

**AMENDMENT TO THE RULES COMMITTEE PRINT
OF H.R. 5
OFFERED BY MS. DELBENE OF WASHINGTON**

Page 62, line 23, insert “and” after the semicolon.

Page 63, lines 1 through 3, strike subparagraph (C).

Page 63, line 4, strike “(D)” and insert “(C)”.

Page 88, beginning on line 1, amend paragraph (2)
to read as follows:

1 (2) in subsection (a), by striking “section
2 9521” and inserting “section 5552”.

Page 93, line 5, strike “, (e),”.

Page 394, beginning on line 5, strike subsection (f).

Page 481, after line 22, insert the following new section:

3 **“SEC. 5552. MAINTENANCE OF EFFORT.**

4 “(a) IN GENERAL.—A local educational agency may
5 receive funds under a covered program for any fiscal year
6 only if the State educational agency finds that either the
7 combined fiscal effort per student or the aggregate ex-
8 penditures of the agency and the State with respect to

1 the provision of free public education by the agency for
2 the preceding fiscal year was not less than 90 percent of
3 the combined fiscal effort or aggregate expenditures for
4 the second preceding fiscal year.

5 “(b) REDUCTION IN CASE OF FAILURE TO MEET.—

6 “(1) IN GENERAL.—The State educational
7 agency shall reduce the amount of the allocation of
8 funds under a covered program in any fiscal year in
9 the exact proportion by which a local educational
10 agency fails to meet the requirement of subsection
11 (a) of this section by falling below 90 percent of
12 both the combined fiscal effort per student and ag-
13 gregate expenditures (using the measure most favor-
14 able to the local agency).

15 “(2) SPECIAL RULE.—No such lesser amount
16 shall be used for computing the effort required
17 under subsection (a) of this section for subsequent
18 years.

19 “(c) WAIVER.—The Secretary may waive the require-
20 ments of this section if the Secretary determines that a
21 waiver would be equitable due to—

22 “(1) exceptional or uncontrollable cir-
23 cumstances, such as a natural disaster; or

1 “(2) a precipitous decline in the financial re-
2 sources of the local educational agency.”.

