

104TH CONGRESS
1ST SESSION

H. R. 939

To amend the Elementary and Secondary Education Act of 1965 to provide hold-harmless payment amounts for impact-aid payments relating to Federal acquisition of real property.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 14, 1995

Mr. SAXTON (for himself and Mr. BATEMAN) introduced the following bill; which was referred to the Committee on Economic and Educational Opportunities

A BILL

To amend the Elementary and Secondary Education Act of 1965 to provide hold-harmless payment amounts for impact-aid payments relating to Federal acquisition of real property.

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. HOLD-HARMLESS AMOUNTS FOR PAYMENTS**
4 **RELATING TO FEDERAL ACQUISITION OF**
5 **REAL PROPERTY.**

6 Section 8002 of the Elementary and Secondary Edu-
7 cation Act of 1965 (20 U.S.C. 7702) is amended by add-
8 ing at the end the following new subsection:

1 “(g) HOLD-HARMLESS AMOUNTS.—

2 “(1) IN GENERAL.—Except as provided in para-
3 graph (2)(A), the total amount that the Secretary
4 shall pay a local educational agency under sub-
5 section (b) shall not be less than 85 percent of the
6 amount such agency received for the preceding fiscal
7 year—

8 “(A) in the case of fiscal year 1995 only,
9 under section 2 of the Act of September 30,
10 1950 (Public Law 874, 81st Congress) as such
11 section was in effect on October 19, 1994; or

12 “(B) in the case of fiscal year 1996, under
13 such subsection (b).

14 “(2) RATABLE REDUCTIONS.—(A)(i) If nec-
15 essary in order to make payments to local edu-
16 cational agencies in accordance with paragraph (1),
17 the Secretary first shall ratably reduce payments
18 under subsection (b) to local educational agencies
19 that do not receive a payment under this subsection.

20 “(ii) If additional funds become available for
21 making payments under subsection (b) for such fis-
22 cal year, payments that were reduced under clause
23 (i) shall be increased on the same basis as such pay-
24 ments were reduced.

1 “(B)(i) If the sums made available under this
2 title for any fiscal year are insufficient to pay the
3 full amounts that all local educational agencies in all
4 States are eligible to receive under paragraph (1)
5 after the application of subparagraph (A) for such
6 year, the Secretary shall ratably reduce payments to
7 all such agencies for such year.

8 “(ii) If additional funds become available for
9 making payments under paragraph (1) for such fis-
10 cal year, payments that were reduced under clause
11 (i) shall be increased on the same basis as such pay-
12 ments were reduced.”.

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