

THE AMERICAN INDIAN HIGHER EDUCATION CONSORTIUM
SUBMITTED TO THE U.S. HOUSE OF REPRESENTATIVES - COMMITTEE ON APPROPRIATIONS
SUBCOMMITTEE ON INTERIOR AND RELATED AGENCIES
DEPARTMENT OF THE INTERIOR - BUREAU OF INDIAN EDUCATION

March 25, 2015

I. REQUEST SUMMARY

On behalf of the nation's Tribal Colleges and Universities (TCUs), which collectively are the American Indian Higher Education Consortium (AIHEC), thank you for this opportunity to present our Fiscal Year 2016 (FY 2016) appropriations recommendations for the 30 colleges funded under various titles of the Tribally Controlled Colleges and Universities Assistance Act (Tribal College Act); the Bureau of Indian Education postsecondary institutions; and the Institute of American Indian Arts. The Bureau of Indian Education administers these programs, save for the Institute of American Indian Arts, which is congressionally chartered and funded directly through the Department of the Interior.

In FY 2016, TCUs seek \$89.220 million for institutional operations, an endowment building program, and technical assistance under the *Tribally Controlled Colleges and Universities Assistance Act of 1978* or Tribal College Act; of which, \$88.5 million is for Titles I & II operating grants (28 TCUs); \$109,000 for Title III (endowment grants), and \$601,000 for increasingly needed technical assistance. TCUs are founded and chartered by their respective American Indian tribes, which hold a special legal relationship with the federal government, actualized by more than 400 treaties, several Supreme Court decisions, prior Congressional action, and the ceding of more than one billion acres of land to the federal government. Despite the trust responsibility and treaty obligations, the TCUs' primary source of basic operating funds has never been adequately funded. Further, our member institutions – already operating on shoestring budgets – have suffered the ramifications of sequestration. Should sequestration resume in FY 2016, along with added across the board cuts that have become part of the regular order, the TCUs will suffer even greater annual reductions to this already underfunded program. Regrettably, the long-term federal investment in this program, which has proven to be a cost-effective, efficient, and transformative, may be lost as some of tribal colleges could be forced to close their doors. They simply cannot continue to operate on the inadequate funding they receive. After 35 years since this essential grants program was first funded, our FY 2016 request seeks to finally achieve the authorized funding level for institutional operating grants, which is based on a per Indian student allocation; and to retain \$601,000 to provide critically needed, ever changing and expanding technical assistance.

AIHEC's membership also includes two tribally controlled postsecondary career and technical institutions, a portion of whose institutional operations funding is authorized under Title V of the Tribal College Act. AIHEC requests \$9,300,000 for this program. For the Institute of American Indian Arts, AIHEC supports the President's budget request of \$11,619,000. Haskell Indian Nations University and Southwestern Indian Polytechnic Institute are the Bureau of Indian Education's two postsecondary institutions. AIHEC supports a minimum of \$19,990,000, included in the President's FY 2016 budget, for these important institutions.

Lastly, but very important, AIHEC is seeking a one-time \$20 million appropriation necessary to transition the institutional operating grants of the five TCUs that are still funded on the federal fiscal calendar to an academic schedule. These institutions are the ONLY schools, funded through the Department of the Interior, that still receive their institutional funding on the federal fiscal year (October 1) or more likely, later in the year when the annual Interior appropriation bill is passed, rather than the first week of July in

preparation for the upcoming school year. Once forward funded these TCUs, like all other BIE/Interior schools, will be able to plan multiyear budgets and to start (and end) each school year with dependable funding. Forward funding does NOT increase the federal budget in the long-term. It simply allows vital education programs to receive basic operating funds before each school year begins, which is critically important when the federal government is funded under continuing resolutions.

II. TCU SHOESTRING BUDGETS: "DOING SO MUCH WITH SO LITTLE"

Tribal Colleges and Universities are an essential component of American Indian/Alaska Native (AI/AN) education. Currently, 37 TCUs operate more than 75 campuses and sites in 16 states, within whose geographic boundaries 80 percent of all American Indian reservations and federal Indian trust land lie. They serve students from well over 250 federally recognized tribes, more than 70 percent of whom receive federal financial aid. In total, the TCUs annually serve about 89,000 AIs/ANs through a wide variety of academic and community-based programs. TCUs are public institutions accredited by independent, regional accreditation agencies and like all U.S. institutions of higher education must periodically undergo stringent performance reviews to retain their accreditation status. Each TCU is committed to improving the lives of its students through higher education and to moving AI/ANs toward self-sufficiency. To do this, TCUs must fulfill additional roles within their respective reservation communities functioning as community centers, libraries, tribal archives, career and business centers, economic development centers, public meeting places, and child and elder care centers.

The federal government, despite its direct trust responsibility and binding treaty obligations, has never fully funded the TCUs' institutional operating budgets, authorized under the Tribally Controlled Colleges and Universities Assistance Act of 1978. In fact, TCU operating support is well below the level received by other institutions of higher education. The Administration requests and Congress appropriates approximately \$200 million annually towards the institutional operations of Howard University (exclusive of its medical school), *the only other Minority Serving Institution (MSI) that receives institutional operations funding from the federal government*. Howard University's current federal operating support exceeds \$20,000/student, because this is the level of need as determined by the U.S. government. In contrast, most TCUs receive \$6,355/Indian Student (ISC) under the Tribal College Act, less than 80 percent of the authorized level. TCUs have proven that they need and have earned an investment equal to -- at the very least -- the congressionally authorized level of \$8,000/Indian student. It is important to understand that we are by no means suggesting that our sister MSI, Howard University does not need or deserve the funding it receives; it does. We are only pointing out that the TCUs also need and deserve adequate institutional operations funding; however, TCU operating budgets are chronically underfunded.

TCU budgets are at a further disadvantage because the colleges receive funding for only about 76 percent of their enrolled students. Almost every other U.S. institution of higher education receives institutional operations funding based on its entire student body. However, it is important to note that although approximately 24 percent of the TCUs' collective enrollments are non-Indian students living in the local community, TCUs receive federal funding based only on Indian students, defined as members of a federally recognized tribe or the biological children of an enrolled tribal member. While many TCUs do seek funding from their respective state legislatures for their non-Indian, state-resident students (oftentimes referred to as "non-beneficiary" students) successes have been, at best, inconsistent. Yet, if a TCU's non-beneficiary students attended any other public institution in the state, the state would provide the college with ongoing funding toward its day-to-day operations. Given their locations, often hundreds of miles from another postsecondary institution, TCUs are open to all students, Indian and non-Indian, believing that education in general, and postsecondary education in particular is a catalyst to a better economic future for their areas.

III. FURTHER JUSTIFICATIONS & FACTS

- a) TCUs provide access to valuable postsecondary education opportunities. Tribal Colleges and Universities provide access to higher education for American Indians and others living in some of the nation's most rural and economically depressed areas. In fact, seven of the nation's 10 poorest counties are home to a TCU. The American Community Survey/ U.S. Census Bureau reported the annual per capita income of the U.S. population as \$28,184. However, the annual per capita income of AI/ANs is reported to be \$16,777, or 40 percent lower than that of the general population. TCUs offer their students a high level of support and guidance to bolster their chances of achieving academic success. In addition to serving their student populations, these tribal institutions offer a variety of much-needed community outreach programs.
- b) TCUs are producing a Native workforce that includes highly trained AI/AN teachers, tribal government leaders, nurses, engineers, computer programmers, and other much-needed professionals. By teaching the job skills most in demand on their reservations, TCUs are laying a solid foundation for tribal economic growth, with benefits for surrounding communities and the nation as a whole. In contrast to the high rates of unemployment on many reservations, graduates of TCUs are employed in "high demand" occupational areas such as Head Start teachers, elementary and secondary school teachers, agriculture and land management specialists, and nurses/health care providers. Just as important, the vast majority of TCU graduates remains in their tribal communities, applying their newly acquired skills and knowledge where they are most needed.
- c) Growing number of TCUs - Compounding existing funding disparities is the fact that although the numbers of TCUs and students enrolled in them have dramatically increased since they were first funded in 1981, appropriations have increased at a disproportionately low rate. Since 1981, the number of tribal colleges has happily more than quadrupled and continues to grow; the number of Indian students enrolled has risen over 355 percent. In the past 10 years, six additional TCUs have become accredited and eligible for funding under Title I of the Tribal College Act, and there are several more colleges currently in the pipeline. TCUs are in many ways victims of their own successes. The growing number of tribally chartered colleges and universities and increasing enrollments have forced TCUs to slice an already inadequate annual funding pie into even smaller pieces.
- d) Local Tax and Revenue Bases - TCUs cannot rely on a local tax base for revenue. Although tribes have the sovereign authority to tax, high reservation poverty rates, the trust status of reservation lands, and the lack of strong reservation economies hinder the creation of a reservation tax base. As noted earlier, on Indian reservations that are home to TCUs, the unemployment rate can well exceed 70 percent. By contrast, the national unemployment rate is currently 5.5 percent.
- e) Gaming and the TCUs - Although several of the reservations served by TCUs do have gaming operations, these are not the mega-casinos located in proximity to urban outlets and featured in the broad-based media. Only a handful of TCUs receive regular income from the chartering tribe's gaming revenue, and the amounts received can vary greatly from year to year. Most reservation casinos are small businesses that use their gaming revenue to improve the local standard of living and potentially diversify into other, more sustainable areas of economic development. In the interim, where relevant, local TCUs offer courses in casino management and hospitality services to formally train tribal members to work in their local tribally run casinos.

Some form of gaming is legalized in 48 states, but the federal government has not used the revenues generated from state gaming as a justification to decrease federal funding to other public colleges or universities. Some have suggested that those tribes that operate the few extremely successful and widely publicized casinos should be financing higher education for all American Indians. And yet, no state is expected to share its gaming revenue with a less successful or non-gaming state.

V. APPROPRIATIONS REQUEST FOR FY 2016

As noted earlier, it has been 35 years since the Tribal College Act was first funded, and the TCUs have yet to receive the Congressionally authorized per Indian student funding level. Full funding for the TCUs' institutional operating grants (\$8,000 per Indian student) for FY 2016 would require an increase of approximately \$19.4 million over the FY 2015 appropriated level. Details of the request are outlined in the Request Summary above.

VI. CONCLUSION

AIHEC Member institutions/Tribal Colleges and Universities provide quality higher education to many thousands of American Indians and other reservation residents, as well as essential community programs and services to those who might otherwise not have access to such opportunities. The modest federal investment that has been made in TCUs has paid great dividends in terms of employment, education, and economic development. Continuation of this investment makes sound moral and fiscal sense.

We greatly appreciate your past and continued support of the nation's Tribal Colleges and Universities and your thoughtful consideration of our FY 2016 appropriations requests.