

**February 27, 2025, Testimony of Cecilia Fire Thunder Before The House Committee on Appropriations, Subcommittee on Interior, Environment, and Related Agencies.**

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 on Indian Education funding. My name is Cecilia Fire Thunder, President of the Oglala Lakota Nation Education Coalition (OLNEC) and President of the Little Wound School (LWS) Board.

Although OLNEC represents the Oglala Sioux Tribe's six tribally controlled grant schools, I am here advocating for the 34 Bureau of Indian Education funded schools in the Great Plains, including 12 in North Dakota and 22 in South Dakota, thus expressing a unique voice within the Bureau of Indian Education (BIE) system of schools.

**Tribal Education Program Requests for FY2026:**

<b>Program</b>	<b>Request</b>	<b>Current CR</b>	<b>Adjustment Request</b>
Indian Schools Equalization Program	<b>\$951.5M</b>	\$481M	Currently 1YR forward funded (\$7k per child Avg)
Education Facilities Operation	<b>\$109M</b>	\$80.8M	Move to forward funding
Education Facilities Maintenance	<b>\$100M</b>	\$73.5M	Move to forward funding
Student Transportation	<b>\$75.5M</b>	\$70M	Reimburse Actual Costs
Tribal Grant Support Costs	<b>\$115M</b>	\$95.8M	Move to forward funding; flat-funded since 2023
BIE School Construction	<b>\$400M</b>	\$116M Avg	\$8 Billion Construction Backlog and \$1 Billion in Deferred Maintenance
School Resource Officers	<b>\$93M</b>	\$0	Currently relying on local officers

The Bureau of Indian Education has been flat funded since 2023, the Draft House FY2025 budget for the BIE would have been a welcomed increase! However, Congress has continued to flat-fund BIE since 2023, despite rising education costs and high inflation. In addition, generally, a one year advanced appropriations for the Indian Student Equalization Act and regular Congressional Appropriations keeps Bureau of Indian Education schools functioning well. Considering that every other education assistance program for BIE schools under the U.S. Department of Education (Dept. of Ed) are currently froze or in jeopardy, BIE schools are panicking.

**I. 100-297 Tribally Controlled Grant Schools**

January 4, 2025, was the 50<sup>th</sup> of the Indian Self-Determination and Education Assistance Act which led the pathway for Tribes to contract and compact Indian education from the Bureau of Indian Education. Today, that school choice is administered at Tribally Controlled Schools (TCS), the locally controlled and BIE funded 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 BIE, in fiscal year (FY) 2023/24, the federal government funded Indian students at roughly half, \$7,000, of the average state per-pupil funding of \$16,080<sup>1</sup>. However, Indian education funding is dwarfed compared to the only other fully

<sup>1</sup> Hanson, Melanie. "U.S. Public Education Spending Statistics" EducationData.org, September 8, 2023, <https://educationdata.org/public-education-spending-statistics>.

funded federal education system, the Department of Defense Education Agency, which is funded at \$25,000 per student.<sup>2</sup>

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.

## II. Department of Education Titles for BIE in Jeopardy

BIE schools are eligible for various funding sources under different Dept. of Ed. Titles. These funds generally come through formula grants or competitive grants authorized under key federal education laws, mainly the Elementary and Secondary Education Act (ESEA), as amended by the Every Student Succeeds Act (ESSA). Since BIE is so underfunded, it is essential for the BIE to have access to every available funding source to provide for a quality education for Indian Children. Each of these programs is a critical part of providing quality education to Indian Children.

Grant Program	Purpose	Administering Agency
Title IV, Part A – Student Support & Enrichment	Supports well-rounded education, school safety, and technology	ED or BIE
Native American Language Grant	Supports Native language revitalization in education	ED or HHS
21st Century Community Learning Centers (Title IV, Part B)	Funds after-school and summer programs	ED
Carl D. Perkins CTE Grants	Supports career & technical education (CTE) programs	ED or BIE
McKinney-Vento Homeless Assistance (Title IX)	Supports education stability for homeless students	ED or BIE

Dept. of Ed. Title Program	How Funding is Allocated	Administering Agency
Title I, Part A – Improving Basic Programs	Based on low-income student count	BIE
Title II, Part A – Teacher Training & Support	Based on student enrollment & need	BIE
Title III – English Language Acquisition	Based on English Learners (ELs) count	BIE or ED
Title VI – Indian Education	Based on eligible Native student count	ED
IDEA Part B – Special Education	Based on students with disabilities count	BIE
Impact Aid (Title VII of ESEA)	Based on Native students on tribal lands	ED

## III. Indian School Equalization Program Funding

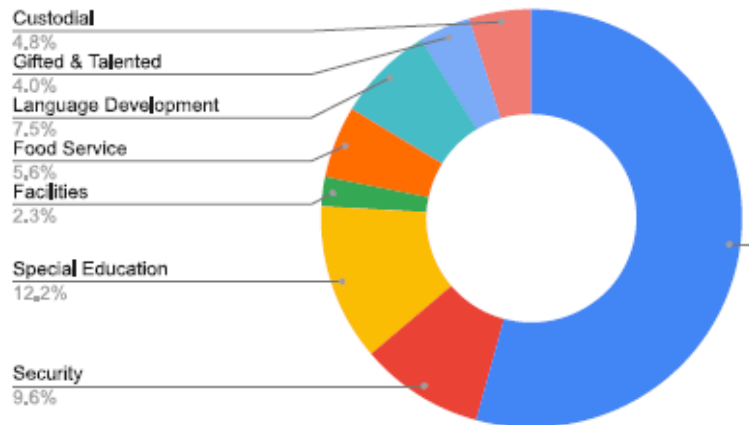
All BIE-funded schools receive Indian School Equalization Program (ISEP) formula funds, the largest single source of revenue for tribal schools. ISEP funds are intended for teacher salaries,

<sup>2</sup> *Who Runs the Best U.S. Schools? It May Be the Defense Department.* <https://www.nytimes.com/2023/10/10/us/schools-pandemic-defense-department.html>. 4/10/2024.0

classroom supplies, textbooks, extracurricular activities, field trips, sports, and related programming. In FY 23/24, Little Wound School received \$7.5 million in ISEP funding, which is woefully inadequate for the intended purpose. As a result, we, and every BIE school, cannot provide the education necessary to give our students a competitive education.

These inadequate funds are further constrained by our need to use ISEP funds for expenditures other than educational programs, like facilities operations and facilities maintenance, student nutrition, and School Resource Officers.

BIE schools need at least a \$400 million increase in ISEP funding to bring Indian students' education funding to parity with the national average. Without a significant increase in ISEP funding, Indian students will continue to fall further behind their non-Indian peers attending DoDEA, public and private funded schools.



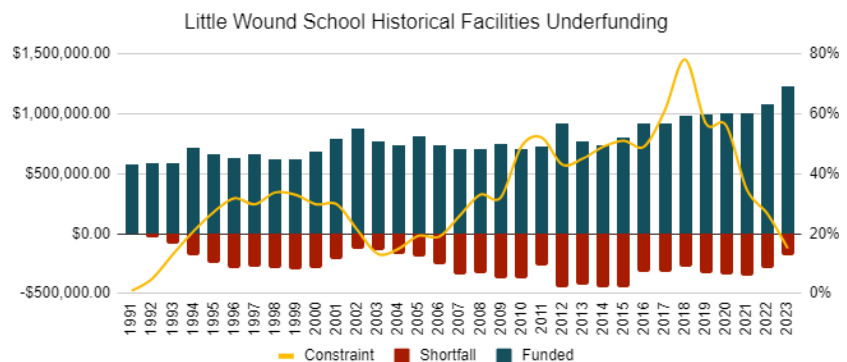
This chart shows where ISEP (blue) funding is used to fill gaps in other underfunded programs, thus consuming education funding.

#### IV. BIE Facilities, Operation, and Maintenance Funding

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.

Each O&M category is a necessary and fundamental element of school operation. For the last 40 years, O&M funding has been consistently inadequate. To make matters worse, Congress has not appropriated full funding to cover essential operational needs for these federally owned buildings.

Since 1990, Little Wound School has had a \$10 million (34%) shortfall in O&M funding compared to our identified need. 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 over 80 years old, and our middle school is 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.

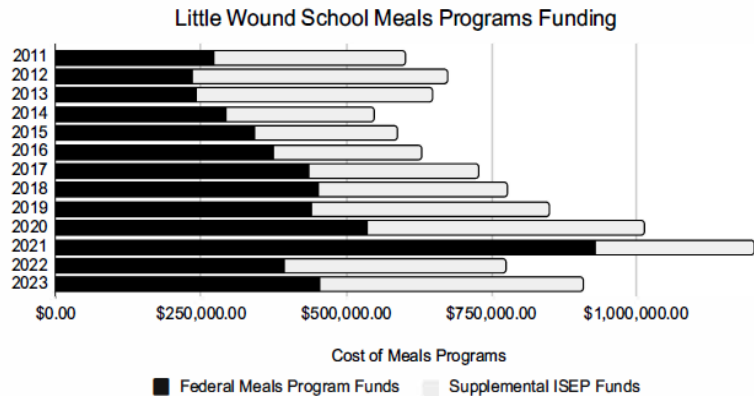
Do not forget that these schools are federally built and federally-owned buildings that tribes operate on behalf of the Federal government's trust responsibility to tribes. In no other scenario would Congress not appropriate enough funds to pay their bills, not in the military or federal agencies, but for over 40 years, Congress has let Native students take the fall for under-appropriating their utilities and operations bills. We need full funding for O&M costs.

### V. School Construction and Replacement

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, are not ADA-compliant, and are dangerous.<sup>3</sup> A March 2024 Government Accountability Office (GAO) report titled: *Indian Affairs Is Unable To Effectively Manage Deferred Maintenance of School Facilities*, stated that the Bureau of Indian Education faces a \$1 billion deferred maintenance backlog and a \$6.7 billion backlog in school replacement and construction costs. However, Congress appropriates only about \$116 million annually—an amount that falls dramatically short.

### VI. USDA School Breakfast and Lunch Programs

Our schools provide no-cost meals to all students under the Community Eligibility Provision (CEP). Despite this, we must significantly subsidize our meal program. BIE funding does not pay for child nutrition and school lunch services. In communities like the Pine Ridge Indian Reservation, meals at BIE-funded schools are often the only reliable food source for Indian students.



Congress should authorize tribal schools to administer USDA Nutrition Programs directly, which would help lower the administrative costs. We ask that direct administration by tribes be authorized to strengthen tribal sovereignty, increase the nutritional quality of the food provided, increase culturally appropriate food, and prioritize local food.

### VII. School Resource Officers

At the moment, these federally funded schools are only protected by unarmed, untrained facilities staff and the strength of teachers. There are no federally supported school resource officers at BIE schools. BIE states it would need at least \$93 million to fund at least one School Resource Officer (SROs) in each BIE school. We implore this Committee to help fund SROs at BIE-funded schools to secure the safety of our children while providing a decent education to advance as adults.

We thank this Committee for its commitment to Indian students and Indian education. - Wopila.

<sup>3</sup> Safety of Native American schoolchildren repeatedly compromised under government watch. [https://richmond.com/news/nation-world/education/native-american-boarding-schools-indian-education/article\\_5136f166-5903-593c-b628-9813884e041d.html](https://richmond.com/news/nation-world/education/native-american-boarding-schools-indian-education/article_5136f166-5903-593c-b628-9813884e041d.html) 4/10/2024.