



**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) 2020. 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-relevant 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.

As the lead agency responsible for upholding the United States government's federal trust responsibility for Indian education, the BIE must develop and maintain access to college, career, and community opportunities for all Native students, including the 48,000 students that attend Bureau-funded schools. 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 2019 demonstrates the committee's understanding of equity in opportunity for culturally-based education at Bureau-funded and Bureau-operated 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 continued \$238.3 million commitment to construction for safe and healthy schools for Native students in FY 2019. NIEA asks that you continue your commitment to Native students for Fiscal Year 2020 appropriations.

The Subcommittee's work expresses an overall commitment to fulfill one of the most significant relationships with tribal governments. The federal trust responsibility, which is a unique bond, 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.

It is vital to tribal prosperity and Native student success for the federal government to 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 2020 RECOMMENDATIONS

As the Subcommittee considers appropriations for FY 2020, 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 education construction in FY 2018 and FY 2019 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 February 2018, the maintenance backlog in BIE schools had ballooned to over \$634 million.

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 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. From competitive salaries for highly qualified, culturally competent educators through the Indian Schools Equalization Program to technological infrastructure for a modern classroom to Native language and culture-based education programs, federal appropriations hold the key to ensuring equity for the only students to which the federal government has a direct responsibility - Native students.

This investment must extend the Every Student Succeeds Act, which requires the BIE to define standards, assessments, and accountability systems for Bureau-funded schools. Though such appropriations do not currently exist, BIE must access to funding necessary to develop and implement high-quality culturally-relevant education systems that serve the unique needs of Native students. Such funds must not come at the expense of critical education services and programs

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.

Johnson O’Malley - Provide \$42 million for full funding. *An increase of \$27.1 million above FY 2019 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 \$21.4 million above FY 2019 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 \$29.7 million above FY 2019 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 \$3 million above FY 2019 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 \$16.6 million above FY 2019 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 \$7.1 million above FY 2019 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 \$40.2 million above FY 2019 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 2019 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.

Student Assessment Systems under ESSA - Provide \$35 million to develop assessments and \$10 million each year for assessment maintenance under the Every Student Succeeds Act. *No such funding currently exists for the Bureau of Indian Education.*

Under No Child Left Behind, schools within the Bureau of Indian Education participated in the assessment systems of the state in which they were located, which resulted in long-term delays and challenges ensuring student progress and achievement across the multi-state system. The Every Student Succeeds Act requires the BIE to define academic standards and develop an assessments system for Bureau-funded schools through a negotiated rulemaking process. The BIE must have access to adequate funding to develop and maintain high-quality, culturally relevant assessment systems that accurately measure the progress of Native students, as required by statute.

In addition, NIEA supports requests to fully fund and support Tribal Colleges and Universities through FY 2020 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 for all Native students, including the 48,000 students in Bureau funded schools that 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 Diana Cournoyer, NIEA Interim Executive Director, at dcournoyer@niea.org or 202-544-7290.