



NATIONAL INDIAN EDUCATION ASSOCIATION

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For the House Committee on Appropriations,
Subcommittee on Interior, Environment, and Related Agencies

On behalf of the National Indian Education Association (NIEA), and the students, educators, and Tribal Nations we serve, thank you for this opportunity to provide testimony regarding the critical issues surrounding Native education and the Federal government's trust and treaty obligations to American Indians and Alaska Natives and the Federal trust obligation to Native Hawaiians. Sovereignty is the cornerstone of effective education in Indian Country, and the federal trust responsibility to Indian education is one of the most fundamental commitments the United States government has made. This responsibility—rooted in more than 150 years of treaties, statutes, and case law—is essential to ensuring that Native students receive the support and resources they need. Education is an investment in America's Economic and National Security, reducing federal dependency and ensure that Native students contribute meaningfully to local and National economies. The Federal government must uphold its responsibility to ensure Native students receive the resources necessary for success. Education is not merely a tool for individual success it is the foundation for the future of our Nations.

Indian Country is currently in crisis. Federal funding shortfalls, administrative reorganizations, and policies that neglect the unique political status of Tribal Nations have disproportionately harmed Native students. Chronic underinvestment in Native education has left the Bureau of Indian Education (BIE) schools and public schools serving Native students struggling with overcrowded classrooms, outdated facilities, and a lack of necessary resources.

Tribal Nations have often been collateral damage in federal policy changes, whether through funding freezes, administrative reorganizations, or decisions made without Tribal consultation. These actions, though sometimes unintended, have had devastating consequences on our students and schools. Congress and this Committee must act to shield Indian Country from these harmful impacts and ensure Native students are not left behind. While Indian Country has endured these challenges, Tribal Nations are not merely victims. We are leaders driving economic development in rural America and providers of essential services that sustain local communities. We come before you today as partners, seeking a renewed commitment from this Committee to uphold the federal trust responsibility to Native education.

Key Funding Priorities for FY 2026

I. Fully Fund and Protect the BIE - \$950 million: The Indian School Equalization Program (ISEP) is the core funding mechanism for BIE-funded schools, covering teacher salaries, instructional materials, and student services. Chronic underfunding forces BIE schools to divert ISEP resources to cover transportation, facilities maintenance, and grant support –

depriving students of the education they deserve.

Haskell Indian Nations University and the Southwestern Indian Polytechnic Institute (SIPI) are critical institutions that provide higher education opportunities for Native students. This educational prepares Native students for skilled jobs and leadership roles in various industries, including defense, infrastructure, and healthcare. Workforce reductions and funding cuts threaten their ability to fulfill their mission.

II. Invest in Tribal Education Departments (TEDs) - \$10 million: TEDs are essential partners in delivering culturally relevant education and aligning Tribal Education priorities with federal and state systems. Unlike state education agencies, TEDs do not receive tax revenue and rely solely on federal funding to carry out their work. Supporting TEDs empowers local decision-making and aligns with shared values of community-driven governance.

III. Strengthen the Johnson O'Malley (JOM) Program - \$55.2 million: The JOM program has supported Native students in public schools since 1934, yet inflation-adjusted funding has drastically declined. Additional investment is needed to provide Native students with the cultural and academic support they need to succeed.

IV. Increase Funding for Education Construction - \$430 million and authorize Mandatory Appropriations for 105(l) Leases: Native students attend schools in facilities that are crumbling and unsafe. The Federal government must prioritize the construction and modernization of BIE schools to ensure a safe and effective learning environment. Infrastructure investment in education facilities provides jobs, strengthens rural economies, and ensures students are prepared to contribute to America's workforce.

Further, making 105(l) leases mandatory appropriations offers Tribes an alternative model for improving school infrastructure. Under Section 105(l) of ISDEAA, Tribes can lease school facilities to the federal government as part of self-governance compacts or contracts. This allows Tribes to build, repair, and maintain schools independently while ensuring the federal government meets its fiduciary duties. However, because these payments are currently discretionary, they increasingly face the possibility of being offset by cuts to other Tribal programs. The funding for these payments should be moved to mandatory spending. Doing so to reduce bureaucratic delays, empower Tribes with self-determination over education infrastructure, and address the current backlog in school maintenance.

V. Support Title VI Indian Education Programs - \$198 million: It is critical that this Committee protect the funds and programs which support Native children across the entire Federal government. It is essential that Native students, whether in BIE schools or public schools, receive equitable access to quality education. The federal government must work collaboratively with Tribal Nations to address the persistent achievement gaps faced by Native students in public schools. Programs like Title VI Indian Education and the State-Tribal Education Partnership (STEP) grants have provided vital resources, but they require sustained and increased funding.

Title VI Formula Grants to Local Education Agencies support culturally relevant academic programs for Native students in public schools. These funds enhance student achievement, professional development, and instructional initiatives tailored to Native communities.

Additional funding for Special Programs for Indian Children (\$76.6 million) and Indian Education National Activities (\$20 million) will help address teacher shortages, expand language immersion programs, and strengthen Tribal-State partnerships.

The Impact of Chronic Underfunding

Chronic underfunding of Native education has had severe consequences. Native students experience some of the highest dropout rates and lowest graduation rates in the nation. Schools serving Native students struggle to provide basic resources. Many BIE schools operate in substandard conditions, lacking adequate heating, plumbing, or internet access. The ongoing neglect of these institutions contradicts the federal government's trust and treaty obligations.

Long-term underfunding also exacerbates disparities in teacher recruitment and retention, leaving Native students with inadequate access to quality educators. Teacher shortages in Indian Country remain a critical issue, making it difficult to provide consistent and high-quality education. Without meaningful federal investment, these challenges will persist, further widening the achievement gap for Native students.

Protecting Indian Education

Recent federal actions – funding freezes, federal workforce reductions, and policies conflating Native sovereignty with unrelated diversity initiatives – have further destabilized Native education. We urge this Committee to take action:

I. Protect the Education System of Our Choice – Current direct funding models and voucher programs proposed for the BIE threaten the federal trust responsibility to Indian Country. Without compacting agreements to channel funding, such as P.L. 93-638 or P.L. 100-297 compacts and contracts, the Federal government may step away from its obligations, making it easier to abandon Indian education and other vital services. This situation could set a dangerous precedent that not only impacts education but could extend to critical services like healthcare, law enforcement, and infrastructure, weakening the trust relationship and the Federal government's commitment to Tribal Nations. This is a legal obligation essential to upholding trust and treaty responsibilities. Tribal input and consent must be central to policymaking to ensure that Native education is not an afterthought in federal decisions.

II. Protect Federal Employees Serving Indian Country – Shrinking the federal workforce without considering the trust obligation will have dire consequences for Native communities. The federal employees who administer Tribal programs, distribute funding, and ensure compliance with trust and treaty obligations are critical to the success of Native education. Reducing their numbers without a strategic plan will compromise the quality of education, healthcare, and other essential services. Educators, administrators, and the program

officers dedicated to Native education must be safeguarded from indiscriminate staffing cuts to prevent disruptions in crucial services and maintain the integrity of federally funded programs that serve Native students.

III. Reject Policies which Undermine Native Education — Any actions that reduce funding, weaken Native-serving programs, or conflate Native political status with racial diversity initiatives violate the government’s trust responsibilities. Ensuring that Native students receive the education they are entitled to requires unwavering commitment from federal leaders.

Recent federal actions have further exacerbated uncertainty and harm in Indian Country. From funding freezes and federal employee terminations to policies conflating our unique political status with immigration enforcement and diversity programs—we have been unfairly caught in the crossfire. These actions reflect a fundamental misunderstanding of the government-to-government relationship between Tribal Nations and the United States.

We appreciate the clarifications provided by the Departments of Health and Human Services, Interior, and the Office of Personnel Management, affirming that the Administration’s priorities should not compromise trust and treaty obligations. However, these assurances must be matched with action. We call upon this Committee and all appropriators to ensure that federal agencies faithfully uphold their legal commitments to Indian Country. Consultation with Tribal Nations before implementing policies that affect us is not merely courteous—it is a legal requirement and a pathway to better governance.

Conclusion

Investing in Native education is an investment in the future of our Tribal Nations and the economic prosperity of the United States. As this Committee considers FY 2026 appropriations, we ask you to fully fund BIE, strengthen Tribal education programs, and protect the federal workforce that upholds the government's trust responsibilities. Additionally, we call for ongoing dialogue and collaboration between federal agencies and Tribal Nations to ensure that policy decisions reflect the needs and priorities of Native communities. Transparency, accountability, and sustained investment are essential to closing educational disparities and empowering Native students to thrive.

Failing to act now will perpetuate inequities that Native students have faced since time immemorial. Strong federal support is critical to reversing these trends and ensuring that Native students receive an education that not only prepares them for the workforce but also strengthens their cultural identity and connection to their communities.

NIEA, Tribal Nations, Native educators, students, and leaders stand together 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. We stand ready to work with you to ensure that Native students receive the quality education they deserve. Thank you for your time and consideration.