



**Testimony of the National Indian Education Association
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**Before the United States House of Representatives
Committee on Appropriations
Subcommittee on Interior, Environment, and Related Agencies
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INTRODUCTION

Chairman Calvert, Ranking Member McCollum, and members of the Subcommittee, thank you for this opportunity to provide testimony on the President's Department of Interior Budget Request for FY 2019. The National Indian Education Association (NIEA) has serious concerns regarding the steep cuts in funding to Native education within the Department of Interior (DOI), specifically proposed appropriations of \$741.9 million for the Bureau of Indian Education (BIE) and \$72.9 million for Education Construction in the Bureau of Indian Affairs.

NIEA is the most inclusive 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 the lead agency responsible for the federal trust responsibility in Indian education, the BIE has a treaty responsibility for all Native students in schools across the country, including the 48,000 Native students that attend Bureau funded schools. Native students in all schools must have access to opportunities for college, career, and community success. In particular, the Subcommittee is in a unique position to promote safe facilities, culture-based education, and student achievement in BIE schools.

The Subcommittee's work on FY 2018 shows that you understand the importance of equity in opportunity for culturally relevant education at Bureau-funded schools. NIEA thanks the Subcommittee for holding firm and for the increases in several key areas. In particular, NIEA would like to thank the Subcommittee for its \$238.3 million commitment to construction for safe and healthy schools for Native students in FY 2018. NIEA commends your leadership in the request for congressional reports that focus on a long-term facilities needs assessment of school facilities and expanding broadband access at BIE schools. NIEA asks that you continue your commitment to Native students for Fiscal Year 2019 appropriations.

The Subcommittee's work demonstrates a commitment to fulfill 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 to all American Indian and Alaska Native students, regardless of where they attend school. The federal government must fully appropriate funding for Native education to fulfill the federal trust responsibility for education shared among the Administration and Congress for federally-recognized Indian tribes.

FY 2019 RECOMMENDATIONS

As the Subcommittee considers the President's Budget Request for FY 2019, NIEA has significant concerns regarding the proposed budgets for the DOI and the BIE. Overall, the President's Budget for FY 2019 proposed a 19 percent cut to the BIE, cutting over \$172 million in funding for BIE education programs and \$165 million for education construction and facilities improvement at BIE schools. Severe cuts and elimination of key programs, including the Johnson-O'Malley program, ISEP formula funds, post-secondary scholarships, and juvenile justice detention centers, impact student achievement and reduce college, career, and community readiness at Bureau funded schools. Such proposals fail to uphold the BIE's fiduciary responsibility to provide parity in education to Native students and families.

Though NIEA is pleased to see BIE schools included in the \$18 billion "Public Lands Infrastructure Fund" proposal in the President's Budget Request for FY 2019. The proposed infrastructure package does not however abrogate the federal trust responsibility to fund construction for BIE schools in the federal budget. The Administration has slashed critical construction and maintenance funding for the BIE in exchange for the possibility of future funding in the infrastructure proposal. Despite estimates of over \$1.3 billion in overall need for education construction at BIE schools, the President's Budget completely eliminates funding for new school construction. Instead, the budget proposes \$72.8 million to repair existing schools, which currently have a maintenance backlog of over \$634 million. Such steep cuts to funding for safe and healthy classrooms amount to extreme neglect of Native students and families.

Though current funding levels fail to fully address the \$634 million need, the need for construction and repair in BIE schools is too great to wait for a possible infrastructure package without ongoing funding to address construction needs. Native students must have access safe and healthy classrooms where they can learn and thrive.

The BIE and Bureau of Indian Affairs must uphold their constitutional obligations to tribal nations by fully funding programs that serve the unique academic and cultural needs of Native students. Tribes and Native communities must have access to the resources necessary for Native students to thrive.

As the Subcommittee considers funding levels for the upcoming fiscal year, Congress must continue to invest in and oversee BIE programs to ensure that Native students have access to the resources necessary to thrive. NIEA thanks the Subcommittee on your commitment and requests your ongoing support to hold the DOI and BIE accountable for the delivery of critical services and reform efforts.

NIEA would like to highlight key programs and appropriations priorities within the DOI and BIE that impact Native students. The following funding levels for key federal education programs would promote Native student success in the classroom and beyond:

Education Construction - Provide \$430 million for Bureau of Indian Education (BIE) school construction and repair. *An increase of \$191.7 million above FY 2018 enacted.*

This funding category includes school construction, facilities improvement and repair, and replacement school construction. 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.

Johnson O'Malley - Provide \$42 million for full funding. *An increase of \$27.1 million above FY 2018 enacted.*

The Johnson O'Malley program has provided grants to supplement basic student needs by assisting with the unique academic and cultural needs of Native students since 1934. 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.

Indian School Equalization Program (ISEP) - Provide \$431 million for the Indian School Equalization Program. *An increase of \$24 million above FY 2018 enacted.*

These funds provide the core budget account for BIE elementary and secondary schools by covering teacher salaries, aides, principals, and other personnel. Due to frequent reallocation of ISEP caused by cuts in other areas of education, ISEP must have adequate funding to ensure all program needs are fulfilled.

Broadband Internet Access - Provide \$40 million to extend broadband internet access. *An increase of \$21.15 million above FY 2018 enacted.*

Less than ten percent of Indian Country has access to broadband internet technology and 60% of BIE schools do not have adequate digital broadband access, or computer access, to be aligned with college and career readiness standards.

Bureau of Indian Education Immersion Demonstration Grants - Provide \$5 million for BIE immersion programs. *An increase of \$3 million above FY 2018 enacted.*

According to UNESCO, 74 Native languages stand to disappear in the next decade, with only 20 Native languages being spoken by 2050. Providing Immersion Demonstration Grant funds protects the cultural and linguistic heritage of Native students in education systems by providing Native students immersion learning in order to strengthen language, improve academic outcomes, and become future leaders of their tribes.

Student Transportation - Provide \$73 million for student transportation in the BIE system. *An increase of \$16 million above FY 2018 enacted.*

BIE schools incur disproportionately high costs in transporting Native students to and from school due to the often-rural location of BIE facilities. 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 \$90 million for tribal grant support costs for tribally-operated schools. *An increase of \$9 million above FY 2018 enacted levels.*

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. Schools must divert critical teaching and learning funding to cover any shortfalls in operational costs.

Facilities Operations - Provide \$109 million for BIE facilities operations. *An increase of \$42.4 million above FY 2018 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 \$16.5 million above FY 2018 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.

In addition, NIEA supports requests to fully fund and support Tribal Colleges and Universities through FY 2019 recommendations provided by the American Indian Higher Education Consortium.

CONCLUSION

Appropriations for FY 2019 have the potential to ensure that Native students have access to the facilities and resources necessary to succeed in the classroom and beyond. Our recommendations above highlight the necessary appropriations to fully fund key programs that support quality and culturally appropriate Native education. The 48,000 students in Bureau funded schools deserve nothing less than the full funding necessary to thrive.

Thank you again for the opportunity to address this Subcommittee. For questions regarding this testimony, please email or call Ahniwake Rose, NIEA Executive Director, at arose@niea.org or 202-847-0033.