



UNITED STATES DEPARTMENT OF THE INTERIOR
Bureau of Indian Education
1849 C Street NW, MIB-3610
Washington, DC 20240

June 11, 2024

Dear Tribal Leader:

In accordance with the Johnson-O'Malley Supplemental Indian Education Program Modernization Act of 2018, Public Law 115-404 ("JOM Modernization Act") and its implementing regulations at 25 C.F.R. Part 273, the Bureau of Indian Education (BIE) will begin calculating the annual JOM funding distributions based on the most recent student count of JOM eligible students served by JOM contractors. Previously, an historical JOM student count from 1995 was utilized for the annual JOM distribution. Beginning in FY 2025/SY 2024-2025, the annual distribution of JOM funds will be based upon the actual count of eligible Indian students served in the previous academic year, as reported by each JOM contractor (tribe/school). Therefore, the FY 2024/SY 2023-2024 Student Count Report will determine the JOM funding distribution for FY 2025/SY 2024-2025. Note: The Student Count Report includes data responding to the first three enumerated requirements of the Annual Report mandate to JOM contractors, as provided in 25 C.F.R. § 273.151.

Also, as provided in 25 C.F.R. § 273.154, "any existing contracting party that fails to submit the annual report will receive no amounts under this Act for the fiscal year following the academic year for which the annual report should have been submitted." This means if BIE doesn't receive a JOM contractor's SY 2023-2024 Student Count Report on or before the regulatory deadline (September 15, 2024) for the Annual Report, as provided in 25 C.F.R. § 273.152, that JOM contractor **will not receive** a JOM distribution for FY2025/SY 2024-2025. NOTE: Since September 15, 2024 is a Sunday, the deadline date for the FY2024/SY 2023-2024 JOM Student Count Report will be extended to September 16, 2024.

All existing JOM contractor staff received notification of this action in a September 28, 2023 memorandum from the Sovereignty in Indian Education Program Manager to all JOM Program Contractors ("September 28 Notice"). Attachment A In addition, the JOM contractors received at that time the template for the SY 2023-2024 JOM Student Count Report, instructions on completing the report, and guidance on how to access technical assistance and training to complete the report.

In addition, beginning in FY25, and to comply with the JOM student count provisions of the JOM Modernization Act, JOM funding will no longer be included in a tribe's TPA base, but will instead be transitioned to a formula-funded program. As outlined above, the annual JOM funding distribution will be based on the previous academic year's JOM student count report, so the distribution amounts can/will change each year based on each contractor's JOM student count.

We encourage all Tribal Leaders to contact their JOM staff to ensure they are adhering to the JOM student count requirements and instructions they received in the September 28 Notice, and are fully aware of the September 16, 2024 regulatory deadline for submission of their SY 2023-2024 JOM Student Count Report - as part of the Annual Report required by the JOM Modernization Act and Part 273- to receive JOM funding in FY25/ SY 2024-2025.

Should you have any questions regarding this letter, please contact Spike Bighorn, Program Manager for BIE's Office of Sovereignty in Indian Education (SIE), at spike.bighorn@bie.edu.

Sincerely,

A handwritten signature in black ink, appearing to read "Tony L. Dearman", with a stylized flourish at the end.

Tony L. Dearman, Director

Attachment