



AMERICAN INDIAN
HIGHER EDUCATION
CONSORTIUM



AMERICAN INDIAN SCIENCE
AND ENGINEERING SOCIETY



NICWA
National Indian Child Welfare Association
Protecting Our Children • Preserving Our Culture



National Indian
Education Association



National Indian
Health Board



March 11, 2025

The Honorable Robert Aderholt
Chairman
Subcommittee on Labor, Health, and Human
Services, Education, and Related Agencies
House Committee on Appropriations
272 Cannon House Office Building
Washington, DC 20510

The Honorable Shelley Moore Capito
Chairwoman
Subcommittee on Labor, Health, and Human
Services, Education, and Related Agencies
Senate Committee on Appropriations
170 Russell Senate Office Building
Washington, DC 20510

The Honorable Rosa DeLauro
Ranking Member
Subcommittee on Labor, Health, and Human
Services, Education, and Related Agencies
House Committee on Appropriations
2413 Rayburn House Office Building
Washington, DC 20510

The Honorable Tammy Baldwin
Ranking Member
Subcommittee on Labor, Health, and Human
Services, Education, and Related Agencies
Senate Committee on Appropriations
170 Russell Senate Office Building
Washington, DC 20510

Delivered Electronically

RE: Labor, HHS, Education Appropriations for Native Education

Dear Chairman Aderholt, Chairwoman Capito, Ranking Member DeLauro, and Ranking Member Baldwin,

On behalf of the undersigned organizations and the schools, educators, students, and Tribal Nations we represent, we write to emphasize the importance of Native education as Congress considers appropriations for the Departments of Labor, Health and Human Services (HHS) and the Department of Education (ED) for Fiscal Year (FY) 2026, as well as potential budget reconciliation legislation, and structural changes to federal education and childcare funding. While we appreciate efforts to streamline bureaucracy and maximize the impact of federal funds, we strongly urge you to safeguard the funding streams that uphold federal trust and treaty obligations to Tribal Nations and Native citizens.

We respectfully request that funding within the Labor, Health and Human Services, Education, and Related Agencies (LHHS) appropriations bill, as well as any future structural changes, continue to support critical Tribal programs. Specifically, we urge the protection of Title VI Indian Education, Impact Aid, Native Career and Technical Education, American Indian/ Alaska

Native Head Start, and Tribal Child Care Development Block Grant set-asides. Additionally, we request that any block grant funding explicitly protect Tribal Nations and Tribal education systems as eligible entities with dedicated set-asides in each program. This protection is essential to ensure that Tribal Nations and Native education systems do not have to seek federal funding through state governments. We also emphasize the importance of preserving funding for Title I under the Elementary and Secondary Education act (ESEA), Individuals with Disabilities Education Act (IDEA) funding, and Title III programs under the Higher Education Act (HEA).

The Federal Trust Responsibility

Sovereignty is the foundation of effective education in Indian Country. The federal government's trust and treaty responsibilities to Tribal Nations for education as firmly established through treaties, laws, and legal precedents and its trust responsibility to Native Hawaiian education, as clarified under 20 USC §7511 et seq., are clear obligations, willingly undertaken by the federal government. These must be fulfilled both through the direct delivery of programs and services and through federal funding that enables Tribal Nations serve their own communities. Funding through ED and HHS is essential to upholding these obligations. It supports Native children from early childhood through post-secondary education, and addresses the unique needs of Native families, ensuring the federal government meets its commitments to Tribal Nations and Native communities

Impact of Critical Programs

The programs outlined below have a direct and life-changing impact on Native students, families, and communities. More than just funding streams, they represent the direct, statutory fulfillment of the trust and treaty obligations to Native education. Many of these programs predate the creation of the Department of Education itself, underscoring their deep-rooted importance. It is essential not only to preserve them but to ensure they receive robust funding that meets the needs of Native students and strengthens our economies for the 21st century.

- **Title I Part A of ESEA** provides crucial funding to support low-income school districts. Native communities are disproportionately located in rural, remote, and low-income areas. Many of the school districts serving Native children rely on these funds. Currently, Title I Part A includes a dedicated set-aside for Indian Education Grants, specifically for the Bureau of Indian Education (BIE). We urge that any changes to Title I funding protect this Tribal set-aside and establish assurances for Tribally-run charter schools.
- **Title VI, Parts A, B, and C of ESEA** provide grants for education programs designed to meet the needs of Native students. Title VI grants fund vital resources for Native students, including after-school programs, academic support, dropout prevention initiatives. Part A supports American Indian education through grants available to Tribes, Tribal organizations, and local education agencies (LEAs) in the lower 48 states. These grants serve Indian children in both public schools and BIE schools, ensuring that the federal government fulfills its trust obligations across all school systems. Parts B and C fund education programs for Native Hawaiians and Alaska Natives, respectively. Together, Title VI, Parts A, B, and C provide essential support to all Native populations of the United States, reflecting our cultural values, languages, and traditions, while ensuring our communities and parents have a voice in our children's education.

- **Impact Aid, Title VII of ESEA** provides financial assistance to Local Education Agencies (LEAs) that lose tax revenue due to the presence of federal lands within their school districts. Schools serving Tribal citizens where Tribal trust and restricted lands are present, rely heavily on this funding, which is essential for school districts that serve Native students, particularly those located on Tribal lands or in areas with a high concentration of Native families. For FY 2025, approximately 105,000 children residing on Indian lands were served under Impact Aid funding.
- **Individuals with Disabilities Education Act (IDEA)** provides essential funding for the education of children with disabilities, critical for our communities which already struggle for the resources necessary to provide quality education Native students with disabilities. Similar to Title I streams which funds LEAs with a set-aside for BIE, IDEA also reserves funding for BIE. It is essential that this set-aside is protected, and that there is funding for all Native children with disabilities throughout our education systems.
- **Head Start and Child Care and Development Funds (CCDF).** Early childhood education (ECE) is fundamental to the academic success and futures of Native children. Due to the rural and remote nature of Native communities, Tribal Head Starts and ECE programs under CCDF are often the only early childhood options in the area. Head Start and Early Head Start grants include specific set-asides of direct funding from the federal government for Tribal Nations, allowing them to control these programs based on the unique needs of their communities. However, these essential programs could use increased investment through increased set-asides, especially as the federal bureaucratic share is lowered. We encourage Congress to look to the Tribal Maternal, Infant, and Early Childhood Home Visiting (MIECHV) Program as a model for successful Tribal set-asides within a larger block grant formula for the states.
- **Native Career and Technical Education (CTE) Program** provides funding under the Native American and Native Hawaiian CTE programs for high-skill and high-wage career development, including in pursuit of certificates and two-year degrees in both established and emerging fields. These funds go directly to Tribal Nations and are particularly important for supporting their developing economies.
- **Title III of the Higher Education Act (HEA)** provides funding to to improve the academic quality, institutional management, and fiscal stability of post-secondary institutions, to increase their self-sufficiency and strengthen their capacity to make a substantial contribution to the higher education resources of the nation. Tribal Colleges and Universities (TCUs) directly receive funding through Parts A and F of Title III and these funds are essential parts of their budgets. It is essential to maintain TCUs' Title III funds, without rerouting them through the states. Any reduction would force TCUs to scale back vital programs and services that students rely on to succeed in their chosen career paths and could threaten the stability and accreditation of TCUs.

In conclusion, we urge Congress to uphold its trust and treaty responsibilities by ensuring that critical education and childcare funding streams for Native students, families, and communities are maintained and adequately resourced. The programs highlighted in this letter are not only

essential for the academic success and well-being of Native students, but they also serve as a direct fulfillment of federal obligations to Tribal Nations.

We appreciate your leadership in advancing the well-being of all children and families. We look forward to working with you to ensure that Native students continue to have access to the opportunities and services that are critical for their success. Thank you for your time and your commitment to fulfilling the federal government's trust and treaty obligations. By protecting and strengthening these crucial programs, Congress can help safeguard the future of Native education, empower Tribal Nations to shape their own educational systems, and promote economic opportunities for Native communities. We appreciate your attention to these priorities and look forward to working together to ensure that Native students receive the resources and support they need to thrive. Thank you for your leadership and commitment to Native education.

Sincerely,

Affiliated Tribes of Northwest Indians

American Indian College Fund

American Indian Higher Education Consortium

American Indian Science and Engineering Society

Arizona Indian Education Association

Great Plains Tribal Chairman's Association

Great Plains Tribal Education Directors

Midwest Alliance of Sovereign Tribes

National Congress of American Indians

National Indian Child Welfare Association

National Indian Education Association

National Indian Head Start Directors Association

National Indian Health Board

National Indian Impacted Schools Association

National Johnson O'Malley Association

Native Forward Scholars Fund

Tribal Education Departments National Assembly

Rocky Mountain Tribal Leaders Council

United South and Eastern Tribes

CC:

The Honorable Tom Cole
Chairman
House Committee on Appropriations

The Honorable Susan Collins
Chairwoman
Senate Committee on Appropriations

The Honorable Tim Walberg
Chairman
House Education and Workforce Committee

The Honorable Bobby Scott
Ranking Member
House Education and Workforce Committee

The Honorable Kevin Kiley
Chairman
House Subcommittee on Early Childhood,
Elementary and Secondary Education

The Honorable Suzanne Bonamici
Ranking Member
House Subcommittee on Early Childhood,
Elementary and Secondary Education

The Honorable Bill Cassidy
Chairman
Senate Health, Education, Labor, and Pensions
Committee

The Honorable Bernie Sanders
Ranking Member
Senate Health, Education, Labor, and Pensions
Committee

The Honorable Tommy Tuberville
Chairman
Senate Subcommittee on Education and the
American Family

The Honorable Lisa Blunt Rochester
Ranking Member
Senate Subcommittee on Education and the
American Family