



**Suggested Talking Points for the BIE-Interested Parties regarding
the Department of the Interior Tribal Consultation on
Executive Order 14210, Workforce Efficiency**

Updated May 29, 2025

Overall Tribal Consultation Asks and Best Practices in regard to Indian Education

- **Meaningful Consultation Requires Dedicated Forums:** Any reforms to Indian education—including funding changes, restructuring, or workforce policy shifts—must be developed through government-to-government consultation. These consultations must:
 - Be announced well in advance with accessible documentation.
 - Be attended by leadership with decision-making authority.
 - Center the voices of Tribal educators, families, and students.
 - Be followed by public reporting and opportunities for continued engagement.
- **Honor Previous Consultations by Building on the Recent Reorganization:** Prior consultations have led to a departmental restructuring that positioned the BIE on its own. This move presented a critical opportunity to strengthen BIE's operational independence, staffing, and direct engagement authority. The federal government must now ensure that BIE is not only administratively separated but adequately enabled, with the resources, autonomy, and institutional support necessary to succeed.
- **Offer Transparency and Accountability on BIE School Choice:** DOI has announced a new round of Tribal Consultation regarding Bureau of Indian Education school choice under Executive Order 14191, however has not released the proposal submitted to the White House. This lack of transparency prevents Tribes from engaging meaningfully in decisions that will shape the future of Native education. Further, if Tribal Nations do not consent to the implementation of the proposal, it is essential that DOI follows.
- **Include Education Stakeholders in DOI Strategic Planning Consultations:** The Department of the Interior has announced new consultations on its strategic plan. However, there is no designated session focused on the needs, concerns, and sovereignty of Tribal education systems. BIE schools, Tribal Colleges and Universities, Tribal Education Departments, and Native families must be explicitly included.

Topic 1: Restructuring of Indian Affairs

Talking Points: Bureau-Operated Schools

Bureau-operated schools rely entirely on federal personnel systems and appropriations. These schools are under the full operational authority of the Bureau of Indian Education and are directly impacted by federal workforce policy changes, including RIFs, hiring freezes, and reclassification decisions.

Because Bureau-operated schools are fully dependent on federal staffing mechanisms. A loss of any staff due to RIFs cannot be backfilled without significant delays or external intervention. The result is a direct decline in services to Native students, increased stress on remaining staff, and growing disparities in educational quality.

Reductions in Force within Bureau-operated schools will directly harm Native students. The employees at risk are the people who keep our schools open, safe, and functioning.

- **Educators:** Teachers, aides, and tutors are already in short supply, especially in remote areas. Pay caps, limited housing, and long hiring timelines make recruitment difficult. RIFs would exacerbate the crisis, reducing course offerings or even shuttering entire grade levels.
- **Operations Staff:** Custodians, maintenance workers, and facilities teams are often the last line of defense against failing infrastructure and unsafe conditions. Without them, schools risk code violations and closures.
- **Transportation Workers:** Many schools operate with just one bus driver serving a vast territory. Losing that driver means students lose access to education.
- **Administrative Support:** Secretaries, registrars, and data staff keep schools running and compliant. Their absence halts enrollment, testing, and reporting—core functions of public education.
- **Dormitory Staff:** Residential staff ensure student safety and well-being. Without them, boarding programs collapse—especially devastating for students in geographically isolated areas.
- **Safety and Tech Personnel:** Security staff are essential in high-trauma environments. IT staff maintain the digital infrastructure that modern classrooms rely on. Both are indispensable.

Talking Points: Tribally Controlled Schools

While Tribally Controlled Schools operate under their own governance structures and exercise local decision-making authority under the Tribally Controlled Schools Act and ISDEAA, they remain deeply dependent on the BIE Central Office for timely and accurate delivery of federal funds, technical assistance, and program support. The success of our schools not only relies on Tribal governments but also on the functionality, stability, and capacity of the BIE.

BIE Central Office staff are critical to ensuring that Tribally Controlled Schools receive the funds, approvals, and support services they are legally entitled to.

- **Awarding officials and program managers** process school funding agreements, approve budget modifications, and ensure legal compliance. Without these staff, schools face costly delays and risk disruptions in services, staffing, and procurement cycles.

- **Education program specialists and grant analysts** are responsible for reviewing applications, resolving data issues, and guiding schools through grant processes and facility operations support. When these positions are vacant or overloaded, funds sit idle while schools struggle to meet urgent needs.
- **Facilities, budget, and procurement staff** are essential for moving capital and operations dollars through the system. Their work determines whether schools can repair a roof, upgrade a bus fleet, or purchase classroom supplies before the school year begins.

Employee turnover at the Central Office has a direct downstream effect on TCS operations.

- Constant turnover leads to knowledge gaps, inconsistent interpretation of policy, and increased delays in funding distribution. Schools often face confusion or duplicative paperwork due to changing points of contact or evolving guidance from new staff.
- Every time a grant officer, budget analyst, or facilities reviewer leaves, the schools they serve lose valuable time and institutional memory, requiring repeated explanations, document resubmissions, and delays.

A streamlined, stable system with long-term, well-trained staff is essential for timely and efficient service delivery.

- Investing in professional development and retention strategies for Central Office personnel will reduce backlogs, increase clarity, and enhance trust between BIE and the schools it supports.
- Cross-training and succession planning are vital to prevent bottlenecks when inevitable transitions occur. When employees leave, systems—not just individuals—must be prepared to carry forward that knowledge without disruption.
- Streamlining internal processes, reducing duplicative reviews, and leveraging technology will empower Central Office staff to serve more schools with greater consistency and fewer errors—especially important as demand grows under expanded self-governance models.

Talking Points: Tribal Colleges and Universities

Tribal higher education is rooted in the trust and treaty responsibility. Tribal Colleges and Universities are chartered by their respective Tribal Nations and act as extensions of them. TCUs programs and funding are essential to the economic success of their rural communities through higher educational opportunities, workforce development, and agricultural development. TCUs rely heavily on federal funding, as few states provide state operational funding.

All staff and faculty at Haskell and SIPI are vital for these institutions to carry out their mission to provide Tribal higher education to American Indians and Alaska Natives.

- These institutions are already understaffed, and current faculty and staff are overtaxed and wearing numerous hats. Combined Haskell and SIPI provide almost 20 different majors, ranging from education, computer technology, engineering, business, and more. All these programs are essential to carrying out their mission.
- During the February terminations, different professors had to cover courses outside of their specialty to make sure students were getting a high-quality education and meeting their degree requirements. Terminating faculty at Haskell and SIPI could threaten accreditation status.

- Support Staff make sure the Universities run accurately and make sure the students have access to services such as financial aid, student services, food pantries, janitorial staff, and others. Without these staff, Haskell and SIPI risk delays in students' ability to access financial aid, access to nutritious foods, garbage pick-up, etc.
- Having all leadership positions filled creates a sense of safety for the student body. A couple of leadership positions were terminated during the February terminations, which caused a sense of fear and worrisome for students. These key positions provide transparency and support for students and faculty members.

The BIE already has a vacancy rate of 33 percent, additional RIFs would seriously threaten the BIEs ability to provide necessary oversight and technical assistance for our Tribal Colleges and Universities.

- The [2022 GAO Report](#) on the BIE stated that “high staff vacancy rates significantly inhibit BIE’s ability to support and oversee schools.”
- Only recently has the BIE developed a Postsecondary office. It was developed to bridge a gap in vital support and advocacy for TCUs within BIE. This office just received its first Associate Deputy Director late last year, who has been a key advocate for TCUs. While this office only has three staff that support all 37 TCUs, only 1 program analyst provides technical support. Therefore, losing even one would be detrimental to the TCU system and funding streams received by the BIE.
- Additionally, core central office staff, such as facilities, budget, and program analysts are essential. They ensure TCUs receive operational, facility, and endowment funding promptly. Without these key officials, TCUs risk delays in services, staff salaries, facility repairs, and more.

Topic 2: Addressing current funding structures, including identifying efficiency barriers to expedite funding to Tribes and Tribal programs

Talking Points: K-12 Schools

Given the essential role of BIE schools in delivering federally obligated education to Native students, the systems that fund them must be as efficient, predictable, and resilient as possible. Whether schools are managed by Tribal governments or operated directly by the BIE, their ability to plan, hire, procure, and serve students hinges on reliable federal funding that arrives on time, with minimal administrative barriers. Too often, schools face late disbursements, burdensome paperwork, unclear guidance, or conflicting instructions from central and regional offices.

The federal government has a duty to make education funding systems for Native students as strong, transparent, and accessible as those supporting any other public school in America. Especially considering Tribal Nations do not have tax parity with States and localities that support public school districts.

- **Forward Funding for all BIE line items should be the top priority for the President's Budget Request.**

Most major BIE education programs are forward-funded to allow for school-year-based planning, with some major exceptions: Education Construction, Facilities Operations, Facilities Maintenance, and the Johnson O'Malley program. They remain subject to regular disruptions due to continuing resolutions or government shutdowns. All BIE accounts should be forward-funded to provide schools and Tribal governments the time and stability needed to plan projects, execute contracts, and serve students without delay. Forward funding construction, operations, and maintenance would allow for better alignment with design-build timelines and climate windows in remote areas. Forward funding JOM would ensure programs that serve students in public schools, including student support services, cultural enrichment, and essential school supplies, are not disrupted.

- **Real-time, Transparent Payment Tracking Systems should be implemented.**

Schools should be able to see the status of their awards, payments, and drawdowns in real time, with clear contacts for resolving delays. A centralized online portal with dashboard access for school and Tribal staff would prevent confusion, reduce administrative burden, and eliminate unnecessary delays caused by incomplete or lost paperwork. Even forward-funded accounts are frequently delayed.

- **Increased Technical Assistance and Training is essential.**

Especially for smaller Tribes and first-time 638 or 297 contract holders, the complexity of federal funding requirements can be a barrier to entry. BIE should support Tribal-to-Tribal peer learning cohorts, fund Tribal Education Departments to provide localized assistance, and increase the number of program officers available to assist schools with procurement, grant compliance, and data reporting. There should also be consistent training for school officials in all systems the BIE relies on.

- **Funding distribution methodologies should be updated and modernized.**

Education IT funding, Tribal Grant Support Costs, and other formula-based distribution methods are not just outdated, they are opaque. Tribally Controlled Schools struggle with not only the amount of funding that is available, but also how and why schools receive certain funding levels.

Anything less than full funding for the Bureau of Indian Education will destroy schools.

- The proposed 70 percent cut to BIE construction in FY 2026 is not a trim—it's a crisis. Over 60 schools remain in "poor" condition, with over \$6 billion in replacement needs and \$800 million in deferred maintenance. Cutting construction now means canceling projects, closing unsafe buildings, and forcing students into overcrowded, deteriorating facilities. BIE schools cannot operate without safe classrooms, working infrastructure, and stable funding.

BIE schools should be fully supported with the infrastructure necessary for students to thrive.

- Currently Education Construction and Deferred Maintenance is managed by Indian Affairs while the BIE transitions to an independent bureau separate from the Bureau of Indian Affairs. This causes breakdowns in communication and frequently increases delays.
- Alternative models which could allow for Tribal Nations to take over the management and maintenance of schools while ensuring continued federal support include: parity for Tribal bonding, expanded New Market Tax Credits, and proper funding through mandatory appropriations for Section 105(l) lease agreements for Tribally Controlled Schools which should be included in the Administration's priorities.

Talking Points: Tribal Colleges and Universities

- **Delays in Operational Funding**
TCU operational funding is forward-funded; however, TCUs often wait months to receive funding. The delay of these critical resources can interrupt TCUs' operations and impede TCUs' efforts to provide the Department with accurate accounting and timely reporting. A more streamlined process for transferring funds to TCUs would be greatly beneficial. Delays range from a combination of issues that occur during the budget process or within the Agency.
- **Reporting Requirements**
Reporting requirements for TCUs are often burdensome, as most reporting documents are not listed within the regulations, or BIE requests more details than what is listed in the regulations.
- **Need for an Operational Needs Study**
TCUs are the most underfunded institutions of higher education in the United States. TCUs must apply to various competitive grants across different agencies to support operational funding, due to the fact that operational funding awarded through the BIE is minimal. The Appropriation committees have requested that a study be completed to address and capture operational needs at TCUs for several years.
- **TCU Facility Needs Study**
The 1978 TCU Act called for a facility needs study for Tribal Colleges and Universities, but it has never been completed. To effectively advocate for infrastructure needs, a comprehensive study is essential. Funding for this study should not harm the existing funding that TCUs receive. Further, BIE has not requested an increase in TCU FI&R, therefore, the overdue study could prompt discussion to increase funding and potentially create a program for new construction for the nation's TCUs.
- **Increased Agency Communication**
There needs to be increased communication and transparency between the different agencies within the DOI, specifically between BIA and BIE. This increased communication could increase transparency and overall efficiency within the Department to provide funding.

Topic 3: Increasing Indian Affairs Support for Tribal Self-Governance and Self-Determination

Talking Points: K-12 and Tribal Colleges and Universities

Tribes that operate their own schools through the Tribally Controlled Schools Act of 1988, the Indian Self-Determination and Education Assistance Act, and the Tribal Controlled Colleges and Universities Assistance Act of 1978 must be fully supported with the resources, technical assistance, and flexibility necessary to succeed. Supporting self-governance in education means ensuring that Tribally Controlled Schools and Tribal Colleges and Universities are not burdened with unfunded mandates, delayed payments, or bureaucratic obstacles.

- **True educational self-determination requires full funding.**
Tribal Nations cannot meaningfully operate BIE schools, Johnson O'Malley programs, or Native language and culture initiatives without receiving the full financial resources necessary to do so. Underfunded education compacts and contracts force Tribes to cut teachers, delay school repairs, and scale back student services—undermining Native control over Native education. If the federal government shifts educational responsibilities to Tribes without full funding, it is not self-determination—it is a slow-moving form of termination through defunding.
- **Modernized Financial Systems are necessary to Support Self-Governance.**
Outdated payment, reporting, and tracking systems—especially in facilities, procurement, and grants management—undermine self-governance by making it harder for Tribes to access their own funds or manage services efficiently. DOI must modernize these systems to reflect the administrative responsibilities being transferred to Tribes. This includes expanding real-time visibility into financial transactions and award tracking.
- **Self-Governance frameworks must be translated across federal agencies**
BIE is only one piece of a larger education ecosystem. As more Tribes seek to integrate programs across departments (such as HHS, USDA, and ED), DOI should lead efforts to develop interagency guidance and training on how 638 and 477 models apply to education. This includes helping other agencies understand legal obligations, compacting eligibility, and Tribal sovereignty.
- **Administrative improvements and amendments to the TCU endowment would strengthen our TCUs.** The TCU Act includes an endowment for TCUs from the BIE. De-linking TCCUAA endowment funds from operating funds, allowing construction and renovation as allowable uses, would ensure adequate flexibility for Tribes and TCUs. Also, updating the formula for endowment distribution that is not based on TCU's financial status, while also examining opportunities to develop a stable system of BIE endowment funding, would ensure financial certainty for recipients.