

104TH CONGRESS
1ST SESSION

S. 876

To provide that any payment to a local educational agency by the Department of Defense, that is available to such agency for current expenditures and used for capital expenses, shall not be considered funds available to such agency for purposes of making certain Impact Aid determinations.

IN THE SENATE OF THE UNITED STATES

MAY 26 (legislative day, MAY 15), 1995

Mr. EXON (for himself and Mr. KERREY) introduced the following bill; which was read twice and referred to the Committee on Labor and Human Resources

A BILL

To provide that any payment to a local educational agency by the Department of Defense, that is available to such agency for current expenditures and used for capital expenses, shall not be considered funds available to such agency for purposes of making certain Impact Aid determinations.

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. SPECIAL RULE REGARDING DEPARTMENT OF**
2 **DEFENSE PAYMENTS.**

3 (a) 1994 PAYMENTS.—The Secretary of Education
4 shall not consider any payment to a local educational
5 agency by the Department of Defense, that is available
6 to such agency for current expenditures and used for cap-
7 ital expenses, as funds available to such agency for pur-
8 poses of making a determination for fiscal year 1994
9 under section 3(d)(2)(B)(i) of the Act of September 30,
10 1950 (Public Law 874, 81st Congress) (as such Act was
11 in effect on September 30, 1994).

12 (b) AMENDMENT.—Clause (ii) of section
13 8003(f)(3)(A) of the Elementary and Secondary Edu-
14 cation Act of 1965 (20 U.S.C. 7703(f)(3)(A)) is
15 amended—

16 (1) by inserting “(I)” before “The Secretary”;
17 and

18 (2) by adding at the end the following new
19 subclause:

20 “(II) The Secretary shall not consider any
21 payment to a local educational agency by the
22 Department of Defense, that is available to
23 such agency for current expenditures and used
24 for capital expenses, in determining under

1 subclause (I) the amount of State aid per pupil
2 received by such agency.”.

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