

**TESTIMONY OF CECILIA FIRE THUNDER BEFORE THE HOUSE COMMITTEE
ON APPROPRIATIONS SUBCOMMITTEE ON INTERIOR, ENVIRONMENT, AND
RELATED AGENCIES
MARCH 8, 2023**

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 regarding issues of importance to our Tribe. My name is Cecilia Firethunder, and I am the President of the Oglala Lakota Nation Education Coalition (OLNEC) and Board of Director 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 Director for OLC started in 1971, Oglala Lakota College is a beacon of hope for many individuals, providing truly equitable access to all students despite the many challenges they face while attending college.

- 100-297 Tribally Controlled Grant Schools

Tribal schools 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 Yet, schools operating within the BIE) system are woefully underfunded, outdated, and dangerous for students and staff.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 Department of Education, in Fiscal Year (FY) 2023, the federal government funded Indian students at roughly half, \$6,283 of the actual funding expended to educate non-Indian students at \$12,500. This also includes the 9.24% record increase from the FY2023 Omnibus Bill. Tribal facilities are also underfunded. In FY 2022, the Department of Interior's Deferred Maintenance and Repair Backlog, an estimated \$639 million is needed to fix only the most pressing deferred maintenance issues for BIE schools.

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. We highlight seven areas of federal support that are essential to our school's operations and Indian students' successes.

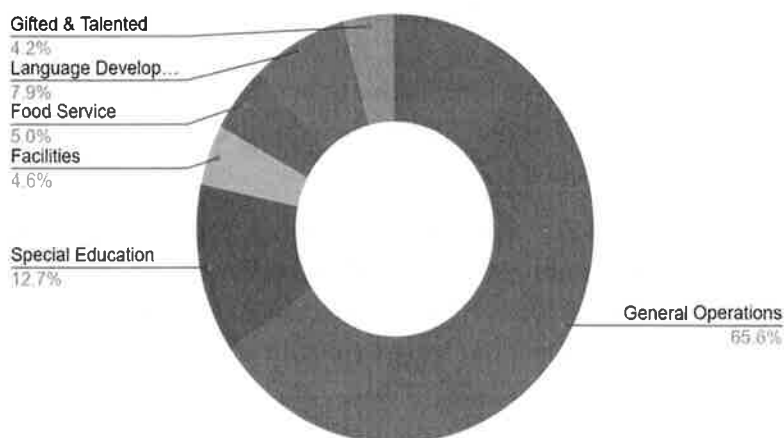
- Indian School Equalization Program Funding

All BIE-funded schools receive Indian School Equalization Program (ISEP) formula funds, which are 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 BIA, 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. FY22. As a result, we, and every BIE school, are unable to provide the type of 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 already inadequate funds are further constrained by our need to use ISEP funds for expenditures other than educational programs, like facilities operations and facilities maintenance. ISEP funds also supplement underfunding of the U.S. Department of Agriculture's (USDA)

Breakfast and National School Lunch Program (which, combined, only pay for 55% of total foodservice costs), student transportation (which regularly uses more than 45,000 gallons of fuel for student transportation).

Federal underfunding of ISEP is a problem exacerbated by other federal funding shortfalls. Therefore, we emphasize 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, our students will only fall further behind their peers attending non-federally funded public and private schools. Seen in the Chart, the supplement shortfalls that ISEP funding must fill in to replace in federal shortfalls.



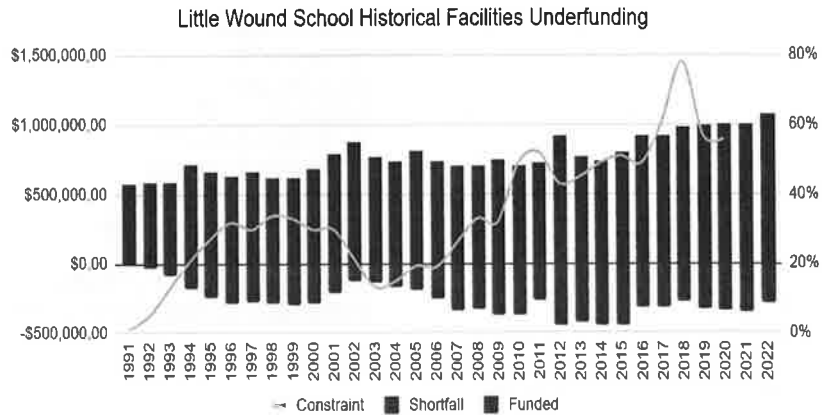
- BIE Facilities, Operation, and Maintenance Funding

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, including the correction of unforeseen costs of up to \$2,500.

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 because the Department of the Interior (Interior) has not requested it. Thus, Congress has not appropriated adequate funding to cover essential operational needs. In 1976, Senate and House appropriations committees directed the BIA to fully fund all school facilities O&M costs. This was codified in CFR Title 25, Chapter 1, Subpart L, Section 39.1203, which states, "The Assistant Secretary shall arrange for full funding for operation and maintenance of contract schools by fiscal year 1981." However, to this day, full funding for O&M of BIE schools has never been requested or appropriated.

O&M underfunding is no small problem. Since 1990, Little Wound School has had a \$9 million deficit in O&M funding than our identified need. This is a 34% shortfall in facilities funding. 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 more than 80 years old. Our middle school students attend classes in 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.

This funding shortfall is a significant problem compounded by the fact that we must cannibalize other federal funding, ISEP. The student education funds. Let us not forget that these tribally controlled 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. Tribal Schools finally need full funding of O&M costs.



- Facilities Construction

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, and are not ADA-compliant. We have advocated for new school construction funds since the early 2000s, specifically through placement on the Bureau of Indian Affairs’ construction priority list. In FY22, we received a \$500,000 planning and feasibility grant from the BIA for the initial work associated with new school construction, including site determination. The cost of new school construction is projected to be over \$120 million. These values are based on known construction costs for other tribal schools constructed in our region in the past five years.

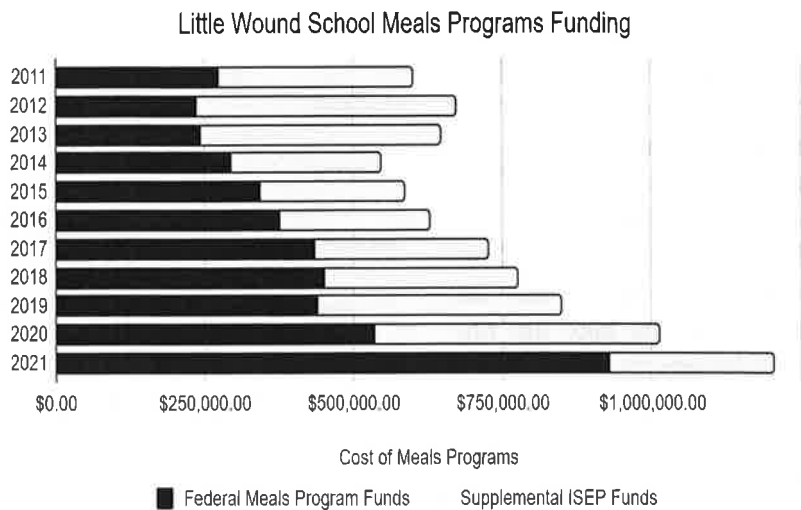
Last year at every step of the draft Appropriations process, Congress provided the funding necessary to design and replace five BIE-funded schools in South Dakota, including the Little Wound School. Unfortunately, at the last minute, that funding was scrapped. We ask that you continue to support BIE's new school construction funds during the appropriations process.

- USDA School Breakfast and Lunch Programs

Little Wound School provides no-cost meals to all students under the Community Eligibility Provision (CEP). Despite this, we must significantly subsidize our meal program. Since 2010, federal funding for meal service has only covered 45% of the total cost. 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.

One approach to address this underfunding is to allow tribally controlled schools to directly administer USDA National School Lunch Programs. 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 all tribes USDA visited, and over 90 percent of tribes surveyed expressed an interest in directly administering USDA Nutrition Assistance Programs.

Authorizing direct administration by tribes would strengthen tribal sovereignty, increase the nutrition quality of the food provided, increase culturally appropriate food, and prioritize local and regional food. Tribes have proven for over 50 years that they can successfully administer federal programs. Authorizing tribes to administer school lunch programs should be a simple step. We request your support of the Tribal Nutrition Improvement Act.



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

According to the 2020 American Community Survey 5-year estimates, 43.2% of the people living on the Pine Ridge Reservation have incomes below the poverty level (compared to 12.8% in the United States), 76.2% have a high school/GED diploma (U.S.: 88.5%), and 13.2% have a bachelor’s degree or higher (U.S.: 32.9%). Since its inception, Oglala Lakota College has awarded 575 certificates, 3,524 associate degrees, 1,520 bachelor's degrees, and 157 master's degrees for an overall total of 5,737 degrees in Education, Nursing, Math, Science, Technology, Humanities, Business, Social Work, vocational programs, and Lakota Studies. Our graduates are role models to the youth on the reservation.

However, we have struggles. Students cannot meet their basic needs of food, shelter, clothing, caring for children and extended family, and commuting long distances in harsh weather conditions to attend class. In Fall 2022, 45% of OLC students were single parents, 64% were first-generation students, and 73% low income. Many students need remedial coursework to get their Reading, Writing, and Math skills up to college level (3-year average of Fall first-time students (Fall 2020-2022): 60%). 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:

OLC has completed upgrades to its infrastructure regularly, 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 (17 of 49) are at least 20 years old, there is a need for a more thorough overhaul, including the expansion of existing buildings and construction of new facilities such as dorms to address the homelessness students face, their greatest challenge.

To provide Indian students with quality education, BIE must request and receive adequate funds to educate Indian students. I am happy to answer your questions. Wopila.