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1ST SESSION

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To provide habitable living quarters for teachers, administrators, and other school staff, and their households, in rural areas of Alaska located in or near Alaska Native villages.

IN THE SENATE OF THE UNITED STATES

NOVEMBER 9, 2005

Ms. MURKOWSKI introduced the following bill; which was read twice and referred to the Committee on Indian Affairs

A BILL

To provide habitable living quarters for teachers, administrators, and other school staff, and their households, in rural areas of Alaska located in or near Alaska Native villages.

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 “Rural Teacher Hous-
5 ing Act of 2005”.

6 **SEC. 2. FINDINGS AND PURPOSE.**

7 (a) FINDINGS.—Congress finds that—

1 (1) housing for teachers, administrators, other
 2 school staff, and the households of such staff in re-
 3 mote and rural areas of the State of Alaska is often
 4 substandard, if available at all;

5 (2) teachers, administrators, other school staff,
 6 and the households of such staff are often forced to
 7 find alternate shelter, sometimes even in school
 8 buildings; and

9 (3) rural school districts in the State of Alaska
 10 face increased challenges, including meeting the re-
 11 quirements of the Elementary and Secondary Edu-
 12 cation Act of 1965 (20 U.S.C. 6301 et seq.), in re-
 13 cruiting employees due to the lack of affordable,
 14 quality housing.

15 (b) PURPOSE.—The purpose of this Act is to provide
 16 habitable living quarters for teachers, administrators,
 17 other school staff, and the households of such staff in
 18 rural areas of the State of Alaska located in or near Alas-
 19 ka Native villages.

20 **SEC. 3. DEFINITIONS.**

21 In this Act:

22 (1) ALASKA HOUSING FINANCE CORPORA-
 23 TION.—The term “Alaska Housing Finance Cor-
 24 poration” means the State housing authority for the

1 State of Alaska created under the laws of the State
2 of Alaska (or a successor authority).

3 (2) ELEMENTARY SCHOOL.—The term “elemen-
4 tary school” has the meaning given the term in sec-
5 tion 9101 of the Elementary and Secondary Edu-
6 cation Act of 1965 (20 U.S.C. 7801).

7 (3) ELIGIBLE SCHOOL DISTRICT.—The term
8 “eligible school district” means a public school dis-
9 trict (as defined under the laws of the State of Alas-
10 ka) located in the State of Alaska that operates 1
11 or more schools in a qualified community.

12 (4) NATIVE VILLAGE.—

13 (A) IN GENERAL.—The term “Native vil-
14 lage” has the meaning given the term in section
15 3 of the Alaska Native Claims Settlement Act
16 (43 U.S.C. 1602).

17 (B) INCLUSION.—The term “Native vil-
18 lage” includes the Metlakatla Indian Commu-
19 nity of the Annette Islands Reserve.

20 (5) OTHER SCHOOL STAFF.—The term “other
21 school staff” means—

22 (A) pupil services personnel;

23 (B) librarians;

24 (C) career guidance and counseling per-
25 sonnel;

1 (D) education aides; and

2 (E) other instructional and administrative
3 school personnel.

4 (6) QUALIFIED COMMUNITY.—The term “quali-
5 fied community” means a home rule city or a gen-
6 eral law city incorporated under the laws of the
7 State of Alaska, or an unincorporated community
8 (as defined under the laws of the State of Alaska)
9 in the State of Alaska located outside the boundaries
10 of such a city, that, as determined by the Alaska
11 Housing Finance Corporation—

12 (A) has a population of not greater than
13 6,500 individuals;

14 (B) is located in or near a Native village;
15 and

16 (C) is not connected by road or railroad to
17 the municipality of Anchorage, Alaska, exclud-
18 ing any connection—

19 (i) by the Alaska Marine Highway
20 System created under the laws of the State
21 of Alaska; or

22 (ii) that requires travel by road
23 through Canada.

24 (7) SECONDARY SCHOOL.—The term “sec-
25 ondary school” has the meaning given the term in

1 section 9101 of the Elementary and Secondary Edu-
2 cation Act of 1965 (20 U.S.C. 7801).

3 (8) SECRETARY.—The term “Secretary” means
4 the Secretary of Housing and Urban Development.

5 (9) TEACHER.—The term “teacher” means an
6 individual who—

7 (A) is employed as a teacher in a public el-
8 ementary school or secondary school; and

9 (B) meets the teaching certification or li-
10 censure requirements of the State of Alaska.

11 (10) TRIBALLY DESIGNATED HOUSING ENTI-
12 TY.—The term “tribally designated housing entity”
13 has the meaning given the term in section 4 of the
14 Native American Housing Assistance and Self-De-
15 termination Act of 1996 (25 U.S.C. 4103).

16 (11) VILLAGE CORPORATION.—

17 (A) IN GENERAL.—The term “Village Cor-
18 poration” has the meaning given the term in
19 section 3 of the Alaska Native Claims Settle-
20 ment Act (43 U.S.C. 1602).

21 (B) INCLUSIONS.—The term “Village Cor-
22 poration” includes, as defined in section 3 of
23 that Act (43 U.S.C. 1602)—

24 (i) Urban Corporations; and

25 (ii) Group Corporations.

1 **SEC. 4. RURAL TEACHER HOUSING PROGRAM.**

2 (a) IN GENERAL.—The Secretary shall provide funds
3 to the Alaska Housing Finance Corporation in accordance
4 with regulations promulgated under section 5 for use in
5 accordance with subsection (b).

6 (b) USE OF FUNDS.—

7 (1) IN GENERAL.—The Alaska Housing Fi-
8 nance Corporation shall use funds provided under
9 subsection (a) to provide grants and loans to eligible
10 school districts for use in accordance with paragraph
11 (2).

12 (2) USE OF FUNDS BY ELIGIBLE SCHOOL DIS-
13 TRICTS.—An eligible school district shall use a grant
14 or loan under paragraph (1) for—

15 (A) the construction of new housing units
16 in a qualified community;

17 (B) the purchase and rehabilitation of ex-
18 isting structures to be used as housing units in
19 a qualified community;

20 (C) the rehabilitation of housing units in a
21 qualified community;

22 (D) the leasing of housing units in a quali-
23 fied community;

24 (E) purchasing or leasing real property on
25 which housing units will be constructed, pur-

1 chased, or rehabilitated in a qualified commu-
2 nity;

3 (F) the repayment of a loan to—

4 (i) construct, purchase, or rehabilitate
5 housing units;

6 (ii) purchase real property on which
7 housing units will be constructed, pur-
8 chased, or rehabilitated in a qualified com-
9 munity; or

10 (iii) carry out an activity described in
11 subparagraph (G); and

12 (G) any other activity normally associated
13 with the construction, purchase, or rehabilita-
14 tion of housing units, or the purchase or lease
15 of real property on which housing units will be
16 constructed, purchased, or rehabilitated, in a
17 qualified community, including—

18 (i) connecting housing units to a util-
19 ity;

20 (ii) preparing construction sites;

21 (iii) transporting any equipment or
22 material necessary for the construction or
23 rehabilitation of housing units to and from
24 the site on which the housing units are or
25 will be constructed; and

1 (iv) carrying out an environmental as-
 2 sessment and remediation of a construction
 3 site or a site on which housing units are
 4 located.

5 (c) OWNERSHIP OF HOUSING AND LAND.—

6 (1) IN GENERAL.—Any housing unit con-
 7 structed, purchased, or rehabilitated, and any real
 8 property purchased, using a grant or loan provided
 9 under this section shall be considered to be owned,
 10 as the Secretary determines to be appropriate, by—

11 (A) the affected eligible school district;

12 (B) the affected municipality, as defined
 13 under the laws of the State of Alaska;

14 (C) the affected Village Corporation;

15 (D) the Metlakatla Indian Community of
 16 the Annette Islands Reserve; or

17 (E) a tribally designated housing entity.

18 (2) TRANSFER OF OWNERSHIP.—Ownership of
 19 a housing unit or real property under paragraph (1)
 20 may be transferred between the entities described in
 21 that paragraph.

22 (d) OCCUPANCY OF HOUSING UNITS.—

23 (1) IN GENERAL.—Except as provided in para-
 24 graphs (2) and (3), each housing unit constructed,

1 purchased, rehabilitated, or leased using a grant or
 2 loan under this section shall be occupied by—

3 (A)(i) a teacher;

4 (ii) an administrator; or

5 (iii) other school staff; and

6 (B) the household of an individual de-
 7 scribed in subparagraph (A), if any.

8 (2) NONSESSION MONTHS.—A housing unit
 9 constructed, purchased, rehabilitated, or leased using
 10 a grant or loan under this section may be occupied
 11 by an individual other an individual described in
 12 paragraph (1) only during a period in which school
 13 is not in session.

14 (3) TEMPORARY OCCUPANTS.—A vacant hous-
 15 ing unit constructed, purchased, rehabilitated, or
 16 leased using a grant or loan under this section may
 17 be occupied by a contractor or guest of an eligible
 18 school district for a period to be determined by the
 19 Alaska Housing Finance Corporation, by regulation.

20 (e) COMPLIANCE WITH LAW.—An eligible school dis-
 21 trict that receives a grant or loan under this section shall
 22 ensure that each housing unit constructed, purchased, re-
 23 habilitated, or leased using the grant or loan complies with
 24 applicable laws (including regulations and ordinances).

25 (f) PROGRAM POLICIES.—

1 (1) IN GENERAL.—The Alaska Housing Fi-
2 nance Corporation, in consultation with any appro-
3 priate eligible school district, shall establish policies
4 governing the administration of grants and loans
5 under this section, including a method of ensuring
6 that funds are made available on an equitable basis
7 to eligible school districts.

8 (2) REVISIONS.—Not less frequently than once
9 every 3 years, the Alaska Housing Finance Corpora-
10 tion, in consultation with any appropriate eligible
11 school district, shall take into consideration revisions
12 to the policies established under paragraph (1).

13 **SEC. 5. REGULATIONS.**

14 Not later than 1 year after the date of enactment
15 of this Act, the Secretary shall promulgate such regula-
16 tions as are necessary to carry out this Act.

17 **SEC. 6. AUTHORIZATION OF APPROPRIATIONS.**

18 (a) IN GENERAL.—There are authorized to be appro-
19 priated to the Secretary such sums as are necessary to
20 carry out this Act for each of fiscal years 2007 through
21 2016.

22 (b) ADMINISTRATIVE EXPENSES.—Each of the Sec-
23 retary and the Alaska Housing Finance Corporation shall
24 use not more than 5 percent of funds appropriated during

- 1 a fiscal year to pay administrative expenses incurred in
- 2 carrying out this Act.

