

108TH CONGRESS  
1ST SESSION

# S. 1905

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

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## IN THE SENATE OF THE UNITED STATES

NOVEMBER 20, 2003

Ms. MURKOWSKI (for herself and Mr. CAMPBELL) introduced the following bill; which was read twice and referred to the Committee on Indian Affairs

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## A BILL

To provide habitable living quarters for teachers, administrators, 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 2003”.

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

7 (a) FINDINGS.—Congress finds that—

8 (1) housing for teachers, administrators, other  
9 school staff, and their households in remote and

1 rural areas of Alaska is often substandard, if avail-  
2 able at all;

3 (2) as a consequence, teachers, administrators,  
4 other school staff, and their households are often  
5 forced to find alternate shelter, sometimes even in  
6 school buildings; and

7 (3) rural school districts in Alaska are facing  
8 increased challenges, including meeting the man-  
9 dates of the No Child Left Behind Act, in recruiting  
10 employees due to the lack of affordable, quality  
11 housing.

12 (b) PURPOSE.—The purpose of this Act is to provide  
13 habitable living quarters for teachers, administrators,  
14 other school staff, and their households in rural areas of  
15 Alaska located in or near Alaska Native Villages.

16 **SEC. 3. DEFINITIONS.**

17 In this Act, the following definitions shall apply:

18 (1) ALASKA HOUSING FINANCE CORPORA-  
19 TION.—The term “Alaska Housing Finance Cor-  
20 poration” means the State housing authority for the  
21 State of Alaska, created under the laws of the State  
22 of Alaska, or any successor thereto.

23 (2) ELEMENTARY SCHOOL.—The term “elemen-  
24 tary school” has the meaning given that term in sec-

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

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

8 (4) NATIVE VILLAGE.—The term “Native Vil-  
9 lage”—

10 (A) has the meaning given that term in  
11 section 3 of the Alaska Native Claims Settle-  
12 ment Act (43 U.S.C 1602); and

13 (B) includes the Metlakatla Indian Com-  
14 munity of the Annette Islands Reserve.

15 (5) OTHER SCHOOL STAFF.—The term “other  
16 school staff” means pupil services personnel, librar-  
17 ians, career guidance and counseling personnel, edu-  
18 cation aides, and other instructional and administra-  
19 tive school personnel.

20 (6) QUALIFIED COMMUNITY.—

21 (A) IN GENERAL.—The term “qualified  
22 community” means a home rule or general law  
23 city incorporated under the laws of the State of  
24 Alaska, or an unincorporated community (as  
25 defined under the laws of the State of Alaska)

1 in the State of Alaska situated outside the lim-  
 2 its of such a city, with respect to which, the  
 3 Alaska Housing Finance Corporation has deter-  
 4 mined that the city or unincorporated commu-  
 5 nity—

6 (i) has a population of 6,500 or fewer  
 7 individuals;

8 (ii) is situated within or near a Native  
 9 Village, as determined by the Alaska Hous-  
 10 ing Finance Corporation; and

11 (iii) is not connected by road or rail-  
 12 road to the municipality of Anchorage,  
 13 Alaska.

14 (B) CONNECTED BY ROAD.—In this para-  
 15 graph, the term “connected by road” does not  
 16 include a connection by way of the Alaska Ma-  
 17 rine Highway System, created under the laws of  
 18 the State of Alaska, or a connection that re-  
 19 quires travel by road through Canada.

20 (7) SECONDARY SCHOOL.—The term “sec-  
 21 ondary school” has the meaning given that term in  
 22 section 9101 of the Elementary and Secondary Edu-  
 23 cation Act of 1965 (20 U.S.C. 7801).

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

1           (9) TEACHER.—The term “teacher” means an  
2 individual who is employed as a teacher in a public  
3 elementary or secondary school, and meets the  
4 teaching certification or licensure requirements of  
5 the State of Alaska.

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

11           (11) VILLAGE CORPORATION.—The term “Vil-  
12 lage Corporation” has the meaning given that term  
13 in section 3 of the Alaska Native Claims Settlement  
14 Act (43 U.S.C. 1602), and includes urban and group  
15 corporations, as defined in that section.

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

17           (a) GRANTS AND LOANS AUTHORIZED.—The Sec-  
18 retary shall provide funds to the Alaska Housing Finance  
19 Corporation in accordance with the regulations promul-  
20 gated under section 5, to be used as provided under sub-  
21 section (b).

22           (b) USE OF FUNDS.—

23           (1) IN GENERAL.—Funds received pursuant to  
24 subsection (a) shall be used by the Alaska Housing  
25 Finance Corporation to make grants or loans to eli-

1       gible school districts, to be used as provided in para-  
2       graph (2).

3               (2) USE OF FUNDS BY ELIGIBLE SCHOOL DIS-  
4       TRICTS.—Grants or loans received by an eligible  
5       school district pursuant to paragraph (1) shall be  
6       used for—

7               (A) the construction of new housing units  
8       within a qualified community;

9               (B) the purchase and rehabilitation of ex-  
10       isting structures to be used as housing units  
11       within a qualified community;

12              (C) the rehabilitation of housing units  
13       within a qualified community;

14              (D) the leasing of housing units within a  
15       qualified community;

16              (E) purchasing or leasing real property on  
17       which housing units will be constructed, pur-  
18       chased, or rehabilitated within a qualified com-  
19       munity;

20              (F) the repayment of a loan used for the  
21       purposes of constructing, purchasing, or reha-  
22       bilitating housing units, or for purchasing real  
23       property on which housing units will be con-  
24       structed, purchased, or rehabilitated, within a

1 qualified community, or any activity under sub-  
2 paragraph (G);

3 (G) any other activities normally associ-  
4 ated with the construction, purchase, or reha-  
5 bilitation of housing units within a qualified  
6 community, including—

7 (i) connecting housing units to various  
8 utilities;

9 (ii) preparation of construction sites;

10 (iii) transporting all equipment and  
11 materials necessary for the construction or  
12 rehabilitation of housing units to and from  
13 the site on which such housing units exist  
14 or will be constructed; and

15 (iv) environmental assessment and re-  
16 mediation of construction sites or sites  
17 where housing units exist; and

18 (H) the funding of any remaining costs for  
19 the construction, purchase, or rehabilitation of  
20 housing units within a qualified community, the  
21 purchase of real property within a qualified  
22 community, or any activity listed under sub-  
23 paragraph (G) that is not financed by loans or  
24 other sources of funding.

25 (c) OWNERSHIP OF HOUSING AND LAND.—

1           (1) IN GENERAL.—All housing units con-  
2           structed, purchased, or rehabilitated, or real prop-  
3           erty purchased, with grant or loan funds provided  
4           under this Act, or with respect to which funds under  
5           this Act have been expended, shall be owned by the  
6           relevant eligible school district, municipality (as de-  
7           fined under the laws of the State of Alaska), Village  
8           Corporation, the Metlakatla Indian Community of  
9           the Annette Islands Reserve, or a tribally designated  
10          housing entity. Ownership of housing units and real  
11          property may be transferred between such entities.

12          (d) OCCUPANCY OF HOUSING UNITS.—

13           (1) IN GENERAL.—Except as provided under  
14           paragraphs (2) and (3), each housing unit con-  
15           structed, purchased, rehabilitated, or leased with  
16           grant or loan funds under this Act, or with respect  
17           to which funds awarded under this Act have been  
18           expended, shall be provided to teachers, administra-  
19           tors, other school staff, and members of their house-  
20           holds.

21           (2) NON-SESSION MONTHS.—A housing unit  
22           constructed, purchased, rehabilitated, or leased with  
23           grant or loan funds under this Act, or with respect  
24           to which funds awarded under this Act have been  
25           expended, may be occupied by individuals other than

1 teachers, administrators, other school staff, or mem-  
2 bers of their household, only during those times in  
3 which school is not in session.

4 (3) TEMPORARY OCCUPANTS.—A vacant hous-  
5 ing unit constructed, purchased, rehabilitated, or  
6 leased with grant or loan funds under this Act, or  
7 with respect to which funds awarded under this Act  
8 have been expended, may be occupied by a con-  
9 tractor or guest of an eligible school district for a  
10 maximum period of time, to be determined by the  
11 Alaska Housing Finance Corporation.

12 (e) COMPLIANCE WITH LAW.—Each eligible school  
13 district receiving a grant or loan under this Act shall en-  
14 sure that all housing units constructed, purchased, reha-  
15 bilitated, or leased with such grant or loan funds, or with  
16 respect to which funds awarded under this Act have been  
17 expended, meet all applicable laws, regulations, and ordi-  
18 nances.

19 (f) PROGRAM POLICIES.—

20 (1) IN GENERAL.—The Alaska Housing Fi-  
21 nance Corporation, after consulting with eligible  
22 school districts, shall establish policies governing the  
23 administration of grant and loan funds made avail-  
24 able under this Act. Such policies shall include a  
25 methodology for ensuring that funds provided under

1 this Act are made available on an equitable basis to  
2 eligible school districts.

3 (2) REVISIONS.—Not less than every 3 years,  
4 the Alaska Housing Finance Corporation shall, in  
5 consultation with eligible school districts, consider  
6 revisions to the policies established under paragraph  
7 (1).

8 **SEC. 5. REGULATIONS.**

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

12 **SEC. 6. AUTHORIZATION OF APPROPRIATIONS.**

13 (a) IN GENERAL.—There are authorized to be appro-  
14 priated to the Department of Housing and Urban Devel-  
15 opment such sums as are necessary for each of the fiscal  
16 years 2005 through 2014, to carry out this Act.

17 (b) LIMITATION.—The Secretary and the Alaska  
18 Housing Finance Corporation shall each use not more  
19 than 5 percent of the funds appropriated in any fiscal year  
20 to carry out this Act for administrative expenses associ-  
21 ated with the implementation of this Act.

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