May 16, 2022

Honorable Bryan Newland Mr. Tony Dearman

Assistant Secretary of Indian Affairs Director

Bureau of Indian Affairs Bureau of Indian Education

US Department of the Interior US Department of the Interior

1849 C Street NW 1849 C Street NW

Washington DC, 20240 Washington DC, 20240

**RE: Support to Include a Request to Congress in the FY 2024 Bureau of Indian Education Budget Justification to Authorize Forward Funding of the Johnson O’Malley Program**

Dear Assistant Secretary Newland and Director Dearman:

On behalf of the National Johnson O’Malley Association (NJOMA), I am writing to support the inclusion of a request in the FY 2024 Bureau of Indian Education Budget Justification to Congress to Authorize Forward Funding of Johnson O’Malley Program. The NJOMA is the collective voice of over 1.2 million Native American students and their parents and guardians nationwide who are currently eligible to receive Johnson O’Malley (JOM) services. JOM programs at Local Education Agency sites include important activities such as academic support, dropout prevention; and the purchase of school supplies, and Native cultural and language enrichment, particularly for students who are not living near tribal land, may be the only way

Across Indian Country, Indian Tribes successfully administered their JOM Program through P.L. 93-638 self-determination contracts, P.L.106-260 self-governance compacts, or P.L. 102-477 employment, training and related services plans. While successful, administration of the local JOM programs is routinely disrupted by funding distribution timelines.

In a April 2020 report, the Government Accountability Office found that the “disbursements of JOM funds…are routinely provided later than expected based on contractors’ past experience. For example, 27 school contractors did not receive a portion of their calendar year 2018 funding until September 2019… Further, some of these contractors did not receive any disbursement in the 2019 calendar year until August, months after funds are typically disbursed…(T)he delay in distribution of funds negatively affect contractor’s ability to plan their JOM activities and provide timely services for their students”[[1]](#footnote-1)

Further, the Federal government routinely operates under continuing resolutions. As such, funding for the JOM is routinely delayed; consequently, college scholarship payments and institutional disbursements are delayed.

The solution to address these issues is to Forward Fund the JOM program. Forward Funding would achieve several outcomes:

* Provide funding for two years;
* Make funds available on July 1st, aligning it with state public school education budget cycles[[2]](#footnote-2);
* Allow Indian Tribes and other contractors to disburse Grant funds ahead of the academic year;
* Shields the Grant from C.R.s and government shutdowns; and

There is precedent for forward funding of Federal Indian education programs, including Bureau of Indian Education funded schools (including P.L. 93-638 and P.L. 100-297 schools (25 U.S.C.§2010), Tribally Controlled Colleges and Universities, (25 U.S.C. 1810) are all forward funded.

In the mid-2000s, the NJOMA previously passed a resolution in support of the forward funding. The full NJOMA membership will consider an updated resolution at our upcoming conference. As well, the NJOMA is reaching out to our Member Tribes to encourage them to individually pass resolutions of support.

Thank you for your time and consideration of this very important issue.

Respectfully,



Mark Vance

President

1. U.S. Gov’t Accountability Office, *Bureau of Indian Education: Actions Needed to Improve Management of a Supplemental Education Program*, GAO-20-308 (Washington, D.C.: April 9, 2020) at 12-13. [↑](#footnote-ref-1)
2. Forty-six states began fiscal year 2021 on July 1, 2020. New York began its fiscal year on April 1, Texas begins its fiscal year on Sept. 1, and Alabama and Michigan begin theirs on Oct. 1. As of July 1, 42 states had enacted budgets for FY 2021. Sixteen of those states enacted a biennial budget during their 2019 legislative session. Due to the effects of COVID-19 on state fiscal circumstances, five states have temporary spending plans in place, and New Jersey has extended its fiscal year through Sept. 30.

https://www.ncsl.org/research/fiscal-policy/fy-2021-state-budget-status.aspx [↑](#footnote-ref-2)