



NATIONAL INDIAN EDUCATION ASSOCIATION

Fact Sheet: Inter-Agency Agreement Between the Department of Education and Department of the Interior to Transfer Native Education Programs

Overview

On March 18, 2025, the White House and Secretary of Education, Linda McMahon [announced the Department of Education \(ED\) signed six Inter-Agency Agreements to transfer the administration of programs](#) across Elementary and Secondary Education as well as Postsecondary Education. These transfer of programs include Native American Programs transferring to the Department of Interior (DOI), including Title VI, Native Languages, Alaska Native and Native Hawaiian Education, and Tribal College-related programs. The agreements do not affect funding levels for impacted programs but do transfer congressionally appropriated funds from ED to the respective federal agencies to cover the costs of the programs being transferred. These agreements became effective on September 30, 2025, and will remain in place until terminated by the respective agencies. NIEA is monitoring these transfers closely and will provide additional updates as they become available. This fact sheet provides an analysis of the available details.

Authority of Transfer

The ED-DOI partnership utilizes an Interagency Agreement (IAA), authorized under the Economy Act at 31 U.S.C. § 1535. The Secretary of Education is authorized to enter into agreements with other Federal agencies to jointly carry out projects of common interests and transfer funds to such federal agencies. All programs will continue to be administered in accordance with the applicable statutory requirements.

Purpose of Transfer

The transfer is consistent with the policy priorities of the Administration in [Executive Order No. 14242](#), Improving Education Outcomes by Empowering Parents, States, and Communities, and [Executive Order No. 14278](#), Preparing Americans for High-Paying Skilled Trade Jobs of the Future. It is the Administrations intent to; (1) enable administrative reforms to agency policies and programmatic requirements; (2) provides process improvements to enhance the experience for education and workforce program participants; and (3) connects ED education and workforce development programs with DOL workforce programs to provide a coordinated federal education and workforce system.

Role of the Department of the Interior

- DOI will manage competitions, provide technical assistance, and integrate ED's Indian Education programs with the suite of Native-serving programs DOI already administers including by:
 - Execution of monitoring visits to ensure compliance;
 - Providing technical assistance to discretionary grantees;

- Ensuring improvement of systems via high-quality data and accountability systems and quality assurance measures;
- Providing technical assistance to ED staff;
- Managing and coordinating contracts, procurements, grants, and program administration;
- Coordination and management of physical and IT property;
- Monitoring of drawdowns to ensuring no lapses in funding; and
- Providing technical and program improvement assistance to National, State, local, and tribal education systems, programs, and organizations and on the execution of national leadership functions in American Indian education.
- States and grantees should continue to remain in contact with their respective ED and DOI programmatic staff. Announcements on any additional process-related transitions will be made available through known channels of communication via ED and DOI programmatic staff.

DOI will take an administrative role over the following Native Education Programs;

- Native Education programs funded by the *Elementary and Secondary Education Act* as amended, including *Title VI*;
- Tribally Controlled Colleges and Universities under the *Higher Education Act*;
- Tribally Controlled Postsecondary Career and Technical Education (CTE) programs funded by the *Strengthening Career and Technical Education for the 21st Century Act (Perkins V)*; and;
- Vocational rehabilitation programs serving Native American individuals with disabilities funded under the *Rehabilitation Act of 1973*, as amended;
- Full list of programs and grants can be found below.

Role of the Department of Labor

- The DOL will administer select elementary and secondary education programs funded under the Elementary and Secondary Education Act, as amended. These enumerated programs are currently managed by ED's Office of Elementary and Secondary Education (OESE).
- DOL will manage competitions, provide technical assistance, and integrate ED's programs with the suite of employment and training programs DOL already administers, including by:
 - Execution of monitoring visits to ensure compliance;
 - Engaging, developing, and inspiring a high-performing workforce informed by high-quality data and accountability systems and quality assurance measures;
 - Providing technical assistance to OESE staff;
 - Managing and coordinating contracts, procurements, grants, and program administration;
 - Monitoring of States' drawdowns of funds to help ensure that grant funds do not lapse; and
 - Providing technical and program improvement assistance to National, State, and local education systems, programs, and organizations and on the execution of national leadership functions in elementary and secondary education.
- States and grantees should continue to remain in contact with their respective OESE and DOL programmatic staff. Announcements on any additional process-related

transitions will be made available through known channels of communication via OESE and DOL programmatic staff.

DOL will take an administrative role over the following Programs;

- Title I, Part A: Improving Basic Programs Operated by Local Educational Agencies
- Title I, Part B: Improving Academic Achievement of the Disadvantaged—State
- Assessment Grants
- Title I, Part C: Education of Migratory Children
- Title I, Part D: Prevention and Intervention Programs for Children and Youth Who are Neglected, Delinquent or At-Risk
- Title II, Part A: Supporting Effective Instruction State Grants
- Title III, Part A: English Language Acquisition State Grants
- Title IV, Part A, Student Support and Academic Enrichment (SSAE)
- Title IV, Part B 21st Century Community Learning Centers
- Title V Small, Rural School Achievement and Rural and Low-Income School
- Programs
- Impact Aid
- Education for Homeless Children and Youths
- Republic of Palau Grant
- Consolidated Grants to the Insular Areas
- Full list of programs and grants can be found below.

Role of the Department of Education

- ED will maintain all statutory responsibilities, including policymaking authority, and will continue its oversight of these programs;
- ED will maintain management and coordination of human resource/capital services, including hiring, awards and recognition, employee engagement, workforce and succession planning, performance management, training and development for employees;
- Execution of budget formulation, execution, and resource allocation activities, including formulation of administrative budget requests and justifications for discretionary funding, salaries and staffing allocations, payroll, and spending, and acquisition plans related to programs in partnership with DOI & DOL;
- Issuance of annual grant awards pursuant to applicable statutory authority and applicable Education Department General Administrative Regulations; and
- Resolution of matters requiring the exercise of final and conclusive authority that has been assigned by statute to the Secretary of Education.

NIEA will continue to monitor the implementation of these program transfers. It is NIEA's position that programs directly serving Native students, as outlined in statute, must be protected during any structural changes to federal agencies. NIEA continues to advocate for formal government-to-government consultation with Tribes to ensure that Native voices are heard and considered throughout the process.

For any questions, please contact Julia Wakeford, Federal Policy Director, at JWakeford@niea.org

TRANSFERS TO THE DEPARTMENT OF INTERIOR		
Program as listed	Authorizer	Authorizing Statute
K-12 Education		
American Indian Education Formula Grants	ESEA Title VI (Part A, Subpart 1)	20 U.S.C. § 7421-7429
National Activities	ESEA Title VI (Part A, Subpart 3)	20 U.S.C. § 7451 et seq.
Native Hawaiian Education	ESEA Title VI (Part B)	20 U.S.C. §§ 7511-7517
Alaska Native Education	ESEA Title VI (Part C)	20 U.S.C. §§ 7541-7546
Native American and Alaska Native Children in School (English Language Acquisition Grants)	ESEA Title III	20 U.S.C. § 6822
Postsecondary Education		
Tribally Controlled Colleges and Universities	HEA Title III (Part A)	20 U.S.C. § 1059c
Alaska Native-serving and Native Hawaiian-serving institutions	HEA Title III (Part A)	20 U.S.C. § 1059d
Native American-serving, nontribal institutions	HEA Title III (Part A)	20 USC § 1059f
Asian American and Native American Pacific Islander-serving institutions	HEA Title III (Part A)	20 U.S.C. § 1059g
Tribally Controlled Colleges and Universities	HEA Title III (Part F)	20 U.S.C. § 1067q
Alaska Native-serving and Native Hawaiian-serving institutions	HEA Title III (Part F)	20 U.S.C. § 1067q
Native American-serving, nontribal institutions	HEA Title III (Part F)	20 U.S.C. § 1067q
Asian American and Native American Pacific Islander-serving institutions	HEA Title III (Part F)	20 U.S.C. § 1067q
Career and Technical Education		
Native American Career and Technical Education Program	Perkins Act Title I (Part A)	20 U.S.C. § 2326
Native Hawaiian Career and Technical Education Program	Perkins Act Title I (Part A)	20 U.S.C. § 2326
Tribally Controlled Postsecondary Career and Technical Institutions Program	Perkins Act Title I (Part A)	20 U.S.C. § 2327
American Indian Vocational Rehabilitation Services	Rehabilitation Act of 1973	29 USC § 741
Research		
American Indian education-related Research and Development Infrastructure Grant	HEA Title VII (Part B)	20 U.S.C. §§ 1138–1138d
National Indian Education Study	ESEA Title VI (Part A - Subpart 3)	20 USC § 7451 et seq.
Special Education		
American Indian education-related Special Education Grants to States	IDEA (Part B)	20 USC § 1411
American Indian education-related Special Education Grants to States - Preschool	IDEA (Part B)	20 USC § 1419
American Indian education-related Special Education Grants for Infants and Families	IDEA (Part C)	20 USC § 1431 et seq.
Professional Development		
Indian Education Professional Development Grant	ESEA Title VI (Part A - Subpart 2)	20 U.S.C. § 7442
Demonstration Grants	ESEA Title VI (Part A - Subpart 2)	20 U.S.C. § 7441

Tribal Education Departments		
State-Tribal Education Partnership	ESEA Title VI (Part A, Subpart 3)	20 U.S.C. § 7452
American Indian Resilience in Education	American Rescue Plan	
Native Languages		
Native American and Alaska Native Language Program	ESEA Title VI (Part A, Subpart 3)	20 U.S.C. § 7453 20 U.S.C. §§ 7451, 7457; 25 U.S.C. § 2901 et seq.
Native American Language Resource Centers	ESEA Title VI (Part A, Subpart 3)	

TRANSFERS TO THE DEPARTMENT OF LABOR (K-12)			
Program as listed	Authorizer	Authorizing Statute	Notes
Improving Academic Achievement of the Disadvantaged	ESEA Title I	20 U.S.C. § 6301 et seq.	BIE Schools Eligible
Improving Basic Programs Operated by Local Educational Agencies	ESEA Title I (Part A)	20 U.S.C. §§ 6311-6339	
Improving Academic Achievement of the Disadvantaged—State Assessment Grants	ESEA Title I (Part A)	20 U.S.C. § 6361 et seq.	
Republic of Palau Grant	ESEA Title I (Part A)	48 U.S.C. § 1988 and 20 U.S.C. § 6311	BIE Schools Eligible
Consolidated Grants to the Insular Areas	ESEA Title I (Part A)	48 U.S.C. § 1469	
Education of Migratory Children	ESEA Title I (Part C)	20 U.S.C. § 6392	
Migrant Education Consortium Incentive Grants	ESEA Title I (Part C)	20 U.S.C. § 6398	
Prevention and Intervention Programs for Children and Youth Who are Neglected, Delinquent or At-Risk	ESEA Title I (Part D)	20 U.S.C. § 6421	
Supporting Effective Instruction State Grants	ESEA Title II (Part A)	20 U.S.C. § 6611 et seq.	BIE Schools Eligible
Supporting Effective Educator Development	ESEA Title II (Part A)	20 U.S.C. § 6672	BIE Schools Eligible
Teacher and School Leader Incentive	ESEA Title II (Part A)	20 U.S.C. § 6631 et seq.	BIE Schools Eligible
Teacher Quality Partnership Grant	ESEA Title II (Part A)	20 U.S.C. § 1022a	BIE Schools Eligible
Comprehensive Literacy State Development Grants	ESEA Title II (Part B)	20 U.S.C. § 6642	
Innovative Approaches to Literacy	ESEA Title II (Part B)	20 U.S.C. § 6646	
American History and Civics Academies and National programs	ESEA Title II (Part B)	20 U.S.C. § 6662	

English Language Acquisition State Grants	ESEA Title III (Part A)	20 U.S.C. § 6801 et seq.	
Student Support and Academic Enrichment (SSAE)	ESEA Title IV (Part A)	20 U.S.C. § 7111 et seq.	BIE Schools Eligible
21 st Century Community Learning Centers	ESEA Title IV (Part B)	20 U.S.C. §§ 7171-7176	BIE Schools Eligible
Charter Schools Program—State Entity Grant	ESEA Title IV (Part C)	20 U.S.C. §§ 7221-7221(j)	
Charter Schools Program—Charter Management Organizations Grant	ESEA Title IV (Part C)	20 U.S.C. §§ 7221-7221(j)	
Charter School Programs—Credit Enhancement Grant	ESEA Title IV (Part C)	20 U.S.C. § 7221(c)	
Charter School Programs—State Charter School Facilities Incentive Grant	ESEA Title IV (Part C)	20 U.S.C. § 7221(c)	
Charter School Programs—Developer Grant	ESEA Title IV (Part C)	20 U.S.C. §§ 7221-7221(j)	
Magnet Schools Assistance	ESEA Title IV (Part D)	20 U.S. Code § 7231(b)	
Statewide Family Engagement Centers	ESEA Title IV (Part E)	20 U.S.C. § 7242	
Assistance for Arts Education Grant	ESEA Title IV (Part F)	20 U.S.C. § 7292	
Ready to Learn Programming Grant	ESEA Title IV (Part F)	20 U.S.C. § 7293	
Promise Neighborhoods	ESEA Title IV (Part F)	20 U.S.C. § 7273	Tribes Eligible
Full-Service Community Schools	ESEA Title IV (Part F)	20 U.S.C. § 7273	Tribal Communities in Schools
Small, Rural School Achievement	ESEA Title V (Part B)	20 U.S.C. § 7345(a)	
Rural and Low Income School	ESEA Title V (Part B)	20 U.S.C. § 7351 et seq.	
Impact Aid Section 7002 - Payments for Federal Property	ESEA Title VII	20 U.S.C. § 7701-7713	Federally Impacted Indian Children
Impact Aid Section 7003 - Payments for Federally Connected Children	ESEA Title VII	20 U.S.C. § 7701-7713	Federally Impacted Indian Children
Impact Aid Section 7007(b) - Competitive Construction Grants	ESEA Title VII	20 U.S.C. § 7701-7713	Federally Impacted Indian Children
Impact Aid Section 7008 - Facilities Maintenance	ESEA Title VII	20 U.S.C. § 7701-7713	Federally Impacted Indian Children
Education for Homeless Children and Youths	ESEA Title IX (Part A)	42 U.S.C. § 11431-11435	BIE Schools Eligible
Preschool Development Grant	ESEA Title IX (Part B)	20 U.S.C. § 6301 et seq.	
DC Scholarships for Opportunity and Results (SOAR) Act		DC Code 38-1853.04	
Congressionally Funded Community Projects			

**Other programs which are Tribal eligible, or impact Tribal communities, continue to be tracked.