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Joseph A. Garcia
Lieutenant Governor

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United States Senate Committee on Health, Education, Labor & Pensions
Congressional Field Hearing
Colorado State Capitol
Denver, Colorado

Dear Senator Bennet and Committee Members:

Good morning and thank you for the invitation to attend today's hearing and speak in support of the proposed The Native American Education Act of 2012, S. 3504. I would especially like to thank Senator Bennet and staff for recognizing the important responsibility that both our federal and state leaders have in continuing to secure access for American Indians /Alaska Natives to high quality educational opportunities at institutions of higher education.

Attached to my testimony this morning, you will find support letters from Gov. John Hickenlooper and the Colorado Commission of Higher Education Chairman Hereford Percy, representing the Colorado Department of Higher Education. As Lieutenant Governor, I also serve as the Chairman of the Colorado Commission of Indian Affairs and last year the Commission submitted a letter of support for then S. 484 which is also included in your packet today.

The State of Colorado and Fort Lewis College have continued to meet and exceed the provisions of a unique historical agreement that enables a growing population of American Indian/Alaska Native students to attain a postsecondary credential. We celebrate both the success of the Fort Lewis Native American Scholarship Fund and this college, which provides an exemplary education program as one of only a handful of Native American-Serving Non-Tribal Colleges in the United States. Gov. Hickenlooper and I are deeply committed to fulfilling the intent and spirit of this agreement, and along with you, want to move forward in the best interests of the citizens, the state, and the American Indians/Alaska Native students the program is meant to serve.

It is important to understand the historical context under which this agreement was reached. The original Fort Lewis was established as a United States Army post in 1878 in Pagosa Springs, Colorado. In 1882, the Fort Lewis Military Reservation was set aside

by the federal government for an Indian Reservation School and moved to Hesperus, Colorado just west of Durango, Colorado.

Over a decade following its original creation as a military outpost, in 1891 Fort Lewis became a federal Indian primary and secondary school where American Indian students from the surrounding regions attended. By 1911, the federal government offered the Fort Lewis land to the State of Colorado. The transfer stipulated that:

- (1) "...said lands and building shall be held and maintained by the State of Colorado as an institution of learning"; and
- (2) "...that Indian pupils shall at all times be admitted to such school free of charge of tuition and on equal terms".

At the time of the transfer in 1911, the School of Agricultural and Mechanical Arts and Household Arts was created as a high school ending in the 12th grade. By 1927, the school evolved into a junior college and by the early to mid-1960s the school offered four-year degrees and officially retained its current moniker of Fort Lewis College.

Today, Fort Lewis College serves as a public liberal arts college with selective admission standards with a historic and continuing commitment to American Indian education. Truly national in scope, the Fort Lewis Native American Scholarship Fund provided tuition waivers for 16,408 students from 46 states and 269 tribes over the past 11 years. More than 84 percent of these American Indian/Alaska Native students who received tuition waivers were not from Colorado.

Colorado statute requires:

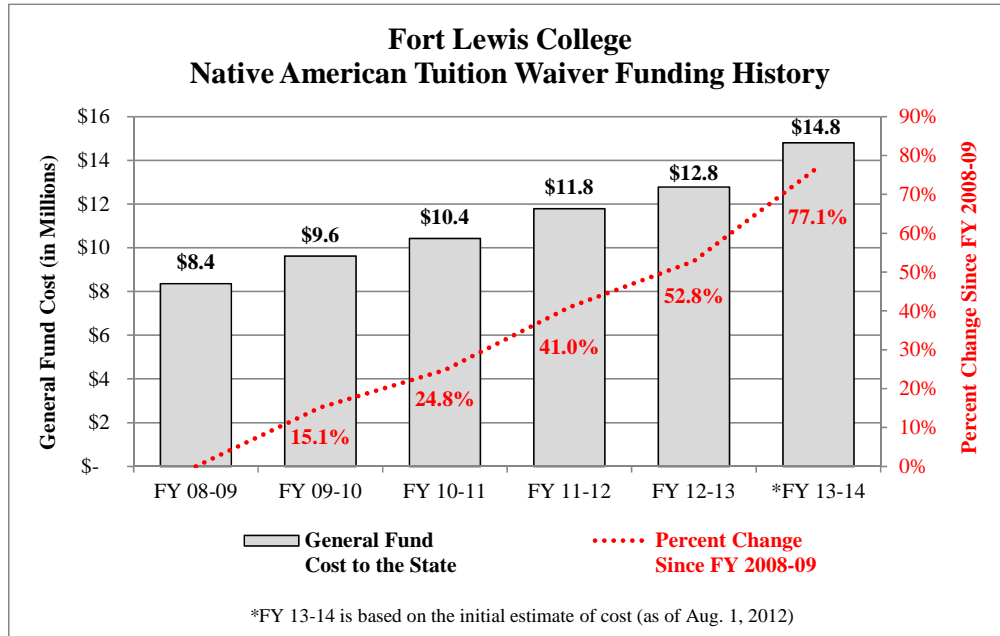
"that all qualified Indian pupils shall at all times be admitted to such college free of charge for tuition and on terms of equity with other pupils. The general assembly shall appropriate from the state general fund one hundred percent of the moneys required for tuition for such qualified Indian pupils."

– Section 23-52-10 (1)(b)(I), C.R.S. (2012)

Based on the requirements in state law pursuant to the agreement associated with the original transfer of the Fort Lewis lands, Colorado has been funding these obligations which are growing at an ever increasing rate during a period when state resources for public higher education have been diminishing. Since the state fiscal year 2008-09, public higher education operating funding in Colorado has decreased by over 27 percent. Over this same time frame the state has experienced resident enrollment growth of over 14 percent system wide. The net result is over a 36 percent decrease in state funding per resident student.

The Fort Lewis College Native American Tuition Waiver has grown steadily over time and the annual increases are becoming greater and greater on a year-to-year basis. Figure 1 illustrates the cost to the state since fiscal year 2008-09.

Figure 1:



The tremendous growth in the program is in part due to Fort Lewis College’s success in serving American Indian students from all regions of the country. The most recent projections suggest an increase of over \$2 million going into fiscal year 2013-14, which is primarily a result of double-digit enrollment increases in the Native American student population. Of the American Indian student population attending Fort Lewis College, approximately 95 percent of the \$12.8 million scholarship fund total allotment is paid on behalf of non-Colorado residents.

The state of Colorado asks for your partnership in continuing to deliver higher education opportunities to American Indian youth. Given the state’s budgetary challenges, this cost has been covered by reducing funding to the state’s other financial aid programs (Need Based Grants and/or Work Study). Using state financial aid funds to cover changes in costs for the Fort Lewis Native American Tuition Waiver program has a demonstrable impact on American Indian students throughout Colorado. Approximately three thousand American Indian/Alaska Native students attend public institution in Colorado. Consequently, reductions in the state’s need based financial aid program reduce access to state financial assistance for low income students at every institution in the state, including American Indian/Alaska Native students enrolled at institutions other than Fort Lewis College. In spite of this, Colorado stands by its commitment to the Fort Lewis Native American Tuition Waiver program and plans to continue funding tuition for all qualifying students beyond the federal contribution.

The special and distinct circumstance that confronts us today has been created by the evolution of a 100 year old mission. That mission charged Colorado to provide students admitted to the Indian Reservation School – a high school - with an education free of charge of tuition and on equal terms. While we are challenged to fund that mission while serving thousands of other students (including Native American students) at other state higher education institutions, we are no less steadfast in our commitment to securing educational opportunities for Native American students in our great state.

I am here to offer our full support for The Native American Education Act of 2012 and to commend the great work of Fort Lewis College's administration, staff, and students by making this historical agreement an educational priority. With the passage of this legislation, Colorado can continue our commitment to this successful national education program while also providing higher education opportunities for all students across Colorado.

Again, thank you for allowing me this honor of speaking before you today. I would be glad to answer any questions you may have.

Sincerely,

A handwritten signature in cursive script that reads "Joseph A. Garcia". The signature is written in black ink and is positioned above the printed name and title.

Joseph A. Garcia
Lieutenant Governor