

112TH CONGRESS
2D SESSION

H. R. 6561

To direct the Secretary of Education to make grants to States to hire teachers and prevent layoffs, to direct the Secretary of Homeland Security to make grants to hire firefighters and prevent layoffs, and to direct the Attorney General to make grants to hire law enforcement officers and prevent layoffs, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 25, 2012

Mr. CROWLEY introduced the following bill; which was referred to the Committee on Education and the Workforce, and in addition to the Committees on the Judiciary and Science, Space, and Technology, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To direct the Secretary of Education to make grants to States to hire teachers and prevent layoffs, to direct the Secretary of Homeland Security to make grants to hire firefighters and prevent layoffs, and to direct the Attorney General to make grants to hire law enforcement officers and prevent layoffs, 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Teachers and First
3 Responders Back to Work Act of 2012”.

4 **TITLE I—TEACHER**
5 **STABILIZATION**

6 **SEC. 101. GRANTS AUTHORIZED.**

7 Subject to the availability of appropriations to carry
8 out this title, the Secretary of Education (referred to in
9 this title as the “Secretary”) shall make grants to States
10 to prevent teacher layoffs and support the creation of ad-
11 ditional jobs in early childhood, elementary, and secondary
12 public education in the 2012–2013 and 2013–2014 school
13 years.

14 **SEC. 102. ALLOCATION OF FUNDS.**

15 (a) RESERVATION OF FUNDS.—From the amount ap-
16 propriated to carry out this title under section 109, the
17 Secretary—

18 (1) shall reserve not more than $\frac{1}{2}$ of 1 percent
19 to provide assistance to the outlying areas on the
20 basis of their respective needs, as determined by the
21 Secretary, for activities consistent with this title
22 under such terms and conditions as the Secretary
23 may determine;

24 (2) shall reserve not more than $\frac{1}{2}$ of 1 percent
25 to provide assistance to the Secretary of the Interior
26 to carry out activities consistent with this title in

1 schools operated or funded by the Bureau of Indian
2 Education; and

3 (3) may reserve not more than \$2,000,000 for
4 each of fiscal years 2012 and 2013 for administra-
5 tion and oversight of this title, including program
6 evaluation.

7 (b) ALLOCATION.—The Secretary shall determine an
8 award amount for each State on the following basis:

9 (1) Of the amount that is 60 percent of the re-
10 maining funds after reserving funds under sub-
11 section (a), the Secretary shall allocate to each State
12 an amount that bears the same ratio as the popu-
13 lation of individuals aged 5 through 17 living in the
14 State to the population of such individuals in all
15 other States.

16 (2) Of the amount that is 40 percent of the re-
17 maining funds after reserving funds under sub-
18 section (a), the Secretary shall allocate to each State
19 an amount that bears the same ratio as the State's
20 total population to the total population of all other
21 States.

22 (c) REALLOCATION.—If a State does not receive a
23 grant under this title, the Secretary shall reallocate such
24 State's grant allocation to States receiving grants under
25 this title using the formula described in subsection (b).

1 **SEC. 103. STATE APPLICATION.**

2 (a) APPLICATION.—Not later than 30 days after the
3 date of enactment of this Act, a chief executive of a State
4 seeking a grant under this title shall submit an application
5 to the Secretary in such manner, and containing such in-
6 formation, as the Secretary may reasonably require, in-
7 cluding an assurance that the State will, for fiscal years
8 2012 and 2013—

9 (1) maintain State support for early childhood,
10 elementary, and secondary education (in the aggre-
11 gate or on the basis of expenditure per pupil) at an
12 amount that is not less than the level of such sup-
13 port for fiscal year 2011; or

14 (2) maintain State support for early childhood,
15 elementary, and secondary education (in the aggre-
16 gate or on the basis of expenditure per pupil) at a
17 percentage of a State's total expenditures for a fiscal
18 year that is equal to or greater than the percentage
19 that the State provided for fiscal year 2011.

20 (b) LETTER.—Not later than 30 days after the date
21 of enactment of this Act, a chief executive of a State desir-
22 ing not to receive a grant under this title shall submit
23 a letter to the Secretary that includes an explanation of
24 such chief executive's desire not to receive such funds and
25 such additional information as the Secretary may require.

1 (c) WAIVER.—The Secretary may waive the require-
2 ment that a State provide an assurance in subsection (a)
3 (1) or (2) with regard to any State if the Secretary deter-
4 mines that a waiver would be equitable due to—

5 (1) exceptional or uncontrollable circumstances,
6 such as a natural disaster; or

7 (2) a precipitous decline in the financial re-
8 sources of the State, as determined by the Secretary.

9 **SEC. 104. STATE GRANTS.**

10 (a) RESERVATION.—Each State receiving a grant
11 under this title shall reserve—

12 (1) not more than 10 percent of the grant
13 funds for awards to State-funded early learning pro-
14 grams; and

15 (2) not more than 2 percent of the grant funds
16 for the administrative costs of carrying out its re-
17 sponsibilities under this title.

18 (b) SUBGRANTS TO LOCAL EDUCATIONAL AGEN-
19 CIES.—

20 (1) IN GENERAL.—A State that receives a
21 grant under this title shall, after reserving any funds
22 under subsection (a), use the remaining grant funds
23 for awards to local educational agencies for the sup-
24 port of early childhood, elementary, and secondary
25 public education.

1 (2) ALLOCATION.—A State that receives a
2 grant under this title shall distribute the remaining
3 grant funds described in paragraph (1) through sub-
4 grants on the following basis:

5 (A) Of the amount that is 60 percent of
6 such remaining grant funds, the State shall al-
7 locate to each local educational agency an
8 amount that bears the same ratio as the local
9 educational agency's enrollment to the enroll-
10 ment for all other local educational agencies in
11 the State.

12 (B) Of the amount that is 40 percent of
13 such remaining grant funds, the State shall al-
14 locate to each local educational agency an
15 amount that bears the same ratio as the funds
16 that the local educational agency received under
17 part A of title I of the Elementary and Sec-
18 ondary Education Act of 1965 (20 U.S.C. 6311
19 et seq.) for fiscal year 2011 to the funds that
20 all other local educational agencies in the State
21 receive under such Act.

22 (3) TIMING.—A State that receives a grant
23 under this title shall make subgrants available to
24 local educational agencies not later than 100 days
25 after receiving a grant under this title.

1 (c) PROHIBITIONS.—A State that receives a grant
2 under this title may not use the grant funds to directly
3 or indirectly—

4 (1) establish, restore, or supplement a rainy-day
5 fund;

6 (2) supplant State funds in a manner that has
7 the effect of establishing, restoring, or supplement-
8 ing a rainy-day fund;

9 (3) reduce or retire debt obligations incurred by
10 the State; or

11 (4) supplant State funds in a manner that has
12 the effect of reducing or retiring debt obligations in-
13 curred by the State.

14 **SEC. 105. LOCAL EDUCATIONAL AGENCY SUBGRANTS.**

15 (a) USES OF FUNDS.—A local educational agency
16 that receives a subgrant under this title shall use the
17 subgrant funds only to pay compensation, benefits, and
18 other expenses necessary to retain existing employees, re-
19 call or rehire former employees, or hire new employees to
20 provide early childhood, elementary, or secondary edu-
21 cational and related services.

22 (b) TIMING.—A local educational agency that receives
23 a subgrant under this title shall obligate such funds not
24 later than September 30, 2014.

1 **SEC. 106. EARLY LEARNING PROGRAMS.**

2 (a) USES OF FUNDS.—A State-funded early learning
3 program that receives funds under this title shall use those
4 funds only for compensation, benefits, and other expenses
5 necessary to retain early childhood educators, recall or re-
6 hire former early childhood educators, or hire new early
7 childhood educators to provide early learning services.

8 (b) TIMING.—A State-funded early learning program
9 that receives funds under this title shall obligate those
10 funds not later than September 30, 2014.

11 **SEC. 107. REPORTING.**

12 Not later than September 30 of 2013 and 2014, a
13 State that receives a grant under this title shall submit
14 a report to the Secretary that contains—

15 (1) a description of how the State expended or
16 obligated funds received under this title; and

17 (2) an estimate of the number of jobs that the
18 State supported using funds received under this
19 title.

20 **SEC. 108. DEFINITIONS.**

21 Except as otherwise provided, in this title:

22 (1) The terms “local educational agency”, “out-
23 lying area”, and “State educational agency” have
24 the meanings given those terms in section 9101 of
25 the Elementary and Secondary Education Act of
26 1965 (20 U.S.C. 7801).

1 (2) The term “State” means each of the 50
2 States, the District of Columbia, and the Common-
3 wealth of Puerto Rico.

4 (3) The term “State-funded early learning pro-
5 gram” means a program that provides educational
6 services to children from birth to kindergarten entry
7 and receives funding from the State other than
8 funds received under this title.

9 **SEC. 109. AUTHORIZATION OF APPROPRIATIONS.**

10 For each of fiscal years 2012 and 2013, there is au-
11 thorized to be appropriated \$30,000,000,000 to carry out
12 the grant program under this title.

13 **TITLE II—FIRST RESPONDER**
14 **STABILIZATION**

15 **SEC. 201. PURPOSE.**

16 The purpose of this title is to provide funds to States
17 and localities to prevent layoffs of, and support the cre-
18 ation of additional jobs for, law enforcement officers and
19 firefighters.

20 **SEC. 202. FIREFIGHTER GRANT PROGRAM.**

21 (a) GRANTS AUTHORIZED.—Subject to the avail-
22 ability of appropriations to carry out this title, the Sec-
23 retary of Homeland Security shall make competitive
24 grants to hire, rehire, and retain firefighters pursuant to
25 section 34 of the Federal Fire Prevention and Control Act

1 of 1974 (15 U.S.C. 2229a) and to maintain resources for
2 fire departments. In making such grants, the Secretary
3 may waive the requirements in subsections (a)(1)(A),
4 (a)(1)(B), (a)(1)(E), (c)(1), (c)(2), and (c)(4)(A) of sec-
5 tion 34 of such Act.

6 (b) AUTHORIZATION OF APPROPRIATIONS.—In addi-
7 tion to funds otherwise appropriated for grants under sec-
8 tion 34 of the Federal Fire Prevention and Control Act
9 of 1974 (15 U.S.C. 2229a), there is authorized to be ap-
10 propriated \$1,000,000,000 to carry out this section for
11 each of fiscal years 2012 and 2013, of which the Secretary
12 of Homeland Security shall reserve an amount not to ex-
13 ceed \$2,000,000 for each such fiscal year to carry out the
14 administrative costs of this section.

15 **SEC. 203. LAW ENFORCEMENT OFFICER GRANT PROGRAM.**

16 (a) POLICE OFFICERS.—Subject to the availability of
17 appropriations to carry out this title, the Attorney General
18 shall make competitive grants to hire, rehire, and retain
19 career law enforcement officers pursuant to section 1701
20 of the Omnibus Crime Control and Safe Streets Act of
21 1968 (42 U.S.C. 3796dd). Grants awarded under this sec-
22 tion shall not be subject to subsections (g) or (i) of section
23 1701 or to section 1704 of such Act (42 U.S.C. 3796dd;
24 42 U.S.C. 3796dd–3).

1 (b) AUTHORIZATION OF APPROPRIATIONS.—In addi-
2 tion to funds otherwise appropriated for grants under sec-
3 tion 1701 of the Omnibus Crime Control and Safe Streets
4 Act of 1968 (42 U.S.C. 3796dd), there is authorized to
5 be appropriated \$4,000,000,000 to carry out this section
6 for each of fiscal years 2012 and 2013, of which the Attor-
7 ney General shall reserve an amount not greater than
8 \$8,000,000 for each such fiscal year to carry out the ad-
9 ministrative costs of this section.

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