

119TH CONGRESS
2D SESSION

H. R. 9973

To improve the Indian School Equalization Formula and Indian School Equalization Program of the Bureau of Indian Education, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 27, 2026

Ms. STANSBURY introduced the following bill; which was referred to the
Committee on Education and Workforce

A BILL

To improve the Indian School Equalization Formula and Indian School Equalization Program of the Bureau of Indian Education, and for other purposes.

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. SHORT TITLE.**

4 This Act may be cited as the “Indigenous Students
5 Excel through Parity Act of 2026 (II)”.

6 **SEC. 2. DEFINITIONS.**

7 In this Act:

1 (1) ASSISTANT SECRETARY.—The term “Assist-
2 ant Secretary” means the Assistant Secretary for
3 Indian Affairs.

4 (2) INDIAN SCHOOL EQUALIZATION FOR-
5 MULA.—The term “Indian School Equalization For-
6 mula” means the Indian School Equalization For-
7 mula described in subparts B and C of part 39 of
8 title 25, Code of Federal Regulations (or successor
9 regulations).

10 (3) INDIAN SCHOOL EQUALIZATION PRO-
11 GRAM.—The term “Indian School Equalization Pro-
12 gram” means the Indian School Equalization Pro-
13 gram described in part 39 of title 25, Code of Fed-
14 eral Regulations (or successor regulations).

15 (4) INDIAN TRIBE.—The term “Indian Tribe”
16 means any Indian or Alaska Native Tribe, band, na-
17 tion, pueblo, village, or other community included on
18 the list published by the Secretary pursuant to sec-
19 tion 104 of the Federally Recognized Indian Tribe
20 List Act of 1994 (25 U.S.C. 5131).

21 (5) SECRETARY.—The term “Secretary” means
22 the Secretary of the Interior.

23 **SEC. 3. INDIAN SCHOOL EQUALIZATION FORMULA.**

24 (a) UPDATE.—

1 (1) IN GENERAL.—Not later than 1 year after
2 the date of enactment of this Act, and in accordance
3 with paragraph (3), the Secretary, in coordination
4 with the Assistant Secretary and the Director of the
5 Bureau of Indian Education, shall update the Indian
6 School Equalization Formula, including by com-
7 pleting the process of developing alternative methods
8 for the equitable distribution of the Indian School
9 Equalization Formula, with consideration given to
10 the factors described in paragraph (2).

11 (2) FACTORS DESCRIBED.—The factors referred
12 to in paragraph (1), are the following:

13 (A) Ensuring that the Indian School
14 Equalization Formula provides sufficient fund-
15 ing to adequately fund schools operated by the
16 Bureau of Indian Education.

17 (B) Average State-by-State salaries for
18 school teachers, principals, other leadership po-
19 sitions, and all school staff at schools not oper-
20 ated by the Bureau of Indian Education, with
21 consideration given to matching the highest
22 quartile of those salaries.

23 (3) REQUIREMENTS.—In updating the Indian
24 School Equalization Formula under paragraph (1),
25 the Secretary shall—

1 (A) ensure the updated Indian School
2 Equalization Formula provides sufficient fund-
3 ing to fully support salaries for all employees at
4 a rate commensurate with paragraph (2)(B);

5 (B) consider the weights or ratios related
6 to—

7 (i) schools controlled by Indian
8 Tribes;

9 (ii) schools with fewer than 100 stu-
10 dents; and

11 (iii) schools located in rural areas; and

12 (C) ensure that Havasupai Elementary
13 School is awarded an additional cost factor of
14 12.5 Weighted Student Unit (as defined in sec-
15 tion 39.2 of title 25, Code of Federal Regula-
16 tions (or successor regulations)).

17 (b) REPORT.—The Secretary, in coordination with
18 the Assistant Secretary and the Director of the Bureau
19 of Indian Education, and in consultation with national or-
20 ganizations representing Indian Tribes and students at-
21 tending Bureau of Indian Education schools, shall submit
22 to Congress a report describing—

23 (1) the adequacy of the Indian School Equali-
24 zation Formula and the Indian School Equalization
25 Program in fulfilling the needs of Bureau of Indian

1 Education schools and schools controlled by Indian
2 Tribes; and

3 (2) recommendations for increasing or modi-
4 fying factors to improve the Indian School Equali-
5 zation Formula.

6 **SEC. 4. ESTABLISHING PER-PUPIL PARITY FOR INDIAN**
7 **STUDENTS.**

8 (a) **AUTHORITY TO REQUEST FUNDING.**—Subject to
9 subsection (b), not later than the first fiscal year begin-
10 ning after the date on which the Indian School Equali-
11 zation Formula is updated under section 4(a), and every
12 fiscal year thereafter, the Assistant Secretary shall ensure
13 that the budget of the United States submitted by the
14 President under section 1105 of title 31, United States
15 Code, requests full funding for the operation and mainte-
16 nance of the Indian School Equalization Program.

17 (b) **REQUIREMENTS.**—In determining the amount
18 necessary for full funding for operation and maintenance
19 for the Indian School Equalization Program under sub-
20 section (a), the Assistant Secretary shall—

21 (1) use the Indian School Equalization Formula
22 updated under section 4(a);
23 (2) consider and consult the most recent annual
24 report to Congress of the National Advisory Council
25 on Indian Education;

1 (3) adjust the amount as necessary to reflect
2 changes for the 12-month period ending the pre-
3 ceding November 30 in the Consumer Price Index
4 for All Urban Consumers published by the Bureau
5 of Labor Statistics of the Department of Labor; and

6 (4) include, as fixed costs—

7 (A) funding increases to match the salary
8 schedule of the Department of Defense Edu-
9 cation Activity; and

10 (B) pay increases for all non-teacher em-
11 ployees at schools controlled by Indian Tribes
12 at the same rate as pay increases for Federal
13 employees, as required under—

14 (i) the Indian Self-Determination and
15 Education Act (25 U.S.C. 5301 et seq.);
16 and

17 (ii) the Tribally Controlled Schools
18 Act of 1988 (25 U.S.C. 2501 et seq.).

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