



**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 McCollum, Ranking Member Joyce, and members of the Subcommittee, thank you for this opportunity to provide testimony on appropriations for the Department of Interior in Fiscal Year (FY) 2021. The National Indian Education Association urges Congress to fulfill their federal trust responsibility to tribes by fully funding Native education within the Department of Interior (DOI) and the Bureau of Indian Education (BIE).

NIEA is the most inclusive national organization advocating for culturally responsive educational opportunities that enable Native students to thrive in the classroom and beyond. NIEA equips all educators with the knowledge and skills necessary to support Native students in reaching their full potential. NIEA offers professional development opportunities, policy and advocacy assistance, and educational resources.

Congress and this Subcommittee have a unique obligation to fulfill one of the most significant relationships with tribal governments. The federal trust responsibility, established through treaties, federal law, and U.S. Supreme Court decisions, provides parity in access to all American Indian and Alaska Native students, regardless of where they attend school. Federal appropriations are central to upholding these promises to Native nations. 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. The federal government must uphold promises to tribal nations to promote tribal prosperity and Native student success.

As the lead agency responsible for upholding the United States government's federal trust responsibility to Native nations, the BIE has a unique role in providing culture-based education opportunities from cradle to college for all Native students. In particular, the Subcommittee is in a unique position to promote safe facilities, culture-based education, and achievement for the 48,000 students that attend Bureau-funded schools.

The Subcommittee's work in FY 2020 demonstrates the committee's understanding of equity in education and safe and healthy classrooms at Bureau-funded schools. NIEA thanks the

Subcommittee for rejecting severe cuts proposed for Indian education in the FY 2019 President's Budget Request. In particular, we appreciate the Subcommittee's increased \$248.3 million commitment to construction for safe and healthy schools, as well as the \$420.8 million investment in the core budget account for Bureau-funded schools in FY 2020. NIEA asks that you continue your commitment to Native students for Fiscal Year 2021 appropriations.

FY 2021 RECOMMENDATIONS

As the Subcommittee considers appropriations for FY 2021, NIEA urges Congress to consider the full scope of need for education programs in the DOI and the BIE. 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.

Though NIEA is pleased to see recent steps to address critical infrastructure needs in BIE schools through a \$10 million increase for BIE school construction in FY 2020 appropriations, such funding falls far short of the full need. In 2016, the Office of the Inspector General at the DOI found that it would cost \$430 million to address immediate facilities repairs in the Bureau of Indian Education and estimated over \$1.3 billion in overall need for education construction at BIE schools. By mid-2019, the maintenance backlog in BIE schools had ballooned to over \$639 million.

The need for construction and repair in BIE schools requires continued and committed investment from Congress and is too great to wait for a possible infrastructure package without ongoing funding to address construction needs. Congress should support innovative options to fund construction in Bureau-funded schools. However, such options must supplement and not supplant annual appropriations for construction at schools within the BIE system. Equity in education demands increased investment in school construction. Native students deserve to learn in safe and healthy classrooms where they can 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. Each year, schools are forced to further stretch limited funds provided through the Indian Schools Equalization Program to fulfill regulations that require educators to be paid salaries comparable to those at the only other federal school system – the Department of Defense Education Activity (DODEA). However, federal appropriations have failed to account for increases in competitive salaries both at DODEA and in states where BIE schools are located. Good teachers matter and increased investment is required to ensure parity in access to highly qualified, culturally competent educators for Native students at all schools.

As we enter a new decade, Congress must consider funding required to build the technological infrastructure required for a modern classroom in all Bureau-funded schools. Technology is critical to all parts of a 21st century education, from building a new generation of STEM professionals to supporting Native language immersion and revitalization programs. Federal appropriations hold the key to ensuring equity for the only students to which the federal government has a direct responsibility - Native students.

NIEA thanks the Subcommittee for 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 2019 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.

Indian School Equalization Program (ISEP) - Provide \$431 million for the Indian School Equalization Program. *An increase of \$10.2 million above FY 2020 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.

Johnson O'Malley - Provide \$42 million for full funding. *An increase of \$21.7 million above FY 2020 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.

Broadband Internet Access - Provide \$40 million to extend broadband internet access. *An increase of \$29.7 million above FY 2020 enacted.*

Less than ten percent of Indian Country has access to broadband internet technology and 60 percent 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 \$1 million above FY 2020 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 \$16.0 million above FY 2020 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 \$6.6 million above FY 2020 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 \$34.1 million above FY 2020 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 \$16.2 million above FY 2020 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 2021 recommendations provided by the American Indian Higher Education Consortium.

CONCLUSION

Appropriations for FY 2020 have the potential to ensure equity in access to excellent education options that prepare Native students to thrive in the classrooms and beyond. NIEA urges Congress to consider the above recommendations to fully fund key programs that support quality and culturally appropriate Native education. Congress must uphold the federal trust responsibility to tribal nations – our students deserve nothing less.

Thank you again for the opportunity to address this Subcommittee. For questions regarding this testimony, please email or call Diana Cournoyer, NIEA Executive Director, at dcournoyer@niea.org or 202-544-7290.