

Amendment to Memorandum of Agreement Between
THE U.S. DEPARTMENT OF EDUCATION (ED)
And
THE U.S. DEPARTMENT OF THE INTERIOR (DOI)- BUREAU OF INDIAN EDUCATION (BIE)

I. Purpose and Objective

This agreement amends the Memorandum of Agreement entered by DOI and ED on December 12, 2012 (2012 MOA), and governs the distribution and use of funds transferred from ED to the BIE under the Elementary Secondary Education Act (ESEA)¹ and the McKinney-Vento Homeless Assistance Act of 1987 pursuant to section 8204(a)(2) of the ESEA. The 2012 MOA has been updated only to reflect changes to the ESEA made by the Every Student Succeeds Act (ESSA) and that updated version is attached to this MOA and incorporated by reference. The signatories to this document agree to abide by the provisions of the revised 2012 MOA as attached.

II. Authority

This Amendment is entered under the authority of 20 U.S.C. 3475.

III. Responsibilities

In addition to the responsibilities of ED and BIE under the 2012 MOA, BIE will complete the negotiated rulemaking required in ESEA section 8204(c) in time for new BIE regulations to be effective for school year 2018-2019. To that end, BIE agrees that, by October 2, 2017, it will have:

- A. Submitted to the White House for vetting those individuals nominated and identified as meeting all requirements for membership on the committee.
- B. Developed a detailed timeline for completion of negotiated rulemaking by the 2018-2019 school year.

ED may take action if BIE does not meet these responsibilities, including withholding part or all of the State administration portion of Title I, Part A funds.

IV. Effective Date and Applicable Period

- A. This Amendment shall take effect upon signing, and governs the use of funds for fiscal year (FY) 2017.
- B. This Amendment may be modified at any time by agreement of both parties.
- C. This Amendment shall remain in effect until BIE and ED enter a new Memorandum of Agreement consistent with section 8204(a)(2) of the ESEA, through consultation with Indian Tribes, to govern the distribution and use of the ESEA and McKinney-Vento Homeless Assistance Act program funds.

¹ Hereafter, unless otherwise noted, all references to the ESEA refer to the ESEA, as amended by ESSA, and all section references refer to sections under the ESEA, as amended by ESSA.

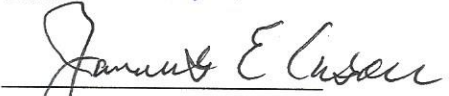
V. Agency Approvals



Acting Assistant Secretary for Elementary and Secondary Education

U.S. Department of Education

Date: 7/10/17



Associate Deputy Secretary

U.S. Department of the Interior

Date:

7/7/17