



NATIONAL INDIAN EDUCATION ASSOCIATION

Education Sovereignty

APPROPRIATIONS

Rooted in treaties between Tribal Nations and the federal government, the US Constitution, and decades of legal precedent, Congress has a direct fiduciary responsibility to provide federal funding that supports Native students. Due to the complex nature of competing interests with states for taxation authority, Tribal governments do not collect tax revenue which elevates the federal responsibility to provide resources for Native education. Native students must have access to the funding and services necessary to thrive.

Native Education

Nearly 48,000 Native students across the country are enrolled in schools run by the Bureau of Indian Education (BIE) or Tribally Controlled Schools which were originally intended to fulfill the federal governments trust and treaty responsibilities to Native education. Today, ninety-three percent of American Indian, Alaska Native, and Native Hawaiian students across the United States attend public schools. The federal trust responsibility extends to these students as well.

Due to the underfunded, rural, and remote nature of many Native communities, Native students often do not have access to high-quality culture-based education options that provide opportunities for success. Safe and healthy classrooms, centered in language and culture are essential for Native students to succeed. From early childhood through postsecondary education, Native students must have access to programs and resources that provide them the best opportunities to not simply survive, but to thrive.

Appropriations Request

NIEA partners with Tribal Nations, Native educators, students, and allies to ensure funding for Native education throughout the country. Considering the current economic situation, it is more important than ever to have a diverse workforce that is prepared to develop the American economy at every level. Tribal Nations represent one of the largest economic forces in rural and remote areas and are in dire need of additional support to educate their future workforces. An educated citizenry has the potential to boost Tribal economic productivity and growth through a more skilled and competitive workforce, which can attract new businesses, reduce rampant unemployment, stimulate tribal economies, and foster entrepreneurial endeavors that enable tribal citizens to become more self-sufficient.

Full funding for all Native-serving institutions is essential to ensuring that Native students have access to the resources they need to thrive in the modern world. Only through full funding of Native education and complete support for Tribal Self-Determination will our students gain access to culturally relevant, high-quality education. This requires increased funding for facilities, Native language programs, and culture-based mental and behavioral health services.

Fiscal Year 2024

NIEA urges Congress to pass an appropriations bill that fully funds the Bureau of Indian Education and other programs that serve Native students to ensure that educational services and programs in Native communities remain uninterrupted. For the Department of the Interior NIEA urges Congress



to include Advance Appropriations for the Bureau of Indian Education. The priorities below are items NIEA has identified as critically important for consideration of FY 2023 funding. They are not a complete list, but they are worth highlighting as important:

Department of the Interior

- Provide \$371.2 million in construction for BIE schools. *An increase of \$103.4 million above FY 2023 enacted.*

The Department of Interior has estimated that more than \$639 million would be needed to fix only the most pressing deferred maintenance issues for BIE schools. Beyond this it will take over an estimated \$1 billion to cover all the associated costs for Replacement School Construction, Replacement Facility Construction, Replacement/New Employee Housing, Employee Housing Repair, and Facilities Improvement & Repair, to bring BIE schools up to a quality which would be considered adequate for the federal education trust responsibility.

- Provide \$28.3 million for the Johnson O'Malley (JOM) Program (TPA). *\$6.8 million above FY 2023 enacted.*

The JOM program has supplemented basic student needs since 1934. It is currently being used in innovative ways to assist with the unique educational needs of Native students in public schools. In 1995 the federal government allocated \$98 per student in JOM funding. In today's dollars, factoring in inflation, that would equate to \$195 per student. It would take additional funds of *at least* \$230 million to fully address this drastic disparity. That investment has steadily declined, while this funding oftentimes remains the only source through which Native students in public schools can engage in basic cultural education activities.

- Provide \$109 million for BIE facilities operations. *An increase of \$28.2 million above FY 2023 enacted.*

BIE schools use *facilities operations* funding for costs such as electricity, heating fuels, communications, vehicle rentals, custodial services, and other operating expenses. For years, schools have only received roughly 70 percent of funding needed for these expenses.

- Provide \$100 million for BIE facilities maintenance. *An increase of \$26.5 million above FY 2023 enacted.*

BIE schools use *facilities maintenance* funding for both 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 condition and cannot maintain proper standards. In 2019 DOI's Assistant Secretary for Management testified before the House Committee on Appropriations that the total identified deferred maintenance for education facilities and education quarters was \$725 million.

- Provide \$532.6 million for the Indian School Equalization Program (ISEP) Formula. *An increase of \$51.6 million above FY 2023 enacted.*

These funds provide the core budget account for BIE elementary and secondary schools by covering salaries for teachers, aides, principals, and other personnel. Indian School Equalization Program (ISEP) funds are often reallocated to cover the program cuts in other areas of education. ISEP must have adequate funding to ensure all program needs are fulfilled and must not be reduced to provide funds for new initiatives that have not been vetted by tribal nations.



Department of Education

- \$198 million for Indian Education Formula Grants (Title VI, Part A, Subpart 1 of ESSA). *An increase of \$87.6 million above FY 2023 enacted.*

Through grants for the unique culturally relevant academic needs of Native students, funds under this program are used for academic enrichment, professional development, basic cultural awareness, and instruction for student achievement.

- \$2 billion in funding for the Impact Aid Program. *An increase of \$400 million above FY 2023 enacted.*

The Impact Aid Program provides support to Local Education Agencies (LEAs) for the loss of traditional property taxes due to federally owned properties, including non-taxable Native land. The program has not been fully funded since the 1960s, this particularly burdens those LEAs on or near Native lands in rural and remote areas.

- \$47.9 million in funding for the Native Hawaiian Education Program (Title VI, Part B of ESSA). *An increase of \$3.1 million above FY 2023 enacted.*

This program funds culturally based programs that enhance the quality of education for Native Hawaiians to fulfill the trust relationship that Congress recognized in creating the program and funding it.

- \$47.9 million for the Alaska Native Education Equity Assistance Program (Title VI, Part C of ESSA). *An increase of \$3 million above FY 2023 enacted.*

Alaska does not receive any BIE funding. The Assistance Program is the only specific source of support for Alaska Native students and can be used for professional development and other programs designed to close the achievement gaps between Alaska Native students and their non-Native peers.

- \$13.8 million for National Activities and Native Language Immersion Programs Set-Aside (Title VI, Part A, Subpart 3 of ESSA) with \$5 million for Language Immersion Grants on top of the 20 percent set-aside. *An increase of \$2.8 million above FY 2023 enacted.*

Native language funding is critical to Native communities across the country. Section 6133 includes Native languages as an option for the medium of instruction where Native communities have the capacity and desire to engage in immersion instruction. \$5 million to this program – above and beyond the 20 percent set-aside – is critical to furthering the federal government's commitment to improving the educational outcomes of American Indian and Alaska Native students.

- Provide \$76.6 million for Special Programs for Indian Children (Title VI, Part A, Subpart 2 of ESSA). *An increase of \$4.6 million above FY 2023 enacted.*

This program addresses the critical issues of teacher shortages, evidence-based work at the state and local level, and locally driven strategies to empower Native youth. These professional development grants are essential to improving teaching in rural communities.

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