

**STATEMENT OF THE
NATIONAL INDIAN EDUCATION ASSOCIATION
SUBMITTED TO
THE SENATE COMMITTEE ON INDIAN AFFAIRS
ON THE PRESIDENTS FISCAL YEAR 2001 BUDGET**

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**Submitted by:
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The National Indian Education Association (NIEA), the oldest national organization representing the education concerns of over 3,000 American Indian and Alaska Native and Native Hawaiian educators, tribal leaders, school administrators, teachers, parents, and students is pleased to submit this statement on the President's FY2001 budget as it affects Indian education. NIEA has an elected board of 12 members who represent various Indian education programs and constituencies from throughout the nation. NIEA holds an annual membership convention which provides our participants with an opportunity to network, share information, and hear from Congressional leaders and staff, as well as from, federal government officials on policy and legislative initiatives impacting Indian education.

Funding for Indian education and Department of Defense schools is the sole responsibility of the Federal Government while public education is a combination of state and federal resources. Local Education Agencies (LEAs) and their surrounding communities also have the ability to pass bond initiatives in order to build or repair local school buildings. Tribal and Bureau of Indian Affairs (BIA) schools, on the other hand, must rely on the federal government to ensure their academic and construction needs are being met. The extent to which the federal government has assumed this responsibility can be exemplified in the backlog of construction and repair/renovation needs now exceeding \$800 million. The area of school construction and repair remains problematic as recent annual appropriations have historically targeted less than ten percent of the total need requirement. The budget request this year, however, shows promise as it illustrates the possibilities when policy, programs, and funding work in tandem to correct long standing deficiencies in educating the Indian community.

In terms of academic success, American Indian students continue to rank at, or near, the bottom of every educational indicator. This seemingly negative situation is actually an improvement when you consider that just 50 years ago the federal government was actively involved in the termination of Indian tribes. While many BIA/Indian tribal schools have the option of developing their own assessment criteria, many opt to follow the guidelines of the state in which they are located. Public education at the local level reflects the guidance of the state in terms of its academic requirements. The Administration has made an impressive move to increase educational access for American Indian and Alaska Native people through issuance of Indian Education Executive Order 13096 in August of 1998.

The Executive Order played a major role in the development of new programs in the fiscal year 2000 budget approved by Congress. The new American Indian Teacher Corps was approved at the President's request of \$10 million. The program promises to focus attention on the lack of qualified Indian professionals teaching in our Indian schools. By allowing 500 new Indian students to enter the teaching profession over a two-year period and receive training over a five-year period, the corps would deal with the problem of high teacher turn over in isolated Indian communities.

President Clinton one year ago presented his 21st Century Schools initiative which focused almost entirely on improving the human and physical infrastructure needs of public schools. The Administration's FY2001 proposal moves forward with education leading his "Investment Agenda" and includes: the third year of funding for Class Size Reduction which plans to add 100,000 new teachers; a reinigorated School Construction and Modernization effort; new programs to close achievement gaps; improving teacher quality; making college affordable; and family learning initiatives. Most of these, if funded, would mean additional education resources for American Indian and Alaska Native students attending public and Bureau of Indian Affairs (BIA) schools. The last few appropriation cycles have shown several school construction/bonding proposals which have failed to be funded for various reasons. We encourage the committee to endorse the school construction proposal from the Administration and/or increase the amount of funding the BIA receives for school construction/renovation and repair needs. As was the case last year, there is still a backlog in all areas of education construction within the BIA school system now estimated at over \$1 billion.

President's FY2001 Education Proposals for American Indians and Alaska Natives

The President has requested over \$700 million in new funding for the FY2001 budget for American Indian and Alaska Native education programs. NIEA fully supports this request as it illustrates a commitment to meeting the educational needs of this country's only aboriginal citizens. A look at the new funding (*does not include current funding levels*) being proposed for FY2001 includes:

Bureau of Indian Affairs School Construction and Repair	\$167,000,000
Reducing Class Size in BIA Schools	6,000,000
American Indian Teacher Corps	10,000,000
American Indian Administrators Corps	5,000,000
Native American School Modernization Bonds	430,000,000
Therapeutic Pilot Programs at BIA Boarding Schools	8,200,000
Family and Child Education Program	6,800,000
BIA School Operations	43,000,000
Tribal College Funding	12,100,000
<u>Indian Head Start</u>	<u>30,000,000</u>
Total New Funding Request for FY2001	\$718,100,000

Both political parties have indicated that education is their top priority and no where is the need greater than in American Indian and Alaska Native communities. We encourage both political parties and both houses of Congress to approve the funding recommendations for these Indian education programs.

The Elementary and Secondary Education Act (ESEA) of 1965 is due for reauthorization this session of Congress. NIEA has developed recommendations for consideration by the authorizing committee, the Department of Education and Indian Country. Several tribes, including the Affiliated Tribes of Northwest Indians, has endorsed NIEA's recommendations as they apply to the current ESEA, as amended by the Improving America's Schools Act (IASA). The issuance of Executive Order 13096 by President Clinton in August of 1998 on American Indian and Alaska Native Education and the

reauthorization of the Elementary and Secondary Education Act in 1999 will both play a major role in determining the future of education in general, and Indian education in particular. Our comments will be tied directly to both of these initiatives.

NIEA's testimony will discuss Indian education and related programs administered by the Departments of Commerce, Education, Health and Human Services, Interior, and Labor, and specifically those within the Bureau of Indian Affairs (BIA) and the Indian Health Service (IHS).

1. DEPARTMENT OF COMMERCE

I. National Telecommunications and Information Administration (NTIA)

A. Telecommunications and Information Infrastructure Assistance Program (TIAP).

NIEA supports the Administration's FY2001 request of \$45.1 million for this program. TIAP provides grants for projects that enable schools and communities to develop their telecommunications infrastructure and to offer students opportunities to develop their technology skills. Tribes and tribal colleges are among those who recognize the importance of this program in meeting their telecommunications technology needs and in producing technology-literate students. Developing a tribal workforce skilled in telecommunications technology can help tribes reduce unemployment in their communities by giving individuals marketable job skills; supporting established businesses on, or attracting new ones to, their reservations; and strengthening tribal government administrative infrastructures in order to improve delivery of education, health, and other social welfare programs in addition to carrying out day-to-day governmental functions and responsibilities. Recent grantees include the Alamo Navajo School Board in New Mexico; Fort Berthold Community College in North Dakota; Northwest Portland Area Indian Health Board in Oregon; Oglala Sioux Tribe in South Dakota; Council of Athabascan Tribal Governments in Alaska; and the Minneapolis American Indian Center in Minnesota.

- B. Native American Economic Development Program Initiative.** The FY2001 Budget Request is \$49.2 million and includes \$5.2 million for Planning and Technical Assistance, \$39 million for Public Works and \$5 million for Economic Adjustment. NIEA fully supports the FY2001 request. The Purpose of this program is to fund capacity building, including planning and technical assistance, revolving loan funds and capital access, and infrastructure projects that are needed to enable American Indian tribes and Alaskan Native Villages to be more effective and competitive in the economic development and livability of their reservations and communities. This new program is a part of the Clinton Administration's "New Markets" Strategy and includes, among other activities, skill-training and distance learning facilities.

2. DEPARTMENT OF EDUCATION

I. Office of Indian Education (OIE)

For FY2001, the Department of Education has requested \$115.5 million to fund formula grants to Local Education Agencies (LEAs), fund new discretionary programs for OIE and fund new and continuing National Center for Education Statistics (NCES) surveys and research activities. This amount, in addition to LEA grants, would partially fund the National Advisory Council on Indian Education (NACIE), fund the Indian Education Executive Order and fund the Presidential Executive Order on Tribally Controlled Community Colleges (TCCC). NIEA requests partial funding for the TCCC Executive Order since its implementation requires other Education Department agencies to

combine resources. To our knowledge, other agencies within the Department of Education, have provided little, if any, physical and financial resources for the TCCC Executive Order. In 1997, budget authority for OIE transferred from Interior to Labor, Health and Human Services, and Education Appropriations.

Partial funding has been restored for OIE's discretionary program called Special Programs for Indian Children. NIEA requests the Committee's support for full reinstatement for other discretionary programs in adult education, Indian fellowships, gifted and talented and Tribal Education Departments. The Administration's support for Indian students throughout its other programs is well established and appreciated by the Indian community, however, few Departmental initiatives are available for Indian adults and Indian students attending postsecondary institutions. This educational gap prevents full educational access generally assured other students.

The following are NIEA's recommendations regarding OIE funding by category:

B. Formula Grants to LEAs. For FY2001, the Department of Education has requested \$92 million for its formula grant program to public schools. This represents a \$30 million increase over FY2000 and would increase the Per Pupil Expenditure (PPE) from \$134 to \$200. Since the Indian Education Act's enactment in 1972, the PPE has remained relatively the same. The Department estimates that this funding assists 421,000 Indian students attending public and 42,000 students attending Bureau of Indian Affairs (BIA) schools for a total of 463,000. NIEA supports this funding request and asks the committee's concurrence in recommending this level of funding.

C. Special Programs for Indian Children. The FY2001 request for this discretionary category is \$20 million and is \$6.7 million over FY2000. One year ago, NIEA asked for \$20 million to fund discretionary programs within the Office of Indian Education. We are pleased that the FY2001 request reflects our concern for funding to support critical need areas in Indian education. The Special Programs category includes the following authorizations: 1) Improvement of Educational Opportunities for Indian Children; 2) Professional Development; 3) Fellowships for Indian Students; 4) Gifted and Talented Education; and 5) Grants to Tribes for Education Administration Planning and Development. Of the five authorizations listed, only items one and two are currently funded. These are also the only two authorizations the Administration is proposing to reauthorize in the new ESEA under Subpart 2. NIEA supports the funding of all these authorizations since they provide opportunities for all American Indians in every educational category from K-12 to postsecondary to adult education. Tribal Education Departments also need to be funded if Indian reservations are to be able to provide standards driven curriculum commensurate with state programs and culturally-based education programs for their tribal members. We ask the committee's support to fund all Special Programs authorizations and support these authorizations in the ESEA reauthorization. In addition to the FY2001 request, NIEA recommends:

1. Fellowships for Indian Students: NIEA requests \$5 million for the Indian Fellowship program to train Indian professionals in other high need careers such as medicine, engineering, and technology-related fields. This program was last funded in FY1996 and represented a broad, non-targeted approach to ensuring Indian students participated in postsecondary education. At its peak, the program allowed approximately 150 Indian students annually to attend higher education institutions in fields as diverse as education to medical school. Complicating the situation is the fact that funding for higher education scholarships, at both the undergraduate and graduate levels through the Bureau of Indian

Affairs and the Indian Health Service, have been cut over 50 percent since 1996. NIEA stresses to the Committee that the increases in education funding, in general, have not reached the American Indian higher education community and every effort needs to be made to correct this situation.

2. **Gifted and Talented:** NIEA requests \$3 million for Gifted and Talented programs for American Indian and Alaska Native students. Indians are generally under-represented in gifted programs and much of this is due to cultural differences. NIEA fully supports gifted and talented programs and would ask the committee's support in funding this authorization. Indian students identified as being gifted could be recipients of Indian fellowships that prepare a cadre of Indian professionals for exceedingly technical fields.
3. **Grants for Tribal Education Departments:** NIEA requests \$3 million for grants to Tribal Education Departments (TEDs). We are very disappointed that the President's FY2001 budget request does not contain a request for funding for Tribal Education Departments (TEDs). There are two separate provisions authorizing such funding. The Improving America's Schools Act of 1994, Pub. L. No. 103-382, authorizes funding through the U.S. Department of Education. The School Improvement Amendments of 1988, Pub. L. No. 100-297, authorize funding through the BIA within the Department of the Interior. We are, however, not surprised at the omission. The President has never requested funding for TEDs under either authorization. And, as part of its current reauthorization of the Elementary and Secondary Education Act, the Administration is asking Congress to eliminate the Department of Education authorization. Last year, in an effort to keep in the authorization, tribes and Indian organizations submitted testimony and evidence of the value of the at present over ninety TEDs in improving education for hundreds of thousands of tribal students nationwide.

As the Senate takes up reauthorization and appropriation's process this year, we look forward to working with the Committee on this critical component of Indian education. The efforts of tribes to be truly self-governing should not be cut short as they move beyond contract and program administration into areas of education regulation. Indeed, in almost a dozen federal statutes, Congress has already recognized the role of TEDs in education research, standards, and accreditation. What is needed to make these provisions real is for this Committee to see that the appropriations provisions are not eliminated, and that sufficient appropriations – \$3 million – are made. TED's exemplify the necessary role that tribes must have in securing an educational future for their members. TED's have never received funding through either the Department of Education and the Department of Interior. One option that NIEA recommends is a cooperative agreement between both agencies to fund TED's and provide technical expertise required from both agencies for their success. With more tribes assuming control over their educational programs, TED's would be a logical outgrowth of this self-determination activity. However, the standards required for adequate educational programs and governance-related tribal functions dictates that neither agency should individually control TEDs, but should rather work cooperatively to meet mutual goals.

- D. **Special Programs for Indian Adults (Section 9131)** No funds are requested for this program in the FY2001 budget. This program was last funded in 1995 when it received \$5.4 million for 30 projects to carry out educational programs specifically for Indian adults. NIEA has identified adult education for American Indians and Alaska Natives as one of the four

priorities urgently needed by Indian Country. *NIEA strongly recommends \$5 million for reinstatement of the Special Programs for Indian Adults in the FY2001 Budget Request.*

- E. National Activities.** The Administration requests \$2.7 million in FY2001 for National Activities. This request is \$1 million over FY2000 and includes research to augment the Year 2000 National Center for Education Statistics (NCES) Schools and Staffing Survey (SASS) and other data collection efforts.

NIEA supports the targeted increases for Indian education research, but continues to be concerned that studies on American Indian students are not already a part of the Department's data gathering effort. While this attitude has begun to change in recent years with regard to Indian populations, many other ethnic populations generally receive considerable research results without having their respective program budgets cover the cost. A 1996 report by the United States Commission on Civil Rights titled the 'Equal Educational Opportunity Project Series, Vol. 1' found that Department of Education data on student characteristics was lacking among students from American Indian, Asian and other national backgrounds. The report stated that:

“accurate, reliable and complete data on these ethnic groups are vital for the efforts of the education community to assess the needs of all student sub-populations.”

The report recommended that documents from the Department of Education's Office of Educational Research and Improvement (OERI), and other federal agencies that contain data utilized by policy and decision makers, should include information on these populations. NIEA echoes this position and recommends that the Department of Education make a concerted effort to provide research data for all ethnic categories when conducting studies and that they do so with funds requested through their own research department.

- F. Tribal College Executive Order.** At the release of the Department's budget, no numbers were available for funding recommendations for the Tribal Colleges Executive Order which was funded in FY 1998 at \$200,000. NIEA has been informed by the Department that other agencies will have their resources combined for the Order's implementation.
- G. The National Advisory Council on Indian Education (NACIE).** NACIE is recommended at \$50,000, the same amount since FY1998. NIEA requests that the Committee consider full funding for NACIE in the amount of \$500,000 in order for it to carry out its mandated functions under the Indian Education Act and to reinstate a permanent office within the Department of Education. NACIE currently has no permanent office and must rely on OIE staff to carry out minimal functions. Since FY1996, NACIE has been unable to fully carry out its advisory capacity on behalf of Indian education. NIEA has made every effort to involve NACIE in several Indian education initiatives including the Indian Education Executive Order. To our knowledge, NACIE still maintains an account within the Department of Education's Councils and Commissions category and must annually submit an operating budget and recommendations to the Secretary of Education and the Congress for ways to improve educational opportunities for Indian people.

With the current Indian Education Executive Order in place and being implemented and with increases in OIE appropriations over the past few years, NIEA believes that now is the perfect time to re-establish this important office.

H. Indian Education Executive Order. In August 1998, President Clinton signed Executive Order 13096 on American Indian and Alaska Native Education. The order represents a four-year effort originating from Indian Country with the vision of strengthening access to educational opportunity. The resulting executive order focuses on the problem areas in Indian education, including high dropout rates, low academic achievement, safe and drug-free learning environments, and development of a national policy on Indian education. An Research Agenda is also being implemented in an effort to broaden the knowledge base in Indian education through an enhanced data collection effort.

I. OIE Administration. Funding requests were not available for the OIE administration which is now covered under the overall Department of Education's Program Administration account. A budget footnote in the Education Department's 1999 budget request indicated that '\$2.9 million in 1997 and \$2.8 million in 1998 were identified for administrative costs' which are now included in the Program Administration account in 1999.

II. OTHER DOED INDIAN EDUCATION-RELATED PROGRAMS:

A. Class Size Reduction Initiative. The Administration proposes to spend \$1.7 billion in FY2001 to reduce class size particularly in urban areas. School districts would receive funds to recruit, train, and pay the salaries of additional teachers. The \$450 million increase in the program overall would likely be reflected in a higher level of funding going to Indian schools. NIEA supports this initiative. The Department funded \$3.5 million in FY1999 and \$4 million in FY2000 for American Indians and Alaska Natives. NIEA supports this initiative.

B. Reading and Literacy Grants. The FY2001 request is \$286 million and is \$26 million over the FY2000. NIEA fully supports the funding request for this program. NIEA is concerned that the original Administration program was called the "America Reads" program and would have contained a set-aside for Indian tribes and the BIA in the amount of \$1.9 million. This set-aside is not included in the Reading Excellence Act as it was passed in October, 1998. *NIEA strongly encourages the committee to support a technical amendment that would include Indian tribes and BIA schools as eligible for a tribal set-aside of 1.5 percent.*

C. Goals 2000/Teaching to High Standards. The FY2001 President's request does not include funding for Goals 2000. The Administration proposes, however, to consolidate Goals 2000, Eisenhower, and Title IV into a single program called "Teaching to High Standards". NIEA supports the new program if reform mechanisms currently in place for BIA schools continue to be a part of the new program. The Administration proposal allows a one percent set aside while the House-passed version proposes a .5 percent allocation. One percent of Title III funds for Territories and BIA-funded schools are used to support comprehensive, systemic education reforms to improve teaching and learning. The FY2000 budget for Bureau of Indian Affairs schools is estimated at \$2.9 million. Approximately 43,000 Indian students are to be served during FY2000.

D. Safe and Drug-Free Schools. The FY2001 request is \$650 million and is \$50 million over FY2000. NIEA supports the FY2001 request for Safe and Drug-Free Schools. State grants under this program total \$439 million. BIA schools receive a one percent set-aside, which in 2000 was \$5.3 million. A similar amount for Indian schools should be available in FY2001. The current request is expected to benefit approximately 40,000 Indian students.

- E. School-To-Work.** There is no Administration request in the FY2001 request for School-to-Work. The program completes its phase-out in 2000 with States or other vocational education dollars continuing the program. Up to one percent of program funds are set-aside for programs to help Indian youth acquire the knowledge and skills they need to make a smooth transition from school to career-oriented work and further education and training. The amount going to Indian students in 1999 was \$1.2 million and \$550,000 in 2000.
- F. Title I, Grants to LEAs.** The FY2001 request is \$9.1 billion and is \$400 million over 2000. Title I, Education for the Disadvantaged, covers four programs: Title I basic grants; Title I concentration grants; Title I targeted grants; and capital expenses for private school children. The FY2001 request for Title I Basic Grants is \$5.7 billion, an increase of \$900,000 over 2000. The BIA set-aside amount under the FY2001 appropriation would be \$49.4 million (\$1 million less than FY2000) and serve approximately 24,500 Indian students. NIEA supports the FY2001 funding recommendation.
- G. Title I, Comprehensive School Reform.** The FY2001 request is \$190 million and is \$20 million over FY2000. This Title I initiative funds research based school-wide reform. Under this proposal, the BIA would share a 1 percent set-aside with U.S. Territories. The BIA portion would be \$896,000.
- H. Title I, Even Start.** The FY2001 request is \$150 million and level with 2000. The Even Start program supports local projects that blend early childhood education, parenting instruction, and adult education into a unified family literacy program. The FY2000 Indian set-aside amount was estimated at \$2.2 million. NIEA fully supports this program.
- I. Eisenhower Professional Development State Grants/Teaching to High Standards.** There is no Administration funding request for Eisenhower State Grants in FY2001. The Administration proposes to consolidate this program with Title VI and Goals 2000 and requests \$690 million in FY2001. NIEA supports this program. The Eisenhower Professional Development program emphasizes improvement of instruction in mathematics, science and other professional development areas. The FY2000 Indian set-aside amount under this program was \$1.7 million, comparable with FY1999.
- J. Impact Aid.** The FY2001 request is \$770 million and is \$136.5 million less than the FY2000 enacted level. The Administration's request would provide the following allocations: Basic - \$720 million; Special Education - \$40 million; Heavily Impacted Districts - \$0; Facilities Maintenance - \$5 million; Construction, \$5 million; and Payments for Federal property - \$0. *NIEA supports the National Association of Federally Impacted Schools (NAFIS) request of \$1.03 billion which proposes the following allocations: Basic - \$818 million; Heavily Impacted Districts - \$82 million; Special Education - \$50 million; Payments for Federal property - \$47 million; Construction - \$8 million; and Facilities Maintenance - \$8 million.*

Impact Aid compensates school districts in areas where large numbers of children live on, or are associated with, Federal property such as Indian reservations or military bases. In 1999 the Department estimated that over 124,000 Indian children living on Indian lands would generate approximately \$300 million, well over the FY1998 amount of \$214.5 million for local school districts. In FY2000, the following estimates show how much support Indian students will generate by category for public schools: Basic - \$296 million; Special Education - \$20 million; and School Construction - \$4 million. The total FY2000 amount Indian students may generate under the Administration's request is \$320 million.

- K. Education for Homeless Children and Youth.** The FY2001 request is \$31.7 million and is \$2.9 million over 2000. NIEA supports the FY2001 request. Under this program, the BIA receives a one percent set-aside for homeless students served by the BIA. This amount is approximately \$100,000.
- L. Bilingual Education.** The FY2001 request is \$460 million and is \$54 million over 2000. NIEA supports the Administration's request for Bilingual Education. In FY1999 American Indian and Alaska Native students received indirect funding for Bilingual Education programs in public schools in the amount of \$30.2 million. BIA schools are eligible to apply for Bilingual Education funding directly through the Department of Education. In FY2000 the amount of grants to BIA schools was \$525,000. Funding is distributed through grants to school districts to address the severe academic problems of school children who are limited English proficient. The Department estimates that 182,000 American Indian students in BIA and public schools will receive bilingual education assistance in FY1999. Under previous allocations, the Bilingual education program has included comprehensive reform funding designed to retain native languages of Indian communities. NIEA strongly encourages continuance of this effort.
- M. Special Education Grants to States.** The FY2001 request is \$5.3 billion and is \$300 million over 2000. The Individuals with Disabilities Education Act (IDEA) was reauthorized in 1997 as Public Law 105-17. BIA schools receive 1 percent for the education of children 5-21 years with disabilities who live on reservations. An additional .25 percent is allocated for distribution to tribes and tribal organizations to provide for the coordination of assistance and related services for children aged 3-5 with disabilities on reservation schools. The set-aside amount in the FY2000 budget request is estimated at \$53 million. Approximately 7,000 Indian students with disabilities would be served with Special Education funding.
- N. Special Education Grants for Infants and Families.** The FY2001 request is \$383.6 million and is \$8.5 million over FY2000 enacted level. The Indian set-aside under the request was \$4.8 million in 2000 and is \$300,000 over 1999. NIEA supports the request for Grants for Infants and Families program. BIA schools receive 1.25 percent for distribution to tribes and tribal organizations for the coordination of assistance in the provision of early intervention services to children aged birth to 2 years.
- O. Vocational Rehabilitation State Grants.** The FY2001 request is \$855 million and is \$200 million less than FY2000. NIEA supports funding level with FY2000. Within the Vocational Rehabilitation State Grants program is the Grants to Indians section that is recommended for funding in the FY2001 request at \$24 million. NIEA fully supports the Grants to Indian program.. Funds for this program are based on a .5 percent set-aside. These critical dollars provide vocational rehabilitation services to 7,000 American Indians with disabilities living on reservations.
- P. Education Technology.** The FY2001 funding request for Education Technology is \$903 million and is \$137 million over 2000. The program includes a Technology Literacy Challenge fund, Technology Innovation Challenge Grants, and Regional Technology in Education Consortia. American Indians are estimated to benefit with approximately \$2.3 million in Technology Literacy Challenge funds in FY2000. NIEA supports the higher FY1999 funding level for this program.
- Q. Protection and Advocacy of Individual Rights.** The FY2000 request is \$10.9 million and is level with FY1999. The request would support systems in each state to protect and advocate

for the legal and human rights of individuals with disabilities. These systems pursue legal and administrative remedies to ensure the protection of the rights of individuals with disabilities under federal law. The Indian set-aside in FY2000 is estimated at \$50,000 and is level with FY1999.

- R. Fund for the Improvement of Education (FIE).** The FY2001 request is \$137.2 million and is \$106.7 million less than FY2000. This program supports a variety of activities aimed at stimulating reform and improving teaching and learning. FIE also funds through the States a portion of the Title I Demonstrations of Comprehensive School Reform which provides resources and incentives to apply research findings and strategies to help turn around failing schools. The FY2000 Indian set-aside amount is \$81 million and is level with FY1998 and FY1999.
- S. Alaska Native Education Equity.** The FY2001 request is \$13 million and is level with FY2000. NIEA fully supports the FY2001 request. The proposal will fund an Educational Planning, Curriculum Development, Teacher Training, and Recruitment program at \$5.4 million; a Home-based Education for Pre-School Children program at \$5.7 million; and a School Enrichment program at \$1.9 million. The Alaska Native Education Equity program funding request provides funding for continuation of projects that address the barriers preventing Alaska Native students from achieving to higher academic standards.
- T. Vocational and Adult Education.** The FY2001 request is \$1.1 billion and is recommended at \$10 million less than FY2000. Under the Basic Grants program there is an Indian and Hawaiian Natives set-aside of 1.25 percent in the amount of \$15.4 million. Additionally, there is a Tribally Controlled Postsecondary Vocational and Technical Institutions program recommended at \$4.1 million. NIEA fully supports both of the funding recommendations for these programs.

3. DEPARTMENT OF HEALTH AND HUMAN SERVICES

I. Administration for Children and Families:

- A. Headstart.** The FY2001 budget request is \$175 million for Indian Head Start within the Department of Health and Human Services. This is a \$30 million increase over the amount appropriated in FY2000. The overall FY2001 request is \$6.3 billion and is \$1 billion over 2000. NIEA supports the FY2000 budget request. In 1998, over 21,600 American Indian and Alaska Native children attending Head Start. If the budget request is approved, Indian communities should see an increase in Indian Head Start programs and enrollment. Currently there are 150 Indian Head Start programs serving Indian communities.

II. Indian Health Service.

- A. Indian Health Professions Scholarships.** The FY2001 request for the Indian Health Service Indian Health Professions is \$32.8 million and is a \$2.3 million increase over FY2000. The need for health professionals in Indian Country has exceeded the available funding for ensuring adequate numbers of American Indians enter the medical profession. The Indian Health Professions is authorized by Public Law 94-437, the Indian Health Care Improvement Act (IHCIA), and includes various Health Profession programs under sections 102 through 105; 108; 110; 112; and 114.

III. OTHER DHHS INDIAN EDUCATION-RELATED PROGRAMS:

- A. **Administration for Native Americans (ANA)**. NIEA supports the FY2001 request of \$44 million for ANA programs, which is \$9 million over FY2000. NIEA supports the programs authorized for Indian tribes and organizations through this program. ANA provides funding for tribes and non-profit Indian organizations to develop economic development, environmental management, and language retention and preservation projects. Its mandate makes this agency uniquely situated to help Indian and Alaska Native people address their economic and social needs.
- B. **Native American Languages Act Grants**. NIEA anticipates approximately \$2 million going toward language preservation grants. NIEA supports the Native Language Act of 1992 which authorized a funding level of \$2 million in FY1993. We urge the Committee's continued support so that tribes have the resources to implement language preservation and enhancement projects.
- C. **Child Care Development Block Grant (CCDBG)**. NIEA supports the FY2001 request of \$2 billion for Child Care Development Block Grants. The President is requesting a very sizable increase -- from roughly \$1.2 billion to \$2.0 billion -- in funding for the discretionary component of the Child Care and Development Fund (CCDF). Tribal child care programs are now funded through a 2% set-aside in this program. The larger, mandatory component of CCDF is automatically funded under the welfare reform law.

Tribes receive a 2 percent set-aside of these funds. In FY1998, 243 tribal grantees were awarded over \$61 million in Child Care and Development Fund (CCDF) grant funds. Through consortia arrangements, CCDF tribal grantees serve over 500 Federally recognized Indian Tribes and Alaska Native Villages. The following activities have been implemented for Indian Tribes and tribal organizations as a result of Welfare Reform amendments to the Child Care and Development Block Grant Act:

- ! A Program Instruction containing the uniform procedures for requests by tribal grantees to use CCDF funds for construction and major renovation of child care facilities was approved by OMB.
- ! P.L. 104-193 requires minimum child care standards to be developed in consultation with Indian Tribes and tribal organizations that appropriately reflect tribal needs and available resources. Tribal Leaders were invited to consult with ACF officials on this issue in special focus groups at the Tribal Child Care Conference in April 1997. A Notice requesting comments on minimum standards was published in the Federal Register on March 26, 1997. Through the establishment of a Tribal Standards Advisory Committee, the Child Care Bureau is continuing to consult with Tribes on the development of these standards.
- ! A Program Announcement was published in the Federal Register on July 18, 1997 requesting competitive funding applications for child care services for a Native Hawaiian organization and a "private nonprofit organization established for the purpose of serving youth who are Indians or Native Hawaiian."

In January 1998, the Child Care Bureau awarded a contract to a Native American 8(a) contractor to strengthen child care services for Native American children and families. Technical assistance under this contract will support Indian Tribes and tribal organizations in

their efforts to increase the availability and quality of child care, develop more coordinated delivery systems, promote linkages with State and local programs, and improve child care opportunities for families, providers and tribal communities.

The contractor will assist tribal grantees in child care capacity building efforts through the following major activities: a toll-free information and referral line; a database of promising tribal models; a software package for data reporting and program management; a tribal child care home page; a quarterly newsletter; an annual tribal conference; and on-site technical assistance on issues that have been identified by tribal grantees.

4. DEPARTMENT OF INTERIOR

I. Bureau of Indian Affairs (BIA):

Within BIA’s overall departmental framework are six categorical areas that contain education-related programs serving federally-recognized Indian tribes. NIEA monitors only those education programs within each category. These include: Tribal Priority Allocations; School Operations; Tribally Controlled Community Colleges; Special Programs and Pooled Overhead; and Education Construction. The following are the FY2001 President’s budget request for each category and a brief description of each line item (*education programs only*):

<u>BIA CATEGORY</u>	<u>FY2000 ENACTED</u>	<u>FY2001 REQUEST</u>
Tribal Priority Allocation	\$50,867,000	\$52,662,000
School Operations	\$467,303,000	\$506,571,000
Tribally Controlled Community Colleges	\$35,311,000	\$38,202,000
Special Programs/Pooled Overhead	\$15,298,000	\$15,598,000
Education Construction	\$133,249,000	\$300,499,000
BIA EDUCATION TOTAL	\$702,028,000	\$913,532,000

A. Tribal Priority Allocations (TPA):

4. Adult Education. The FY2001 request for Adult Education is \$2.5 million which is \$133,000 less than FY2000. NIEA believes the adult education program needs to be funded at no less than \$5 million annually within the BIA. Adult Education continues to be one of the most underfunded Indian education programs despite the fact that it is desperately needed to enable adult Indians who did not finish high school to obtain their General Educational Development (GED) degree. The BIA estimates that approximately 20,000 Indian adults participate in the program.

The elimination in 1996 of the Adult Education Program in the Department of Education's Office of Indian Education (OIE), put a strain on the limited resources of the BIA and does little to focus financial attention on Indian adults who do not live on reservations. Older Indian adults tend to not attend state-operated programs and are more comfortable with Indian instructors.

5. Johnson-O'Malley (JOM) Program. The FY2001 request is \$17 million, an \$352,000 reduction from FY2000. NIEA supports funding for JOM at a level of \$24 million to meet the increasing number of eligible students. The highest level the JOM program has received since 1990 was in FY1995 when it was funded \$24.4 million. The JOM program provides

supplemental educational services for 272,000 American Indian students in 23 states. NIEA recommends lifting the current moratorium on new dollars to meet the increasing number of eligible students.

6. **Scholarships.** The FY2001 request is \$30.7 million and is a \$2.2 million increase over FY2000. NIEA requests a level of \$35 million for the BIA Scholarship Program. The program provides undergraduate scholarships for American Indians. One of NEA's major priorities is to increase funding for all postsecondary education programs for American Indians and Alaska Natives. The needs of Indian students pursuing postsecondary education are often neglected, especially when critically-needed programs are cut or eliminated such as the Department of Education's Office of Indian Education Fellowship Program. As mentioned below, funding for BIA's only graduate level scholarship program has operated at half funding capacity for four consecutive years.

B. Other Programs- School Operations

The FY2001 budget request for School Operations is \$506.6 million and is \$39.6 million over FY2000. The \$506.6 million investment in American Indian youth attending BIA schools provides for a variety of basic educational services from early childhood to student transportation to administrative costs associated with educating primarily reservation-based schools. The BIA educates approximately 12 percent of the American Indian and Alaska Native K-12 population in the U.S. Below are the various education components within the School Operations line item.

1. **Indian School Equalization Program (ISEP) Formula.** The President's FY2001 request is \$333.3 million for the formula program and an additional \$667,000 for program adjustments bring the total request to \$334 million. NIEA supports a funding level of at least \$4,000 per WSU and recommends \$352.2 million for the ISEP Formula program. This is an increase over FY2000 of \$16.8 million. The ISEP program provides formula-based funding for 185 federally-operated and contracted schools serving 50,000 students. There are several types of schools funded with ISEP funds including BIA-operated, grant, and contract elementary and secondary schools. The fiscal year 2001 request reflects a 3,000 student reduction in the student count over the past few years. The FY2001 request provides a \$3,685 per Weighted Student Unit (WSU) compared to \$3,267 per WSU in school year 1998-99. The proposed \$3,685 per WSU is still far below the average per student expenditure by public elementary and secondary schools, an amount reported by the Department of Education's National Center for Education Statistics (NCES) to be \$7,317 per student in school year 1996-97. Additionally, the 1998 Department of Defense Schools Per Pupil Expenditures was well over \$8,000 per student. When you consider that the Federal Government is responsible for only two school systems, the Department of Defense and the Bureau of Indian Affairs, the discrepancies unfortunately illustrate where U.S. priorities fall.
2. **Family and Child Education (FACE) Program.** NIEA supports the FY2001 request of \$20.6 million for BIA's early childhood development and FACE program. The FY2001 funding level represents a \$15 million increase over FY2000. NIEA fully supports the requested funding for this program. Currently there are 22 FACE sites serving 1,800 children and 1,800 adults from a total of 1,700 families in two settings which include home and school. The program will also serve an additional 3,200 children in grades K-3 by supporting teacher training in the High/Scope active learning curriculum which is implemented in the FACE Program and included in the School's Consolidated School Reform Plan.

3. **Student Transportation.** The FY2001 request for Student Transportation is \$38.3 million for, an increase over FY2000 of \$2.2 million. NIEA supports a request of \$42.2 million which funds transportation at the same rate as School Bus Fleet level of \$2.26 per mile. In SY1999-00 the BIA-funded transportation cost is estimated to be \$2.26 per mile with 14,363 miles (School Year 1999-2000) driven for day and boarding schools. According to the latest School Bus Fleet information, the national average for student transportation costs in school year 1993-94 was \$2.94 per mile for public schools. Therefore, the BIA-funded schools, which are located primarily in rural, isolated areas, are at least \$.78 below the national per mile average.
4. **Administrative Cost Grants.** The FY2001 request for Administrative Cost Grants is \$46.3 million, a \$4.1 million increase over FY2000. NIEA supports a level of \$50 million for Administrative Cost Grants. This program provides grants in lieu of Contract Support Funds to Tribes or Tribal Schools. For SY1999-2000, the Bureau projects there will be 127 contract/grant schools and 58 Bureau-operated schools. During FY1999, 5 schools converted to contract or grant status. The Bureau projects 6 schools will convert to contract or grant status in School Year 2000-2001 for a total of 127 contract/grant schools.
5. **Education Facilities Operations.** The FY2001 request for Facilities is \$55.6 million, a \$1.5 million increase over FY2000. NIEA supports the level recommended in FY2000 of \$90 million for Operations and \$30 million for Maintenance costs. New for FY2001, this budget item eliminates the maintenance funding of years past. In FY1999, the Bureau provided funds for operating expenses for education facilities including 2,337 buildings (excluding quarters), containing approximately 17.6 million square feet. In FY2000, the Bureau will provide funds for essential services for educational facilities consisting of 2,390 buildings (excluding quarters), containing approximately 17.9 million square feet.
6. **Tribal Departments of Education.** Although no funding is provided in the President's budget, NIEA recommends at least \$3 million for tribal departments of education, which are authorized by P.L. 103-382, the "Improving America's Schools Act." We believe that sufficient funding should be provided to assist tribes in planning and developing their own centralized tribal administrative entities to accomplish the original intent of the 1994 Act. This would be appropriate given the recent trend to convert more and more schools from BIA to Tribal control.

C. **Tribally Controlled Community Colleges**

1. **Tribal Colleges/Post Secondary Schools.** The President's FY2001 request for Tribally-Controlled Community Colleges is \$38.2 million, a \$2.9 million increase over FY2000. The proposed budget includes \$37.1 million for Operating Grants, \$114,000 for Technical Assistance Grants, and \$977,000 for Endowment Grants. NIEA supports a level of \$40 million for Operating Grants.

In addition, tribal community colleges have never received facilities construction or renovation/repair money from the BIA. The national average for Full-Time Equivalent (FTE) funding at mainstream community colleges is approximately \$6,200 per year. The level of FM funding for some special population colleges is approximately three times that which is provided to the tribal colleges.

Furthermore, NIEA supports higher funding levels in FY2001 for Bureau-funded post secondary vocational institutions. This includes Haskell Indian Nations University, Southwest

Indian Polytechnic Institute (SIPI), the Institute for American Indian Arts (IAIA) at \$4.25 million, and the United Tribes Technical College (UTTC) at \$2.5 million.

D. Special Programs and Pooled Overhead

1. **Graduate Scholarships.** The Administration request for Graduate Scholarships in FY2001 is \$1.33 million, which is the same as the past four fiscal years. NIEA supports a funding level of at least \$5 million. This program is the primary funding source for American and Alaska Native graduate students and is totally inadequate to help these individuals meet the costs of an advanced degree. The program, which is administered by the American Indian Graduate Center (AIGC) of Albuquerque, New Mexico, has been underfunded for the last 4 years. For school year 1997-98, the actual unmet need was \$5.7 million. During the 1996-97 school year, the program funded an estimated 378 students with an average award of \$3,955. Because of reduced funding, scholarship awards are being drastically reduced while the demand for these limited scholarship funds increase. This program funds students in 27 states with 128 tribes represented. No other federal graduate level scholarship program, specifically for American Indian students, currently exists.

E. Education Construction

The FY2001 request for the BIA Construction is \$365.9 million, of which \$300.5 million (82%) is dedicated to education construction. NIEA supports the request for Education Construction. This is the largest amount ever requested for school construction, and is \$167.3 million over the 2000 funding level, an increase of 126 percent.

1. **Replacement School Construction.** The FY2001 request is \$126.1 million for Replacement School Construction, which is \$63.3 million more 2000. NIEA supports the Administration request for Replacement School Construction. The replacement school construction program funds replacement of older, unsafe, and dilapidated schools on reservations. School replacement priorities are based on a new priority list of 13 schools, which is comprised of the last three uncompleted school schools from the old priority list published in 1993 and 10 new schools. In FY2001, \$126.1 million is requested for advanced planning and design, and to complete construction of the first six schools on the newly developed priority list: Tuba City Boarding School in Arizona, Second Mesa Day School in Arizona, Zia Day School in New Mexico, Baca Consolidated Community School in New Mexico, Lummi Tribal School in Washington, and Wingate Elementary School in New Mexico. Up to \$30 million of the request may be used for tribal participation in the President's School Construction Modernization Initiative.
 2. **Education Facilities Improvement and Repair (FI&R).** The FY2001 request is \$171.2 million, which is \$103.4 million over the 2000 appropriation. NIEA supports the Administration request for Education Facilities and Repair. This funding will be used to fund critical health and safety concerns at existing education facilities. This request will fund maintenance and major and minor repair projects to reduce the significant backlog for needed repairs.
- F. Institute of American Indian Arts.** The FY2001 request for IAIA is \$4.25 million. NIEA supports a level of \$6.25 million which includes \$2 million for construction costs. The \$2

million would be matched by IAIA. NIEA is concerned that proposed funding for the Institute of American Indian Arts (IAIA) is being terminated with the last year for appropriations in FY2001. We support continued funding for IAIA and request the Committee's support in continuing funding for this institution. This institution has been in existence for 35 years and is the only facility solely dedicated to the arts for American Indians and Alaska Natives. NIEA feels that the efforts the management at IAIA have recently exhibited demonstrates their commitment to keeping this valuable institution a part of the American Indian culture.

5. DEPARTMENT OF LABOR

A. Workforce Investment Act

The FY2001 Request for the Workforce Investment Act is \$55 million. The request would fund Indian comprehensive services program under Section 166. The WIA Program Year 2001, begins on July 1st of that year. The amount available for the comparable Indian JTPA Section 401 program in PY2000 is \$53.8 million. Upon enactment of WIA it provided that at least \$55.0 million would be reserved for the Indian comprehensive services program. Like the Section 401 JTPA program, this money funds tribes and off-reservation organizations to provide services to Native American youth and adults in all parts of the US, on and off reservation.

However, the Administration ignored the law in requesting funding for FY 2000. It sought only \$53.8 million. More was actually appropriated, but all of the amount over the \$53.8 million was earmarked for the construction of a facility in Hawaii to serve Samoans. The President's FY 2001 budget finally recognized that the law requires a minimum of \$55.0 million.

B. Tribal Supplemental Youth Services Program

The FY 2001 request would also provide \$15.0 million for the tribal supplemental youth services program that replaces the tribal component of the former JTPA Summer Youth program. That is the same amount which DOL will make available for 2000. Unlike the JTPA Summer program, the tribal supplemental youth services program can support year-round activities.

C. Dislocated Worker Program

As in prior years, the President's budget for FY2001 is seeking a significant increase for the dislocated worker program, the workforce program least targeted on the hard-to-employ. The budget also asks for another increase for Job Corps and a 10% increase in the administrative budget of DOL's Employment and Training Administration.

D. Youth Opportunity Grant Program

The President wants to increase the Youth Opportunity Grant program from its current level of \$250 million to \$375 million in FY 2001. Native American grantees serving reservation areas and Alaska Natives are eligible to apply for this money, competing with applications from non-Indian state and local agencies. An announcement is expected very soon of the winners in the last YOG competition.

E. Welfare to Work Program

WIA is only one of a number of workforce-related programs in the budget. One of the others that has become important to many tribes and Alaska Native groups is the tribal set-aside in the "Welfare-to-Work" (WtW) program. WtW funding was authorized for only two Fiscal Years, FY 1998 and FY 1999. Last November Congress approved a series of amendments to the

WtW law, liberalizing the eligibility requirements for the program. However, as the states had a great deal of WtW and TANF funding they had not used, Congress refused to provide any new money for either state or tribal WtW programs.

The President's FY 2001 budget proposal asks Congress to again amend the WtW legislation, this time to extend from three to five years the period of time that states and tribes have to spend the money already made available to them. However, no new money was requested. This will help tribes that have been the slowest to use their WtW funding, but, ironically, will do no good for tribes that have tried the hardest to use their WtW money to help welfare recipients enter the workforce. In a new twist to the story, the Administration's budget asks for \$10 million in FY 2001 to provide grants to "Indian and Native American workforce agencies" for services to help "Native American low income families." As is typically the case with new Administration initiatives contained in the budget, there are no specifics. The \$10 million is part of a larger \$255 million "Fathers Work/Families Win" initiative.

In conclusion, we want to thank the Committee for continuing to give its attention to the issues and concerns we have raised in our testimony. In light of the federal government's trust responsibility for the education of all American Indians and Alaska Natives, and on behalf of our members, we urge the Committee's support for maintaining or increasing the funding for the Indian education and related programs discussed herein at the levels we have recommended.

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