

114TH CONGRESS
1ST SESSION

H. R. 851

To amend the Elementary and Secondary Education Act of 1965 to adjust funding levels for certain outlying areas.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 10, 2015

Mr. SABLAN introduced the following bill; which was referred to the Committee on Education and the Workforce

A BILL

To amend the Elementary and Secondary Education Act of 1965 to adjust funding levels for certain outlying areas.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. GRANTS FOR THE SECRETARY OF THE INTE-**

4 **RIOR.**

5 (a) IN GENERAL.—Section 1121 of the Elementary
6 and Secondary Education Act of 1965 (20 U.S.C. 6331)
7 is amended—

8 (1) in the section heading, by striking “**THE**
9 **OUTLYING AREAS AND**”;

1 (2) by amending subsection (a) to read as fol-
2 lows:

3 “(a) RESERVATION OF FUNDS.—

4 “(1) IN GENERAL.—From the amount appro-
5 priated for payments to States for any fiscal year
6 under sections 1002(a) and 1125A(f), the Secretary
7 shall reserve—

8 “(A) for each fiscal year until the fiscal
9 year described in paragraph (2), .67 percent to
10 provide assistance to the Secretary of the Inte-
11 rior in the amount necessary to make payments
12 pursuant to subsection (b); and

13 “(B) for the fiscal year described in para-
14 graph (2) and each succeeding fiscal year, 0.75
15 percent to provide assistance to the Secretary of
16 the Interior in the amount necessary to make
17 payments pursuant to such subsection.

18 “(2) DESCRIPTION OF FISCAL YEAR.—A fiscal
19 year described in this paragraph is a fiscal year for
20 which the total amount allocated under this part for
21 each State, after reserving funds in accordance with
22 paragraph (1)(B), would be an amount that is not
23 less than the total amount allocated under this part
24 for such State for fiscal year 2015.”;

25 (3) by striking subsections (b) and (c);

1 (4) by redesignating subsection (d) as sub-
2 section (b); and

3 (5) in subsection (b), as so redesignated—

4 (A) by amending paragraph (1) to read as
5 follows:

6 “(1) IN GENERAL.—The amount allotted for
7 payments to the Secretary of the Interior under sub-
8 section (a) for any fiscal year shall be used to meet
9 the special educational needs of—

10 “(A) Indian children on reservations served
11 by elementary schools and secondary schools for
12 Indian children operated or supported by the
13 Department of the Interior; and

14 “(B) out-of-State Indian children in ele-
15 mentary schools and secondary schools in local
16 educational agencies under special contracts
17 with the Department of the Interior.”; and

18 (B) in paragraph (2), by striking “sub-
19 section (a)(2)” and inserting “subsection (a)”.

20 (b) CONFORMING AMENDMENTS.—The Elementary
21 and Secondary Education Act of 1965 (20 U.S.C. 6301
22 et seq.) is amended—

23 (1) in paragraph (30) of section 9101, by strik-
24 ing “section 1121(b) and any other” and inserting
25 “any”; and

1 (2) in paragraph (2)(B)(i), of section 5477, by
2 striking “eligible under section 1121(d)(1)(A)” and
3 inserting “eligible under section 1121(b)(1)(A)”.

4 **SEC. 2. ALLOCATIONS TO STATES.**

5 Section 1122 of the Elementary and Secondary Edu-
6 cation Act of 1965 (20 U.S.C. 6332) is amended by strik-
7 ing subsection (e).

8 **SEC. 3. BASIC GRANTS TO LOCAL EDUCATIONAL AGENCIES.**

9 Section 1124(d) of the Elementary and Secondary
10 Education Act of 1965 (20 U.S.C. 6333(d)) is amended—

11 (1) in paragraph (2), by redesignating subpara-
12 graphs (A) and (B) as clauses (i) and (ii), respec-
13 tively, and indenting appropriately;

14 (2) by redesignating paragraphs (1) and (2) as
15 subparagraphs (A) and (B), respectively, and indent-
16 ing appropriately;

17 (3) by striking “Notwithstanding section 1122”
18 and inserting the following:

19 “(1) IN GENERAL.—Notwithstanding section
20 1122 and except as provided in paragraph (2)”;

21 (4) in paragraph (1)(B)(i) (as so redesignated),
22 by striking “calculated in paragraph (1)” and insert-
23 ing “calculated in subparagraph (A)”;

24 (5) by adding at the end the following new
25 paragraph:

1 “(2) EXCEPTION.—American Samoa, Guam,
2 the Commonwealth of the Northern Mariana Is-
3 lands, and the United States Virgin Islands shall
4 each receive one-half of the lesser of the amounts
5 calculated for each such jurisdiction under subpara-
6 graphs (A) and (B) of paragraph (1).”.

7 **SEC. 4. CONCENTRATION GRANTS TO LOCAL EDUCATIONAL**
8 **AGENCIES.**

9 Section 1124A(a)(1)(B) of the Elementary and Sec-
10 ondary Education Act of 1965 (20 U.S.C. 6334(a)(1)(B))
11 is amended—

12 (1) by inserting “STATE MINIMUM.—” after the
13 subparagraph enumerator;

14 (2) in clause (ii)—

15 (A) in subclause (II), by redesignating
16 items (aa) and (bb) as subitems (AA) and
17 (BB), respectively, and indenting appropriately;
18 and

19 (B) by redesignating subclauses (I) and
20 (II) as items (aa) and (bb), respectively, and in-
21 denting appropriately;

22 (3) by redesignating clauses (i) and (ii) as sub-
23 clauses (I) and (II), respectively, and indenting ap-
24 propriately;

1 (4) by striking “Notwithstanding section 1122”
2 and inserting the following:

3 “(i) IN GENERAL.—Notwithstanding
4 section 1122 and except as provided in
5 clause (ii)”;

6 (5) in clause (i)(II)(aa) (as so redesignated) by
7 striking “calculated under clause (i)” and inserting
8 “calculated under subclause (I)”;

9 (6) by adding at the end the following new
10 clause:

11 “(ii) EXCEPTION.—American Samoa,
12 Guam, the Commonwealth of the Northern
13 Mariana Islands, and the United States
14 Virgin Islands shall each receive one-half
15 of the lesser of the amounts calculated for
16 each such jurisdiction under subclauses (I)
17 and (II) of clause (i).”.

18 **SEC. 5. TARGETED GRANTS TO LOCAL EDUCATIONAL**
19 **AGENCIES.**

20 Section 1125(e) of the Elementary and Secondary
21 Education Act of 1965 (20 U.S.C. 6335(e)) is amended—

22 (1) in paragraph (2), by redesignating subpara-
23 graphs (A) and (B) as clauses (i) and (ii), respec-
24 tively, and indenting appropriately;

1 (2) by redesignating paragraphs (1) and (2) as
2 subparagraphs (A) and (B), respectively, and indent-
3 ing appropriately;

4 (3) by striking “Notwithstanding any other pro-
5 vision of this section or section 1122” and inserting
6 the following:

7 “(1) IN GENERAL.—Notwithstanding section
8 1122 and except as provided in paragraph (2)”; and

9 (4) by adding at the end the following new
10 paragraph:

11 “(2) EXCEPTION.—American Samoa, Guam,
12 the Commonwealth of the Northern Mariana Is-
13 lands, and the United States Virgin Islands shall
14 each receive one-half of the lesser of the amounts
15 calculated for each such jurisdiction under subpara-
16 graphs (A) and (B) of paragraph (1).”.

17 **SEC. 6. EDUCATION FINANCE INCENTIVE GRANT PROGRAM.**

18 Section 1125A(b) of the Elementary and Secondary
19 Education Act of 1965 (20 U.S.C. 6337(b)) is amended—

20 (1) in paragraph (1)(B)—

21 (A) in clause (ii), by redesignating sub-
22 clauses (I) and (II) as items (aa) and (bb), re-
23 spectively, and indenting appropriately;

1 (B) by redesignating clauses (i) and (ii) as
2 subclauses (I) and (II), respectively, and in-
3 denting appropriately;

4 (C) by striking “Notwithstanding any
5 other provision of this section or section 1122”
6 and inserting the following:

7 “(i) IN GENERAL.—Notwithstanding
8 section 1122 and except as provided in
9 clause (ii)”;

10 (D) by adding at the end the following new
11 clause:

12 “(ii) EXCEPTION.—American Samoa,
13 Guam, the Commonwealth of the Northern
14 Mariana Islands, and the United States
15 Virgin Islands shall each receive one-half
16 of the lesser of the amounts calculated for
17 each such jurisdiction under subclauses (I)
18 and (II) of clause (i).”;

19 (2) in paragraph (2)(B)—

20 (A) in the subparagraph heading, by in-
21 serting “AND CERTAIN OUTLYING AREAS” be-
22 fore the period at the end; and

23 (B) by adding after “Commonwealth of
24 Puerto Rico” the following: “, American
25 Samoa, Guam, the Commonwealth of the

1 Northern Mariana Islands, and the United
2 States Virgin Islands”.

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