



**Statement of Ahniwake Rose, President and CEO of the  
American Indian Higher Education Consortium  
Submitted to the Senate Committee on Indian Affairs for the  
April 2, 2025, Oversight Hearing on “Native American Education –  
Examining Federal Programs at the U.S. Department of Education”**

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**ABOUT THE AMERICAN INDIAN HIGHER EDUCATION CONSORTIUM**

The American Indian Higher Education Consortium (AIHEC) is comprised of 34 accredited Tribal Colleges and Universities (TCUs) in the United States (U.S.). On behalf of the TCUs, the following comments are provided in response to the Senate Committee on Indian Affairs’ Oversight Hearing on “Native American Education – Examining Federal Programs at the U.S. Department of Education” to be held on April 2, 2025. AIHEC’s mission is to provide leadership and influence public policy on American Indian higher education issues, including promoting and strengthening Indigenous languages, cultures, communities, and Tribal Nations.

**ABOUT FEDERAL TRUST AND TREATY OBLIGATIONS**

Rooted in treaties and authorized by the United States Constitution, the federal government’s unique responsibilities to Tribal Nations have been repeatedly re-affirmed by the Supreme Court, legislation, executive orders, and regulations.<sup>1</sup> The trust responsibility establishes a clear relationship between Tribal Nations and the federal government.<sup>2</sup>

This legal duty and trust responsibility applies across all branches of the federal government. These trust and treaty obligations are owed to Tribal Nations and their citizens and do not have an expiration date. Education is a central component of the federal trust and treaty obligations promised to Tribal Nations, Tribal citizens, and Tribal communities. The federal government has long endeavored to uphold this duty through the appropriations process and through the enactment of laws such as the Snyder Act of 1921, the Indian Self-Determination and Education Assistance Act of 1975, the Tribally Controlled Colleges and Universities Assistance Act of 1978, and the Tribally Controlled Schools Act of 1988.

**ABOUT TRIBAL COLLEGES AND UNIVERSITIES**

In a bold expression of sovereignty, Tribal Nations began chartering their own institutions of higher education – Tribal Colleges – in the 1960s. The first Tribal College, like all that

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<sup>1</sup> The Court has consistently held that the federal government has a trust responsibility to Tribes, which has formed the foundation for federal/Tribal relations. See *Seminole Nation v. United States*, 316 U.S. 286 (1942), *United States v. Mitchell*, 463 U.S. 206, 225 (1983), and *United States v. Navajo Nation*, 537 U.S. 488 (2003).

<sup>2</sup> In *Worcester v. Georgia*, 31 U.S. 515 (1832), the Supreme Court explicitly outlined that the relationship between the federal government and the Tribes is a relationship between sovereign nations and that the states are essentially third-party actors.



followed, was established for two reasons: the near complete failure of the U.S. higher education system to address the needs of – or even include – American Indians and Alaska Natives; and the need to preserve our culture, our language, our lands, our sovereignty – our past and our future. The guiding vision of the Tribal College Movement is an education system founded on traditional knowledge and focused on a prosperous future through job creation and strengthening our communities.

## **TRIBAL COLLEGES AND UNIVERSITIES: SERVING STUDENTS ACROSS INDIAN COUNTRY & RURAL AMERICA BY PROVIDING ACCESSIBLE AND AFFORDABLE HIGHER EDUCATION**

Currently, TCUs operate more than 90 campuses and sites in 16 states. These institutions serve students from over 250 federally recognized Tribal Nations and embody a vital component of Tribal higher education. Indeed, over 80 percent of Indian Country is served by TCUs.

All TCUs offer certificates and associate degrees; 22 offer bachelor’s degrees; 9 offer master’s degrees; and one offers a doctoral degree. Programs range from liberal arts to technical and career programs. Nearly all TCUs offer certificate and workforce programs in fields like nursing, IT, and building trades, addressing the healthcare and business needs of Tribal Nations and rural economies. TCUs train professionals in high-demand fields, including law enforcement, agriculture and natural resources management, information technology, and healthcare. By teaching the job skills most in demand in our communities, TCUs are laying a solid foundation for Tribal economic growth, with benefits for surrounding communities and the nation as a whole. As open enrollment, community-based institutions, Tribal Colleges welcome all students and proudly became a part of this nation’s land-grant family in 1994.

TCUs provide accessible and affordable options for higher education for Tribal citizens and other rural students by offering low tuition rates and fees; 97% of TCU graduates are debt-free. Additionally, most TCU students are first-generation and low-income, with 78% relying on Pell grants—far above the national average. Pell funding supports working and returning students attend and complete critical programs—education, nursing, and the building trades—that strengthen Tribal communities.

TCUs also serve other community members through various community-based programs and services each year, such as library services, job training, High School equivalency program instruction and testing, health promotion, Head Start and K-8 immersion programs, financial literacy, community gardens, youth and college prep and summer camps, and civic programs.

As Tribally chartered or federally chartered or federally operated institutions, TCUs rely heavily on federal funding to provide a high-quality education. TCUs operate through numerous grants and programs provided by the federal government, which comprise over 75 percent of the annual budget. Very few TCUs are appropriated state funding to assist with operating expenses, thus highlighting the need for vital federal funding to meet their respective missions and the federal trust and treaty responsibility.



## **KEY PROGRAMS AND FUNDING WITHIN THE U.S. DEPARTMENT OF EDUCATION**

### *TCU Strengthening Institutions (Title III) Program*

The purpose of the Title III, Strengthening Institutions program is “to improve the academic quality, institutional management, and fiscal stability of eligible institutions, to increase their self-sufficiency and strengthen their capacity to make a substantial contribution to the higher education resources of the Nation.” 20 U.S.C. §1057. The Strengthening Institutions Title III program *for TCUs* (Section 316) is a set-aside from this program and is specifically designed to address the critical, unmet needs of American Indian and Alaska Native students and their communities through formula-based aid to TCUs through discretionary (Part A) and mandatory (Part F) funding. This core funding is so vital for TCUs because it has many allowable uses, including much-needed construction funds. Through this program, TCUs provide student support services, Native language preservation, basic upkeep of campus buildings and infrastructure, critical campus expansion, enterprise management systems, faculty for core courses, and other necessary elements for a quality educational experience.

### *Tribal Post Secondary Career & Technical Institutions*

Section 117 of the Carl D. Perkins Career and Technical Education Act provides funding for institutional operations for two Tribally chartered career and technical institutions authorized by federal law: United Tribes Technical College (UTTC) in Bismarck, North Dakota and Navajo Technical University (NTU) in Crownpoint, New Mexico. These institutions provide vital workforce development and job creation, education, and training programs to American Indians and Alaska Natives from Tribal Nations and communities with some of the highest unemployment rates in the nation.

### *Indian Education Professional Development*

The Indian Education Professional Development Program provides grants to institutions of higher education (including TCUs) to prepare and train American Indians and Alaska Natives to serve as teachers and school administrators at elementary and secondary schools. There is a growing teacher shortage across the country, especially in urban and rural communities with high Native populations, where teacher recruitment and retention pose unique challenges. In communities with teacher shortages, existing obstacles to student success, such as inadequate facilities and limited broadband, are further compounded by overcrowded classrooms. Targeted resources like the Indian Education Professional Development Program help address this shortage and ensure that American Indian and Alaska Native students receive high-quality elementary and secondary education.

## **CONCERNS REGARDING IMPLEMENTATION OF EXECUTIVE ORDER 14242**

Executive Order 14242 aims to close the U.S. Department of Education and return education authority to states and local communities. For TCUs, however, education has always been rooted in Tribal community control. TCUs were founded as an expression of sovereignty to preserve our culture, protect our lands, and sustain our Native languages.



## **AIHEC PRIORITIES FOR PROTECTING TCUs AND THEIR STUDENTS UNDER ANY RESTRUCTURING OF THE DEPARTMENT OF EDUCATION**

Since TCUs are chartered by Tribes—sovereign nations—any effort to dismantle, restructure, or transfer the functions of a federal agency must continue to honor the federal government’s trust and treaty obligations, the nation-to-nation relationships established by federal law, and legal precedents. As such, programmatic funding supporting TCUs and their core functions must be maintained, at minimum, at the same funding and expert staffing levels within the federal government and TCUs must maintain direct access to the programs and funding for which they are eligible. While some proposals to restructure the Department of Education contemplate moving some of the Tribal-specific programs to the Bureau of Indian Education at the Department of the Interior, it is important to remember that there are other programs for which TCUs are either eligible entities or receive direct set-asides. Any funding cuts, freezes, delays in continuation grants, or any of this TCU-specific funding block granted and inefficiently rerouted through 50 different state governments would force TCUs to scale back vital programs and services that students rely on to complete degree and certificate programs needed to succeed in their chosen career paths. Any reduction or rerouting of these funds would result in cuts to faculty and staff and would threaten TCU accreditation status. Further, given the complex and nuanced relationships between sovereign Tribal Nations and the federal government, it is also important that key staff and personnel be retained to ensure continuity and compliance with these longstanding commitments.

In addition, TCUs are concerned that Pell funding is at risk. The FY 2025 Continuing Resolution included no Pell grant funding increases, and the program faces a \$3 billion shortfall this year, projected to reach \$9 billion next year. Without additional funding, grants may be reduced, increasing college costs for millions, including TCU students. Congress can address this shortfall—at no taxpayer cost—through budget reconciliation. AIHEC urges you to support additional Pell funding to ensure TCU students continue to access affordable education and contribute to their communities.

Ultimately, TCUs are historically under-funded when compared to other public institutions of higher education and we cannot afford to lose critical financial resources and staff expertise that support the mission of local, Tribal control over education.

## **CONCLUSION**

TCUs provide thousands of American Indian and Alaska Native students with access to high-quality, culturally appropriate postsecondary education opportunities, including critical early childhood education programs. The modest federal investment in TCUs has paid significant dividends in employment, education, and economic development. AIHEC appreciates the Senate Committee on Indian Affairs for hosting this vital Oversight Hearing and listening to testimony from Indian education stakeholders. AIHEC remains committed to working collaboratively with the Committee as a trusted resource to ensure that Tribal Nations and Tribal citizens have a say in shaping their education and their future.



For additional information or to answer any questions, please contact Moriah O'Brien, Vice-President of Congressional and Federal Relations, at [MOBrien@aihec.org](mailto:MOBrien@aihec.org). For more information on AIHEC, visit [AIHEC.org](http://AIHEC.org).