



News Release

For Immediate Release: December 18, 2020

Contact: Carolyn Calvin
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BIA Declines to Fund the Navajo Nation's Higher Education Program for 2021

WINDOW ROCK, Ariz. – The Bureau of Indian Affairs informed the Navajo Nation on Wednesday that it would not enter into an agreement to fund the Navajo Nation's Higher Education Program for 2021 despite the five-year P.L. 93-638 contract already in place.

In a letter sent to the Navajo Nation, BIA Regional Director Bartholomew Stevens wrote, "The BIA NRO [Navajo Regional Office] does not currently have any available funding for the Higher Education Program because the Secretary of the Interior has not received funds for the program. Therefore, the present applicable funding level for the contract is \$0."

The Higher Education Grant Program, which provides federal funding for scholarships to tribes, is administered by the Department of Interior. Through a P.L. 93-638 contract between the Dept. of Interior and the Navajo Nation, the Bureau of Indian Affairs forwards funds to the Office of Navajo Nation Scholarship and Financial Aid (ONNSFA) to provide financial aid and scholarships to Navajo college students.

Rose Graham, ONNSFA director, said the BIA's declination puts funding for scholarships to Navajo students in serious jeopardy. More so this year as federal funds will not be forthcoming from the BIA anytime soon.

On Dec. 16, the ONNSFA requested an advance of \$2.5 million from the Navajo Nation to complete Spring term awards. Ms. Graham said that student awards for the Spring term may be delayed as the ONNSFA seeks additional funds.

Ms. Graham explained that each year, the ONNSFA is forced to request advances from the Navajo Nation to cover Spring term awards due to the fact that the BIA does not provide funds to the Navajo Nation until mid- or late-January.

"We are already challenged to meet a great need," Ms. Graham said. "Each year, thousands of Navajo college students submit applications for scholarships and financial assistance."

In 2019, a total of 13,269 students submitted applications to the ONNSFA. Using available resources, the ONNSFA was able to provide awards to half of all applicants. Federal funds of \$13.4 million comprised more than 53 percent of the total amount available for awards to students in 2019.

“Our office is working with Navajo Nation officials to respond to the BIA’s declination letter,” Ms. Graham said. “We are hoping to resolve the situation so that student awards are not further impacted.”

For the last three years, the Trump Administration proposed to zero out funding for tribal scholarships. Congress rejected the Trump administration's attempts to eliminate the Higher Education Grant Program in 2019 and 2020. However, Congress has yet to pass a budget resolution for Fiscal year 2021.

“This is the first time the BIA declined to enter into an annual funding agreement for the Higher Education Program,” Ms. Graham said. “It’s puzzling as Congress continues to fund all programs even when the federal government is operating on a continuing resolution. I sincerely hope the situation will be addressed soon and Navajo students are not left without financial aid they desperately need.”



United States Department of the Interior

BUREAU OF INDIAN AFFAIRS

Navajo Regional Office

P.O. Box 1060

Gallup, New Mexico 87305

December 16, 2020

CERTIFIED MAIL

Honorable Jonathan Nez
President, Navajo Nation
Post Office Box 7440
Window Rock, Arizona 86515

Dear President Nez:

This letter is in response to the Navajo Nation's (Nation) submission of its Calendar Year (CY) 2021 Successor Annual Funding Agreement (SAFA) for Public Law 93-638 contract Higher Education Program, Contract No. A17AV00096. The Bureau of Indian Affairs, Navajo Regional Office (BIA NRO), has finalized its review of the SAFA in accordance with 25 C.F.R. Part 900, Subparts D and E. As explained more fully below, we decline the Nation's proposed SAFA for Higher Education Program pursuant to 25 C.F.R. § 900.22(d).

The BIA NRO does not currently have any available funding for the Higher Education Program because the Secretary of the Interior has not received funds for the program. Therefore, the present applicable funding level for the contract is \$0. The BIA does not enter into a contract when it has no funding to support the contract. Accordingly, the BIA NRO declines the Nation's CY 2021 SAFA for the Higher Education Program at this time because "the amount of funds proposed under the contract is in excess of the applicable funding level for the contract, as determined under section 5325(a) of this title[.]" (25 U.S.C. § 5321(a)(2)(D); 25 C.F.R. § 900.22(d)).

The BIA NRO will notify the Nation when the funds become available and when the SAFA may be resubmitted. You are hereby advised of your appeal rights as described in 25 CFR §§ 900.31 and 900.152:

Within 30 days of the receipt of this decision, you may request an informal conference under 25 CFR 900.154 to the Interior Board of Indian Appeals (IBIA). Should you decide to appeal this decision, you may request a hearing on the record. An appeal to the IBIA under 25 CFR 900.158 shall be filed with the IBIA by certified mail or by hand-delivery at the following address: Board of Indian Appeals, U.S. Department of the Interior, 801 Quincy Street, Arlington, VA 22203. You shall serve copies of your Notice of Appeal on the Secretary and on the official whose decision is being appealed. You shall certify to the IBIA that you have served these copies.

If you have any questions regarding this declination, please contact Ms. Cheryl Curley, Awarding Official's Technical Representative, at cheryl.curley@bia.gov or Orlinda Platero, Indian Self Determination Officer, at orlinda.platero@bia.gov.

Sincerely,

A handwritten signature in blue ink, appearing to read 'B. Stevens', with a long horizontal flourish extending to the right.

Bartholomew Stevens
Regional Director

cc: Cordell Shortey, Contracting Officer, Contracts and Grants Section, OMB, Navajo Nation
Rose Graham, Department Manager II, Scholarship and Financial Assistance, Navajo Nation
Anna Dause, Senior Accountant, Contract Accounting, Controller, Navajo Nation
Cheryl Curley, AOTR, Tribal Operation's Specialist, Navajo Region, BIA