

118TH CONGRESS  
1ST SESSION

# S. 1502

To direct the Secretary of Education to award grants to eligible entities to carry out teacher leadership programs, and for other purposes.

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IN THE SENATE OF THE UNITED STATES

MAY 9, 2023

Mr. LUJÁN introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

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## A BILL

To direct the Secretary of Education to award grants to eligible entities to carry out teacher leadership programs, 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,*

3        **SECTION 1. SHORT TITLE.**

4        This Act may be cited as the “Teachers Leading,  
5        Educating, Advancing, and Designing Act of 2023” or the  
6        “Teachers LEAD Act of 2023”.

7        **SEC. 2. FINDINGS.**

8        Congress finds the following:

9                (1) Decades of research have shown that teach-  
10              ers are the single most important school-based factor

1 in student achievement, and an analysis by the  
2 Brookings Institution indicates that a high level of  
3 teacher turnover is negatively associated with stu-  
4 dent achievement, and is higher in urban schools  
5 and schools with more economically disadvantaged  
6 students.

7 (2) A report by the National Commission on  
8 Teaching and America's Future estimated that dis-  
9 tricts spend between \$10,000 and \$17,000 for each  
10 teacher who leaves the district, making teacher turn-  
11 over and attrition a costly issue for school systems.

12 (3) The United States education system is ex-  
13 perencing an ongoing teacher recruitment, reten-  
14 tion, and shortage crisis. According to a National  
15 Education Association survey in January of 2022,  
16 55 percent of all teachers, 62 percent of Black  
17 teachers, and 59 percent of Hispanic or Latino edu-  
18 cators said they were more likely to retire early or  
19 leave the profession.

20 (4) In the same survey, 74 percent of teachers  
21 report having to fill in for colleagues or take on  
22 other duties due to staff shortages, while 90 percent  
23 of respondents pointed out that teacher burnout is  
24 becoming a very serious issue. As a Nation, we face

1 the possibilities of vacancies and educator burnout  
2 being exacerbated by educator shortages.

3 (5) An analysis by the Economic Policy Insti-  
4 tute of teacher turnover data suggests that low sala-  
5 ries, lack of professional development opportunities,  
6 and a difficult school climate, including lack of  
7 teacher input into school policy, are common factors  
8 behind teachers leaving the workforce.

9 (6) According to data from the National Center  
10 for Education Statistics, racially and ethnically di-  
11 verse teachers are more likely to work in high-need  
12 schools. Unfortunately, these schools often experi-  
13 ence high teacher turnover rates, which can have a  
14 negative impact on students.

15 (7) According to a report by Teach Plus and  
16 the Education Trust, teachers of color report that  
17 they have considered leaving the profession because  
18 they lack agency, autonomy in decision making, and  
19 opportunities for leadership.

20 (8) Studies show that all students benefit from  
21 having racially and ethnically diverse teachers. These  
22 benefits are magnified for students of color, who ex-  
23 perience improved academic performance, higher  
24 graduation rates, and increased interest in pursuing  
25 higher education.

1           (9) Teachers of color are also underrepresented  
2           in schools, with only 20 percent of the teacher work-  
3           force identifying as people of color versus over 50  
4           percent of public school students.

5           (10) Studies show that there is a positive link  
6           between professional leadership opportunities, job  
7           satisfaction, and retention of classroom teachers,  
8           and that compensation for teachers' added leader-  
9           ship responsibilities increases teacher retention.

10          (11) In a Gates Foundation Survey, only 12  
11          percent of all teachers surveyed reported receiving  
12          consistent job-embedded mentorship and professional  
13          development from veteran teachers, despite multiple  
14          studies showing that consistent mentorship improves  
15          student learning.

16          (12) The New Teacher Project found that only  
17          26 percent of high-performing teachers agreed that  
18          their school leadership identified opportunities or  
19          clear paths for teacher leadership roles.

20          (13) According to a report by Teach Plus and  
21          the Education Trust, teachers' investment in their  
22          schools and their likelihood of retention is greater  
23          where opportunities exist to innovate and advocate  
24          on behalf of students, especially when a teacher acts

1 in partnership with school and district administra-  
2 tion to address student and teacher needs.

3 (14) Structured leadership programs are an ef-  
4 fective way to help combat the nationwide teacher  
5 shortage and improve teacher retention by empow-  
6 ering teachers and establishing formal peer  
7 mentorships between effective and experienced teach-  
8 ers and those just entering the profession, which  
9 also leads to academic and socio-emotional benefits  
10 for students.

11 (15) Federal policies are needed to encourage  
12 and fund the establishment of structured leadership  
13 programs at public schools, especially in high-need  
14 schools and school districts.

15 **SEC. 3. TEACHER LEADERSHIP GRANT PROGRAM.**

16 (a) DEFINITIONS.—In this section:

17 (1) ESEA TERMS.—The terms “educational  
18 service agency”, “elementary school”, “local edu-  
19 cational agency”, “paraprofessional”, “school lead-  
20 er”, “secondary school”, and “Secretary” have the  
21 meanings given such terms in section 8101 of the  
22 Elementary and Secondary Education Act of 1965  
23 (20 U.S.C. 7801).

24 (2) DISTRIBUTED LEADERSHIP.—The term  
25 “distributed leadership” means a range of ap-

1 proaches wherein the school leadership shares as-  
2 pects of the traditional set of school decisions, orga-  
3 nization, management, and operations with teachers  
4 in a manner that is coordinated by, agreed to, and  
5 led by the teachers and school leadership.

6 (3) ELIGIBLE ENTITY.—The term “eligible enti-  
7 ty” means—

8 (A) a local educational agency or edu-  
9 cational service agency;

10 (B) a consortium of local educational agen-  
11 cies or educational service agencies; or

12 (C) a partnership between a local edu-  
13 cational agency or educational service agency  
14 and—

15 (i) a nonprofit organization with dem-  
16 onstrated expertise in teacher leadership  
17 programs, as determined by the Secretary;

18 (ii) a State educational agency in the  
19 same State as the local educational agency  
20 or educational service agency with dem-  
21 onstrated capacity in supporting teacher  
22 leadership programs, as determined by the  
23 Secretary;

24 (iii) an institution of higher education  
25 (as defined in section 101 of the Higher

1 Education Act of 1965 (20 U.S.C. 1001))  
 2 that awards postsecondary teacher certifi-  
 3 cates or degrees and has a demonstrated  
 4 capacity in supporting teacher leadership  
 5 programs or teacher diversity, as deter-  
 6 mined by the Secretary;

7 (iv) a Minority-Serving Institution,  
 8 Tribal College or University, or Histori-  
 9 cally Black College or University; or

10 (v) an Indian Tribe.

11 (4) HIGH-NEED EDUCATIONAL SERVICE AGEN-  
 12 CY.—The term “high-need educational service agen-  
 13 cy” means an educational service agency that serves  
 14 a significant number or percentage of high-need  
 15 local educational agencies.

16 (5) HIGH-NEED LOCAL EDUCATIONAL AGEN-  
 17 CY.—The term “high-need local educational agency”  
 18 means a high-need local educational agency, as such  
 19 term is defined in paragraph (10) of section 200 of  
 20 the Higher Education Act of 1965 (20 U.S.C.  
 21 1021(10)).

22 (6) INDIAN TRIBE.—The term “Indian Tribe”  
 23 means the recognized governing body of any Indian  
 24 or Alaska Native Tribe, band, nation, pueblo, village,  
 25 community, component band, or component reserva-

1 tion, individually identified (including parentheti-  
2 cally) in the list published most recently as of the  
3 date of enactment of this Act pursuant to section  
4 104 of the Federally Recognized Indian Tribe List  
5 Act of 1994 (25 U.S.C. 5131).

6 (7) MINORITY-SERVING INSTITUTION.—The  
7 term “Minority-Serving Institution” means any of  
8 the following:

9 (A) An Alaska Native-serving institution,  
10 as that term is defined in section 317(b) of the  
11 Higher Education Act of 1965 (20 U.S.C.  
12 1059d(b)).

13 (B) A Native Hawaiian-serving institution,  
14 as that term is defined in section 317(b) of the  
15 Higher Education Act of 1965 (20 U.S.C.  
16 1059d(b)).

17 (C) A Hispanic-serving institution, as that  
18 term is defined in section 502(a) of the Higher  
19 Education Act of 1965 (20 U.S.C. 1101a(a)).

20 (D) A Predominantly Black institution, as  
21 that term is defined in section 371(c) of the  
22 Higher Education Act of 1965 (20 U.S.C.  
23 1067q(c)).

24 (E) An Asian American and Native Amer-  
25 ican Pacific Islander-serving institution, as that



1 term is defined in section 320(b) of the Higher  
2 Education Act of 1965 (20 U.S.C. 1059g(b)).

3 (F) A Native American-serving, nontribal  
4 institution, as that term is defined in section  
5 319(b) of the Higher Education Act of 1965  
6 (20 U.S.C. 1059f(b)).

7 (8) TRIBAL COLLEGE OR UNIVERSITY.—The  
8 term “Tribal College or University” has the meaning  
9 given the term as defined in section 316(b)(3) of the  
10 Higher Education Act of 1965 (20 U.S.C.  
11 1059c(b)(3)).

12 (9) HISTORICALLY BLACK COLLEGE OR UNI-  
13 VERSITY.—The term “Historically Black College or  
14 University” has the meaning given the term “part B  
15 institution” in section 322 of the Higher Education  
16 Act of 1965 (20 U.S.C. 1061).

17 (10) TEACHER LEADER.—The term “teacher  
18 leader” means a teacher who is selected to partici-  
19 pate in the teacher leadership program under this  
20 section.

21 (b) PROGRAM AUTHORIZED.—

22 (1) IN GENERAL.—The Secretary shall award  
23 grants, on a competitive basis, to eligible entities to  
24 carry out teacher leadership programs.

1           (2) RESERVATIONS.—From the total amount  
2 appropriated to carry out this section for a fiscal  
3 year, the Secretary—

4           (A) shall reserve not less than 5 percent to  
5 carry out subsection (h);

6           (B) may reserve not more than—

7           (i) 3 percent to provide technical as-  
8 sistance to, and support the capacity build-  
9 ing of, the programs assisted under this  
10 section; and

11           (ii) 0.5 percent to support program  
12 administration and data collection under  
13 this section; and

14           (C) may reserve not more than 3.5 percent  
15 to award planning grants to eligible entities in  
16 order to assist those eligible entities in devel-  
17 oping a program proposal in accordance with  
18 subsection (h).

19           (3) GRANT PERIOD.—The Secretary shall make  
20 grant awards for not more than 3 years and may ex-  
21 tend grant awards for not more than 2 additional  
22 years if the grantee is making progress in achieving  
23 program objectives.

24           (4) GEOGRAPHIC DIVERSITY.—In awarding  
25 grants under this section, the Secretary shall ensure

1 that, to the extent practicable, grants are distributed  
2 among eligible entities that will serve geographically  
3 diverse areas, including urban and rural areas.

4 (c) APPLICATION.—

5 (1) IN GENERAL.—An eligible entity desiring a  
6 grant under this section shall submit an application  
7 to the Secretary at such time, in such manner, and  
8 containing such information as the Secretary may  
9 require, including—

10 (A) a description of how the eligible entity  
11 will implement the program proposal described  
12 in paragraph (2);

13 (B) a description of how grant funds will  
14 be spent, including if and how other Federal,  
15 State, Tribal, and local funding sources may be  
16 used to supplement grant funds in order to  
17 meet the requirements of the teacher leadership  
18 program; and

19 (C) a description of how the eligible entity  
20 will continue the teacher leadership activities  
21 assisted under the grant after the grant period  
22 ends.

23 (2) PROGRAM PROPOSAL.—The program pro-  
24 posal required under this subsection shall include the  
25 following:

1 (A) PROGRAM PLAN.—A plan to establish  
2 and operate a teacher leadership program that  
3 includes the following:

4 (i) A description of how the eligible  
5 entity will ensure that the program in-  
6 cludes the participation of teacher leaders  
7 in goal setting, professional learning, or  
8 collaboration with content experts, school  
9 leadership, colleagues, or leadership of an  
10 eligible entity, with respect to—

11 (I) strategic planning or develop-  
12 ment at the school level and the level  
13 of the eligible entity, including plan-  
14 ning and development relating to  
15 school climate, community engage-  
16 ment, teacher professional develop-  
17 ment and mentorship, and student  
18 growth; or

19 (II) implementing practices to  
20 support children’s social, emotional, or  
21 academic needs, such as—

22 (aa) planning the design of  
23 and organizing the physical  
24 space, organizational structure,  
25 wraparound services, and culture

1 of schools to support positive,  
2 healthy, and developmentally ap-  
3 appropriate relationships among  
4 members of the school and com-  
5 munity;

6 (bb) creating multi-tiered  
7 and integrated systems of sup-  
8 port to address student academic  
9 and non-academic needs;

10 (cc) creating and fostering  
11 safe and inclusive learning envi-  
12 ronments that enable authentic,  
13 culturally and linguistically re-  
14 sponsive learning in identity-safe  
15 settings; or

16 (dd) supporting partici-  
17 pating teacher leaders in earning  
18 additional certifications or licen-  
19 sure to develop their expertise  
20 such as National Board Certifi-  
21 cation, or licensure in special or  
22 bilingual education.

23 (ii) A description of how the eligible  
24 entity will ensure that the program offers  
25 structures for shared decision making, dis-

1 tributed leadership, common planning, and  
2 collaboration between participating teacher  
3 leaders and school leaders.

4 (iii) A description of how the eligible  
5 entity will ensure that teacher leaders re-  
6 ceive training and support to improve skills  
7 related to acting as instructional leaders,  
8 coaches, mentors, or facilitators of profes-  
9 sional learning.

10 (iv) A description of how the eligible  
11 entity will use this program to establish  
12 and sustain teacher leadership opportuni-  
13 ties to increase teacher retention, including  
14 for teachers who are individuals from  
15 underrepresented populations in the teach-  
16 ing profession.

17 (B) PROGRAM REQUIREMENTS.—A de-  
18 scription of how the eligible entity will meet  
19 each of the following program requirements:

20 (i) Ensuring all full-time teachers  
21 with at least 3 years of full-time teaching  
22 experience that maintain their roles as  
23 classroom instructors and are employed by  
24 the local educational agency may apply to

1 participate in such program as teacher  
2 leaders.

3 (ii) Providing the selection criteria for  
4 program participation to all eligible teach-  
5 ers described in clause (i), which will in-  
6 clude selection based on an eligible teach-  
7 er's demonstrated ability in carrying out  
8 not less than 5 of the criteria in subclauses  
9 (I) through (VIII) and a commitment to  
10 growth in other criteria where they do not  
11 have a demonstrated ability of—

12 (I) carrying out leadership re-  
13 sponsibilities while maintaining a role  
14 as a classroom instructor;

15 (II) focusing on improving or ad-  
16 vancing the vision, goals, and prior-  
17 ities of the eligible entity that employs  
18 such teacher using evidence-based and  
19 practice-based data;

20 (III) collecting and analyzing  
21 data of student social, emotional, and  
22 academic outcomes or teacher profes-  
23 sional outcomes and taking actions to  
24 improve student outcomes, teacher

1 outcomes or professional learning in-  
2 formed by such data;

3 (IV) facilitating collaborative, evi-  
4 dence-based and practice-based, and  
5 sustained professional learning with  
6 peers, including mentorship and in-  
7 struction leadership, that lead to im-  
8 provements in teaching efficacy, pro-  
9 fessional outcomes or student social,  
10 emotional, and academic outcomes;

11 (V) analyzing socioeconomic, cul-  
12 tural, and historical contexts of stu-  
13 dents, their communities, and the  
14 local educational agency, including ex-  
15 isting pedagogy, school policies, and  
16 school-based outreach to families and  
17 the community to create safe, healthy,  
18 and inclusive school climates;

19 (VI) implementing and evalu-  
20 ating strategies aimed at addressing  
21 areas of demonstrated need in the  
22 school at which the teacher is em-  
23 ployed, including increasing wrap-  
24 around services, academic supports,



1 family engagement, and community-  
2 based services;

3 (VII) supporting teachers to ef-  
4 fectively serve students with disabil-  
5 ities, English learners, and students  
6 who are linguistically, racially, and  
7 culturally diverse, economically dis-  
8 advantaged, or historically underrep-  
9 resented to increase their social, emo-  
10 tional, and academic needs; and

11 (VIII) using, customizing, or de-  
12 veloping lesson materials and instruc-  
13 tional resources to meet the unique  
14 needs of students and the eligible enti-  
15 ty to further students' academic  
16 achievement and social-emotional  
17 learning.

18 (iii) Ensuring that all teachers and  
19 paraprofessionals employed by the partici-  
20 pating local educational agencies served by  
21 the eligible entity are eligible to participate  
22 in programming led by a teacher leader,  
23 when applicable.

24 (iv) Providing financial assistance or  
25 compensation to teacher leaders who par-

1            participate in such program for the additional  
2            responsibilities that are directly related to  
3            the teacher leadership program.

4            (v) Allowing the financial assistance  
5            or compensation described in clause (iv) to  
6            be substituted for paid time off or satisfac-  
7            tion of a contract requirement—

8                    (I) at the request of the teacher  
9                    leader receiving such compensation;  
10                   and

11                   (II) with the authorization and  
12                   agreement of the eligible entity that  
13                   serves the elementary or secondary  
14                   school at which such teacher leader is  
15                   employed.

16            (vi) Requiring teacher leaders to sup-  
17            port their own development and profes-  
18            sional growth by evaluating themselves and  
19            each other using evidence-, research-, or  
20            practice-based rubrics.

21            (vii) Consulting with other teachers  
22            who are not teacher leaders when devel-  
23            oping and implementing the program as  
24            described in this subparagraph.

1 (viii) Expending funds granted under  
2 this Act to permit—

3 (I) not more than 5 percent of  
4 such grant funds for administrative  
5 expenses; and

6 (II) not less than 95 percent of  
7 such grant funds to—

8 (aa) implement the program  
9 proposal described in this para-  
10 graph; and

11 (bb) carry out 1 or more of  
12 the following activities:

13 (AA) Facilitating col-  
14 laboration between program  
15 participants.

16 (BB) Developing or im-  
17 proving instructional mate-  
18 rials.

19 (CC) Supporting the re-  
20 allocation of work hours for  
21 teacher leaders between  
22 classroom responsibilities  
23 and responsibilities as a  
24 teacher leader.

1           (3) DATA REPORTING REQUIREMENT.—Each el-  
2           igible entity applying for a grant under this section  
3           shall include in such application an assurance that  
4           the eligible entity will comply with reporting and  
5           evaluation requirements described in subsection (f).

6           (d) PRIORITY.—In awarding grants under this sec-  
7           tion, the Secretary shall give priority to eligible entities  
8           that are or that include—

9                   (1) a high-need educational service agency;

10                   (2) a high-need local educational agency;

11                   (3) a local educational agency that receives  
12           basic support payments under section 7003(b)(1) of  
13           the Elementary and Secondary Education Act of  
14           1965 (20 U.S.C. 7703(b)(1));

15                   (4) an Indian Tribe, Tribal educational depart-  
16           ment or agency, or Tribal educational organization;

17                   (5) a Native Hawaiian community-based orga-  
18           nization or Native Hawaiian educational organiza-  
19           tion (as those terms are defined in section 6207 of  
20           the Elementary and Secondary Education Act of  
21           1965 (20 U.S.C. 7517)) or an Alaska Native organi-  
22           zation (as defined in section 6306 of such Act (20  
23           U.S.C. 7546));

24                   (6) a local educational agency that dem-  
25           onstrates in their program proposal under subsection

1 (b)(2) a plan to use this program to establish and  
2 sustain teacher leadership opportunities to increase  
3 teacher recruitment, including teachers who are indi-  
4 viduals from underrepresented populations in the  
5 teaching profession;

6 (7) an eligible entity described in subsection  
7 (a)(3)(C) that has a successful track record in sup-  
8 porting teacher leadership models, retaining teach-  
9 ers, or advancing teacher diversity; or

10 (8) a Historically Black College or University,  
11 a Tribal College or University, or a Minority-Serving  
12 Institution.

13 (e) USES OF FUNDS.—

14 (1) IN GENERAL.—An eligible entity awarded a  
15 grant under this section shall use—

16 (A) not more than 5 percent of such grant  
17 funds for administrative expenses; and

18 (B) not less than 95 percent of such grant  
19 funds to implement the program proposal de-  
20 scribed in subsection (c)(2) and, at the eligible  
21 entity's option, carry out activities described in  
22 paragraph (2).

23 (2) PERMISSIVE USES OF FUNDS.—In addition  
24 to implementing the program proposal under sub-  
25 section (c)(2), an eligible entity awarded a grant

1 under this section may use such grant funds to fa-  
2 cilitate—

3 (A) collaboration between program partici-  
4 pants;

5 (B) instructional materials development; or

6 (C) the reallocation of work hours for  
7 teacher leaders between classroom responsibil-  
8 ities and responsibilities as a teacher leader.

9 (f) REPORTS AND EVALUATION.—

10 (1) REPORTS TO THE SECRETARY.—An eligible  
11 entity shall submit to the Secretary, in a timeline  
12 determined by the Secretary, all information nec-  
13 essary for the evaluation described in paragraph (2).

14 (2) EVALUATION.—The Secretary, acting  
15 through the Director of the Institute of Education  
16 Sciences, shall carry out an independent evaluation  
17 measuring the effectiveness of the activities carried  
18 out under grants awarded under this section, includ-  
19 ing information about whether participating eligible  
20 entities experience greater teacher retention than  
21 non-participants. In carrying out the evaluation, the  
22 Director shall collect and analyze the following infor-  
23 mation, disaggregated by race, ethnicity, and gender:

24 (A) With respect to each participating eli-  
25 gible entity—

1 (i) the 3-year retention rate of all full-  
2 time teachers, disaggregated by—

3 (I) teachers who are in their first  
4 year of teaching; and

5 (II) teachers who were hired by  
6 such local educational agency in the  
7 same school year as one another;

8 (ii) the 5-year retention rate of all  
9 full-time teachers, disaggregated by—

10 (I) teachers who are in their first  
11 year of teaching; and

12 (II) teachers who were hired by  
13 such local educational agency in the  
14 same school year as one another; and

15 (iii) the employment status of full-  
16 time teachers who were hired by such edu-  
17 cational agency, in the same school year in  
18 which such eligible entity received a grant  
19 under this section.

20 (B) With respect to each teacher leader  
21 participating in a program established using  
22 such grant funds, the following:

23 (i) The number of years of teaching  
24 experience such teacher leader had at the  
25 time of program participation.

1                   (ii) Whether such teacher leader is  
2                   employed by a local educational agency  
3                   served by such eligible entity.

4                   (iii) If such teacher leader is not em-  
5                   ployed by a local educational agency served  
6                   by such eligible entity, the reason for leav-  
7                   ing.

8                   (iv) The year in which such teacher  
9                   leader was first employed as a teacher.

10               (3) PUBLICATION.—The aggregated data sub-  
11               mitted under paragraph (1) and the results of the  
12               evaluation under paragraph (2) shall be made pub-  
13               licly available on the website of the Department of  
14               Education, except that such publicly available data  
15               and results shall not reveal personally identifiable in-  
16               formation.

17               (4) REPORTS TO CONGRESS.—Not later than 3  
18               years after the Secretary makes awards to an eligi-  
19               ble entity under this section, the Secretary shall sub-  
20               mit to the Committee on Health, Education, Labor,  
21               and Pensions of the Senate, the Committee on Edu-  
22               cation and the Workforce of the House of Rep-  
23               resentatives, the Committee on Indian Affairs of the  
24               Senate, the Committee on Natural Resources of the  
25               House, the Secretary of the Interior, and the Insti-



1       tute of Education Sciences a summary report of the  
2       preliminary results and impact of the teacher leader-  
3       ship program. The Secretary shall submit to such  
4       committees, the Secretary of the Interior, and the  
5       Institute of Education Sciences an annual report of  
6       the results and impact of the teacher leadership pro-  
7       gram for each year of the grant thereafter.

8       (g) BUREAU OF INDIAN EDUCATION TEACHER  
9 LEADERSHIP PROGRAMS.—

10           (1) IN GENERAL.—The Secretary, in coordina-  
11       tion with the Secretary of the Interior, shall—

12           (A) develop and implement a teacher lead-  
13       ership program plan for Bureau schools (as de-  
14       fined in section 1141 of the Education Amend-  
15       ments of 1978 (25 U.S.C. 2021)); and

16           (B) award grants to Bureau-funded  
17       schools described in subparagraphs (B) and (C)  
18       of section 1141(3) of the Education Amend-  
19       ments of 1978 (25 U.S.C. 2021(3)).

20           (2) SPECIAL RULE.—The Secretary, in con-  
21       sultation with the Secretary of the Interior and In-  
22       dian Tribes, may waive any requirement under this  
23       section or prescribe an alternative or substantially  
24       similar requirement if the Secretary finds that the  
25       waiver or alternative requirement is necessary for

1 the effective delivery and administration of activities  
2 under this section.

3 (h) PLANNING PROPOSAL GRANTS.—

4 (1) IN GENERAL.—The Secretary may award  
5 planning grants to eligible entities to enable those el-  
6 igible entities to develop a program proposal under  
7 subsection (c)(2).

8 (2) APPLICATION.—Each eligible entity that de-  
9 sires a planning grant under this subsection shall  
10 submit an application to the Secretary at such time,  
11 in such manner, and containing such information as  
12 the Secretary may require.

13 (3) DURATION.—A planning grant under this  
14 subsection shall be for a period of not more than 1  
15 year.

16 (i) AUTHORIZATION OF APPROPRIATIONS.—There  
17 are authorized to be appropriated to carry out this section  
18 \$400,000,000 for fiscal year 2024 and each of the 4 suc-  
19 ceeding fiscal years.

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