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LEGISLATION SIGNED BY PRESIDENT TRUMP PROVIDES KEY PROVISIONS FOR BIA AND BIE
SCHOOLS ACROSS INDIAN COUNTRY

Washington, D.C. - On Sunday, December 27, 2020, President Donald J. Trump signed H.R. 133, Consolidated Appropriations Act of 2021, into law. As a result, the President averted a government shutdown and authorized billions of dollars in coronavirus relief aid Americans urgently need.

H.R. 133 was originally introduced as the United States-Mexico Economic Partnership Act, which passed the House and Senate in early 2020. But in late 2020, the bill became the vehicle for passage of the Consolidated Appropriations Act of 2021, a major government funding bill, which also included economic stimulus provisions due to the COVID-19 pandemic. The original United States-Mexico Economic Partnership Act text was retained in Title XIX and passed along with the rest of the revised bill. It is believed to be the fifth longest bill to be passed by Congress in the history of the country.

The 5,593-page Act provides \$1.4 trillion dollars in federal spending, including \$900 billion in its "Coronavirus Response and Relief Supplemental Appropriations Act, 2021," to fund the federal government through October 1, 2021.

In a release synthesized by the Navajo Nation Washington Office, the bill rewards the leadership and determination of the Navajo Nation by authorizing Navajo Nation's highest legislative priorities:

- A CARES coronavirus relief fund deadline extension to December 31, 2021.
- Authorization of the Navajo Utah Water Rights Settlement Act.
- Reauthorization of the Special Diabetes Program for Indians for the next three years.
- Continued funding, without recissions, of the Office of Navajo Hopi Indian Relocation.

In addition, this legislation provides key provisions to Native schools and other necessities for which leaders have been advocating, including:

- Additional funds for the Bureau of Indian Education (BIE) to upgrade technology at BIE schools.
- Extends access to Federal Employee Health Benefits (FEHB) and Federal Employees Group Life Insurance (FEGLI) to BIE "297" grant schools, bringing them into parity with federally operated BIE schools and BIE schools operated by Tribes through "638" contracts.
- \$7 billion to increase access to broadband Internet, including a new Emergency Broadband Benefit that Democrats say will help millions of students' families and unemployed workers afford the broadband they need during the pandemic.
- \$25 billion to help families pay their rent, and it extends the eviction moratorium now in effect until January 31.
- \$13 billion for the Supplemental Nutrition Assistance Program.
- \$10 billion for childcare centers to help providers safely reopen.
- \$68 billion to purchase and distribute COVID-19 vaccines and help states conduct testing. A Republican summary states \$20 billion of that funding will make the vaccine available at no cost for anybody needing it.

- \$8 billion relief fund at the Department of Treasury for Tribal governments and Tribally owned entities of those governments to use for expenditures incurred due to the COVID-19 public health emergency in the face of revenue declines.

The measure contains \$82 billion in funding for schools and universities to assist with reopening, including, according to a Republican summary, \$2.75 billion for private K-12 education.

The measure allotted \$3.5 billion for the Bureau of Indian Affairs (BIA) and BIE. Within this amount, Contract Support Costs are fully funded, and an indefinite appropriations account is established for tribal lease payments. An additional \$14 million is provided for public safety and justice programs, including increased funding for missing and murdered indigenous women activities and P.L. 280 states.

Further, the measure authorizes the Department of Education to waive provisions of the Elementary and Secondary Education Act, except civil rights laws, that are necessary and appropriate due to the COVID 19 declaration of disaster for all BIE schools, including Tribal 638 contract schools and Tribal 297 grant schools.

Of the total amount, BIE received \$973 million for the operation of Indian education programs for the following non-exhaustive list:

- \$728.8 million for school operation costs of Bureau-funded schools.
- \$264 million for tribal education infrastructure, including \$15 million for facilities for tribal colleges and universities in New Mexico and around the country.
- \$95 million for infrastructure at BIA provided by the Great American Outdoors Act.
- An increase of \$5 million in new funding—a 50% increase, for upgrades to technology in BIA schools.
- \$200+ million for response needs at BIE-funded schools, including staffing, transportation, telework, and cleaning activities and assistance for tribal colleges and universities across the country to help respond to the crisis.

BIA received \$1.6 billion for the operation of Indian Programs for the following non-exhaustive list:

- \$78 million for welfare assistance payments.
- \$58.4 million for housing improvement, road maintenance, attorney fees, litigation support, land records improvement, and the Navajo Hopi Settlement Program.
- \$128.8 million for construction, repair, improvement, and maintenance of irrigation and power systems, buildings, utilities, and other facilities including the Navajo Indian Irrigation Project.
- \$100 million to the program that provides USDA commodity foods to low-income households, including the elderly, living on Indian reservations.

Another \$1.7 million was provided in new funding within BIA and National Park Service for Indian Youth Service Corps along with an additional \$500,000 to implement the Native American Incubators Act.

Other appropriations in the funding include the following:

- \$69 million for BIE schools, including \$20 million minimum for Tribal Colleges and Universities.
- \$154 million for programs operated or funded by BIE in Ed Stabilization funding.

- American Indians and Alaska Native students will get the same benefits as all other students with fed loans.
- \$50 million for Institute of Museum and Library Services (includes Tribal grantees) to “expand digital network access, purchase internet accessible devices, and provide technical services”.
- \$900 million Low Income Home Energy Assistance Program (LIHEAP) supplement for all eligible households, including those covered by Tribal LIHEAP.
- \$96 million for Indian Child Care Development Block Grant for COVID-19 costs and to provide childcare services for health care and emergency workers.
- \$300 million for Native housing and community development.
- \$25 million for Distance Learning and Telemedicine Program.