The Honorable Ryan Zinke  
Secretary of the Interior  
Department of the Interior  
1849 C Street, NW  
Washington, DC 20240  

Dear Secretary Zinke,

The Department of the Interior has announced an $18 billion Public Lands Infrastructure Fund (PLIF) to provide funding for Bureau of Indian Education school construction.

Use Current Funds

We recommend that the DOI begin to fund school construction with current, existing funds from offshore oil and gas royalties. The authorizing legislation for the Payment in Lieu of Taxes (PILT) program expired in 2016 and the Congress has delayed the reauthorization of the PILT. In the meantime, the Congress has appropriated $465.0 million per year to pay the counties funds that otherwise would come from the PILT. In the meantime, the oil and gas royalties that otherwise would have been used for the PILT are building up in an account. We request that you allocate some of those funds to immediately begin the construction of BIE schools.

The George W. Bush Administration spent $1.99 billion from 2001 to 2008 for Indian school construction. We recommend that the Trump Administration spend the same amount of funds for BIE school repair, maintenance, and construction.

School Construction Plan

The PLIF proposal is meaningless without a comprehensive, long-range BIE school construction and maintenance plan. We recommend that you direct the Bureau of Indian Affairs Division of Facilities Management and Construction (OFMC) to prepare the plan.

The Congress has called upon the Department of the Interior repeatedly to prepare a school construction plan. The language in House Report 114-632 was: “A more comprehensive, long-term planning approach is needed for every campus and component
facility in the BIE system, modeled after the Department of Defense Education Activity.”

The language in Senate Report 114-281 was: “The Committee directs the Bureau to report back within 90 days of enactment of this act on the progress the Bureau has made towards implementing a long-term facilities plan similar to the Department of Defense [DOD] process in 2009 as encouraged in the joint explanatory statement accompanied by Public Law 113-114.”

The school construction plan should include (House Report 114-632):

(1) A comprehensive list of all current BIE schools and a quality assessment of each school’s facilities (including dormitories and employee housing), indicating where facilities are nonexistent, undersized, or otherwise inadequate to support education and associated wellness programs including native language and other cultural programs;

(2) A comprehensive list, which shall incorporate student enrollment projections as well as space for language and other cultural programming, of all construction projects and costs required to bring entire school campuses and component facilities up to industry standards and eliminate temporary facilities;

(3) An estimate of the total annual sustainment, restoration, and modernization funds required to maintain the facilities of each BIE school up to code and in good condition; and

(4) A complete accounting of the process and status of facilities health, safety, and condition inspections.

Without the BIE school construction plan, the Public Lands Infrastructure Fund is meaningless for Indian tribes and schools.

PLIF

The details of the PLIF are buried on page 663 of the Appendix to the Budget of the United States Government 2019.

There is no legislative proposal on page 663. Legislation would need to be drafted, hearings held, and a bill passed out of the House Committee on Natural Resources and the Senate Committee on Energy and Natural Resources. So funds for school construction would not be available immediately.

The description of the PILF indicates that funds would be available from future energy development, not current projects. It could take years for those projects to be planned, permitted, and implemented. In the meantime, the schools need funding now.
Furthermore, the description of the PILF indicates that the BIE would compete with the National Park Service and the Fish and Wildlife Services for construction and maintenance funds. The description also indicates that the projected expenditures over 10 years would be $6.8 billion, not $18 billion.

**FY 2019 Budget**

We are disappointed that the Trump Administration proposed to cut the funding for BIE School Construction from $133.3 million in FY 2017 to $72.8 million in FY 2019, a reduction of $60.4 million (-45%). The FY 2019 proposed budget would completely eliminate the funding for Replacement School Construction (-$45.5 million) and Replacement Facility Construction (-$11.9 million).

In addition, the DOI proposed to cancel $21,367,000 in prior year balances for Indian education construction. That makes no sense because there are 10 schools on the existing school construction priority list waiting for construction funds. We request that the $21.3 million be used for the existing projects and not canceled.

We recommend that you request $133.3 million for Indian School Construction in the FY 2020 Indian Affairs budget.

Sincerely,

Twin Buttes School Board President
Twin Buttes School