

110TH CONGRESS
1ST SESSION

H. R. 4495

To amend the Elementary and Secondary Education Act of 1965 to ensure that the Impact Aid program of the Department of Education guarantees full funding under current formulas to local educational agencies in which the Federal Government owns at least 50 percent of the land.

IN THE HOUSE OF REPRESENTATIVES

DECEMBER 12, 2007

Mr. DAVID DAVIS of Tennessee introduced the following bill; which was referred to the Committee on Education and Labor

A BILL

To amend the Elementary and Secondary Education Act of 1965 to ensure that the Impact Aid program of the Department of Education guarantees full funding under current formulas to local educational agencies in which the Federal Government owns at least 50 percent of the land.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. FULL FUNDING FOR LOCAL EDUCATIONAL**
2 **AGENCIES IN WHICH THE FEDERAL GOVERN-**
3 **MENT OWNS AT LEAST 50 PERCENT OF THE**
4 **LAND.**

5 (a) PAYMENTS FOR FEDERAL ACQUISITION OF REAL
6 PROPERTY.—Section 8002 of the Elementary and Sec-
7 ondary Education Act of 1965 (20 U.S.C. 7702) is amend-
8 ed by adding at the end the following:

9 “(o) ENTITLEMENT OF CERTAIN LOCAL EDU-
10 CATIONAL AGENCIES TO FULL FUNDING.—Notwith-
11 standing any other provision of this title, the Secretary
12 shall, each fiscal year, for each eligible local educational
13 agency at least 50 percent of the land of which is Federal
14 property eligible under this section, do the following:

15 “(1) Identify—

16 “(A) the amount that the local educational
17 agency is to receive under the other provisions
18 of this section; and

19 “(B) the full amount that the local edu-
20 cational agency would receive under this section
21 if payments under this section were fully fund-
22 ed.

23 “(2) If the amount under paragraph (1)(A) is
24 less than the amount under paragraph (1)(B), trans-
25 fer, from amounts available to the Secretary for
26 other purposes, funds sufficient to make up the dif-

1 ference, and add those funds to the amount paid to
2 the local educational agency under this section.”.

3 (b) BASIC PAYMENTS; PAYMENTS FOR HEAVILY IM-
4 PACTED LOCAL EDUCATIONAL AGENCIES.—Section 8003
5 of that Act (20 U.S.C.7703) is amended by adding at the
6 end the following:

7 “(h) ENTITLEMENT OF CERTAIN LOCAL EDU-
8 CATIONAL AGENCIES TO FULL FUNDING.—Notwith-
9 standing any other provision of this title, the Secretary
10 shall, each fiscal year, for each eligible local educational
11 agency at least 50 percent of the land of which is Federal
12 property eligible under this section, do the following:

13 “(1) Identify—

14 “(A) the amount that the local educational
15 agency is to receive under subsection (b); and

16 “(B) the full amount that the local edu-
17 cational agency would receive under subsection
18 (b) if payments under that subsection were fully
19 funded.

20 “(2) If the amount under paragraph (1)(A) is
21 less than the amount under paragraph (1)(B), trans-
22 fer, from amounts available to the Secretary for
23 other purposes, funds sufficient to make up the dif-

1 ference, and add those funds to the amount paid to
2 the local educational agency under subsection (b).”.

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