sequestration until FY2024, which has been flat-funded since.

This investment is necessary to address longstanding funding inequities, deteriorating facilities, and structural challenges that continue to affect Native students across Indian Country, and falls squarely within this Subcommittee's responsibility to ensure that federal trust and treaty obligations are met through the appropriations process.

Federal Trust and Treaty Responsibility

The education of Native children is not simply a discretionary federal program. It is a core component of the United States' treaty and trust responsibility to Tribal Nations.

Through treaties such as the 1868 Treaty of Fort Laramie, tribal nations ceded millions of acres of land and vast natural resources to the United States. In exchange, the federal government

made binding commitments, including the obligation to provide education for Indian children. These commitments are reinforced by federal statutes and longstanding federal policy recognizing the federal government’s responsibility to support Native education. The Supreme Court has also affirmed that treaties are the supreme law of the land under Article VI of the Constitution.

For many tribal communities, BIE-funded schools remain the primary educational institutions serving Native students living on reservations and in rural areas where educational alternatives are limited. Congress, therefore, plays a central role in ensuring that these treaty obligations are honored through adequate appropriations for the Bureau of Indian Education and related federal education programs serving Native students.

Scope of the Bureau of Indian Education System

The Bureau of Indian Education operates one of the largest federally supported education systems in the country. The BIE school system includes:

- 183 elementary and secondary schools serving approximately 45,000 students
- 128 tribally operated schools and 55 BIE-operated schools
- 35 Tribal Colleges and Universities serving approximately 25,000 students
- Johnson-O’Malley programs support more than 315,000 Native students in public schools
- Family and Child Education (FACE) programs serve approximately 40,000 children and families

Despite this broad responsibility, BIE programs remain chronically underfunded when compared with other federally supported education systems.

Persistent Funding Inequities persist: Native students attending BIE schools receive significantly less funding than students attending other federally supported schools.

Current per-pupil funding illustrates the disparity:

Education System	Per-Pupil Funding
BIE – Indian School Equalization Program (ISEP)	~\$8,200 per student
U.S. Public Schools (Average)	~\$17,700 per student
DoDEA Schools	~\$25,000 per student

As a result, Native students receive less than half the funding provided to public school students and roughly one-third of the funding provided to Department of Defense schools. The ISEP is the primary funding mechanism for BIE schools and supports teacher salaries, classroom instruction, student programs, and basic educational services.

However, because other BIE programs remain underfunded, schools are often forced to redirect ISEP funding to cover operational expenses such as utilities, maintenance, and safety costs. This reduces the amount of funding available for direct classroom instruction and educational programming.

Without meaningful increases to ISEP funding, tribal schools will continue to struggle to recruit and retain qualified teachers and to provide educational opportunities comparable to those available to other American students.

Aging Facilities and Infrastructure Crisis

Beyond operational funding disparities, BIE schools face a severe infrastructure crisis. The Government Accountability Office (GAO) estimates that the Bureau of Indian Education faces more than \$8 billion in school construction needs and more than \$1 billion in deferred maintenance across existing facilities. This only accounts for 80 of the 183 BIE schools.

Many BIE schools were built between the 1930s and 1980s, and numerous facilities have exceeded their intended lifespan. Students in many tribal communities continue to attend school in buildings with failing heating and ventilation systems, outdated electrical infrastructure, deteriorating structural conditions, and environmental hazards such as mold and asbestos.

In February 2025, tribal leaders testified before the House Natural Resources Subcommittee on Oversight and Investigations at the hearing titled “Leaving Indian Children Behind: Reviewing the State of BIE Schools.”

That hearing reinforced what tribal communities and educators have long reported: decades of federal underinvestment have left many Native students attending schools that are unsafe, outdated, and inadequate for modern education.

According to the GAO, if school construction funding continues at current levels of roughly \$230 million per year, it could take between 60 and 90 years to fully address the existing school construction backlog. Increasing annual construction funding to \$400 million would significantly accelerate progress, potentially reducing that timeline by decades and allowing critical school replacement and modernization projects to move forward more quickly.

Without increased investment, many Native students will graduate—and see the next generation graduate—before the schools they attend today are ever replaced. Increasing funding would help ensure that future generations of Native students can learn in safe, modern facilities rather than waiting decades for necessary school improvements.

Student Transportation and Campus Safety

Many Native students travel long distances to attend BIE schools, often across rural terrain and in severe weather conditions. Reliable transportation is therefore essential to ensuring that Native students can safely access their schools.

However, Congress currently appropriates only a portion of the funding required to cover the actual transportation costs faced by BIE-funded schools. Tribal schools must transport students over long distances, often on unpaved roads and in difficult weather conditions. These costs significantly exceed the amount reimbursed through the BIE transportation program.

As a result, many schools must redirect already limited educational resources to cover transportation expenses that are not fully funded through federal appropriations. Adequate transportation funding is therefore essential to ensure that Native students can consistently and safely attend school.

Many BIE schools also lack federally supported School Resource Officers (SROs). At present, many campuses rely primarily on teachers and facilities staff to respond to safety incidents. The BIE – Tribal Interior Budget Council estimates that approximately \$93 million would be required to provide at least one School Resource Officer at each BIE school. Providing adequate safety personnel is critical to protecting students and maintaining secure learning environments.

Federal Administrative Capacity and Interagency Coordination

In addition to funding challenges, Tribal schools are increasingly concerned about the federal government's capacity to administer Indian education programs as responsibilities shift among federal agencies.

Recent Tribal consultations regarding the Interagency Agreements between the Department of Education (ED), the Department of the Interior, and the Department of Labor contemplate the transfer or shared administration of certain education programs that currently support BIE-funded and tribally controlled schools. While interagency coordination may be appropriate in some circumstances, any transition must ensure continuity of services, clear lines of authority, and accountability to Tribal Nations.

Tribal leaders have emphasized that the Department of Labor's involvement must not redefine Tribal education programs as workforce pipelines or impose employment-centered metrics inconsistent with federal education statutes. Workforce productivity measures do not reflect the educational, cultural, and developmental priorities of Tribal communities.

Tribal leaders have also noted that the BIE is currently operating at approximately 40% staffing levels required to carry out its existing responsibilities. An agency operating below 50% of its necessary workforce cannot reasonably assume additional administrative duties without delays in grant administration, slower approvals for school construction and maintenance projects, reduced technical assistance to schools, and disruptions to program oversight.

When federal staffing shortages create administrative bottlenecks, the consequences directly affect payroll, staffing decisions, special education services, construction timelines, and classroom programming in Tribal schools. Thus, existing hiring freezes affecting Indian education programs at BIE and ED must be lifted.

We also recommend that the ED retain clear policy and oversight authority for federal Indian education programs through the Office of Indian Education (OIE). OIE developed longstanding institutional knowledge and government-to-government relationships with Tribal Nations and Tribal education institutions. Maintaining this expertise and a clear federal point of contact and accountability is essential to ensure programs serving Native students are administered consistently with the federal trust responsibility.

Congress must ensure that adequate staffing levels and administrative resources accompany those new responsibilities. Without sufficient staffing and clear authority, interagency restructuring risks creating administrative delays that Tribal schools cannot afford.

Conclusion

We respectfully request that Congress support the FY2027 Bureau of Indian Education budget request totaling \$1.844 billion, including \$1.444 billion for Operation of Indian Education Programs and \$400 million for Education Construction.