

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE

Section effective Dec. 10, 2015, except with respect to certain noncompetitive programs and competitive programs, see section 5 of Pub. L. 114-95, set out as an Effective Date of 2015 Amendment note under section 6301 of this title.

§ 6603. Authorization of appropriations**(a) Grants to States and local educational agencies**

For the purpose of carrying out part A, there are authorized to be appropriated \$2,295,830,000 for each of fiscal years 2017 through 2020.

(b) National activities

For the purpose of carrying out part B, there are authorized to be appropriated—

- (1) \$468,880,575 for each of fiscal years 2017 and 2018;
- (2) \$469,168,000 for fiscal year 2019; and
- (3) \$489,168,000 for fiscal year 2020.

(Pub. L. 89-10, title II, §2003, as added Pub. L. 114-95, title II, §2002, Dec. 10, 2015, 129 Stat. 1916.)

Editorial Notes

PRIOR PROVISIONS

A prior section 6603, Pub. L. 89-10, title II, §2103, as added Pub. L. 107-110, title II, §201, Jan. 8, 2002, 115 Stat. 1621, related to authorizations of appropriations, prior to repeal by Pub. L. 114-95, §5, title II, §2002, Dec. 10, 2015, 129 Stat. 1806, 1913, effective Dec. 10, 2015, except with respect to certain noncompetitive programs and competitive programs.

Another prior section 6603, Pub. L. 89-10, title II, §2003, as added Pub. L. 103-382, title I, §101, Oct. 20, 1994, 108 Stat. 3614; amended Pub. L. 105-277, div. A, §101(f) [title VIII, §101(b)(1)], Oct. 21, 1998, 112 Stat. 2681-337, 2681-406, authorized appropriations and related to allocations of appropriations, prior to the general amendment of this subchapter by Pub. L. 107-110.

A prior section 2003 of Pub. L. 89-10 was classified to section 2983 of this title, prior to the general amendment of Pub. L. 89-10 by Pub. L. 103-382.

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PART A—SUPPORTING EFFECTIVE INSTRUCTION

§ 6611. Formula grants to States**(a) Reservation of funds**

From the total amount appropriated under section 6603(a) of this title for a fiscal year, the Secretary shall reserve—

- (1) one-half of 1 percent for allotments for the United States Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands, to be distributed among those outlying areas on the basis of their relative need, as determined by the Secretary, in accordance with the purpose of this subchapter; and
- (2) one-half of 1 percent for the Secretary of the Interior for programs under this part in

schools operated or funded by the Bureau of Indian Education.

(b) State allotments**(1) Hold harmless****(A) Fiscal years 2017 through 2022**

For each of fiscal years 2017 through 2022, subject to paragraph (2) and subparagraph (C), from the funds appropriated under section 6603(a) of this title for a fiscal year that remain after the Secretary makes the reservations under subsection (a), the Secretary shall allot to each State an amount equal to the total amount that such State received for fiscal year 2001 under—

- (i) section 2202(b) of this Act (as in effect on the day before January 8, 2002); and
- (ii) section 306 of the Department of Education Appropriations Act, 2001 (as enacted into law by section 1(a)(1) of Public Law 106-554).

(B) Ratable reduction

If the funds described in subparagraph (A) are insufficient to pay the full amounts that all States are eligible to receive under subparagraph (A) for any fiscal year, the Secretary shall ratably reduce those amounts for the fiscal year.

(C) Percentage reduction

For each of fiscal years 2017 through 2022, the amount in subparagraph (A) shall be reduced by a percentage equal to the product of 14.29 percent and the number of years between the fiscal year for which the determination is being made and fiscal year 2016.

(2) Allotment of additional funds**(A) In general**

Subject to subparagraph (B), for any fiscal year for which the funds appropriated under section 6603(a) of this title and not reserved under subsection (a) exceed the total amount required to make allotments under paragraph (1), the Secretary shall allot to each State the sum of—

(i) for fiscal year 2017—

(I) an amount that bears the same relationship to 35 percent of the excess amount as the number of individuals aged 5 through 17 in the State, as determined by the Secretary on the basis of the most recent satisfactory data, bears to the number of those individuals in all such States, as so determined; and

(II) an amount that bears the same relationship to 65 percent of the excess amount as the number of individuals aged 5 through 17 from families with incomes below the poverty line in the State, as determined by the Secretary on the basis of the most recent satisfactory data, bears to the number of those individuals in all such States, as so determined;

(ii) for fiscal year 2018—

(I) an amount that bears the same relationship to 30 percent of the excess amount as the number of individuals aged 5 through 17 in the State, as deter-