

109<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

# H. R. 598

To amend the Impact Aid program under the Elementary and Secondary Education Act of 1965 to improve the distribution of school construction payments to better meet the needs of military and Indian land school districts.

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## IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 2, 2005

Mr. TERRY (for himself, Mr. SKELTON, Mr. HAYES, Mr. PAUL, Mr. ETHERIDGE, Mr. SAXTON, Mr. RUPPERSBERGER, Mr. GRIJALVA, Mr. RYUN of Kansas, Mr. MENENDEZ, Mr. COSTELLO, Mr. CASE, Mr. PALLONE, and Mrs. BLACKBURN) introduced the following bill; which was referred to the Committee on Education and the Workforce

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## A BILL

To amend the Impact Aid program under the Elementary and Secondary Education Act of 1965 to improve the distribution of school construction payments to better meet the needs of military and Indian land school districts.

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. IMPROVED DISTRIBUTION OF CONSTRUCTION**  
4 **PAYMENTS.**

5 Section 8007(a) of the Elementary and Secondary  
6 Education Act of 1965 (20 U.S.C. 7707(a)) is amended—

1 (1) in paragraph (1), by striking “40 percent”  
2 and inserting “80 percent”;

3 (2) in subparagraphs (A) and (B) of paragraph  
4 (2), by striking “50 percent” each place it appears  
5 and inserting “40 percent”;

6 (3) in paragraph (2) by adding at the end the  
7 following new subparagraphs:

8 “(C) The agency is eligible under section  
9 8003(b)(2).

10 “(D) The agency is eligible under Section  
11 8003(a)(2)(C). ”; and

12 (4) by striking paragraph (3) and inserting the  
13 following:

14 “(3) AMOUNT OF PAYMENTS.—The amount of  
15 a payment to each local educational agency de-  
16 scribed in this subsection for a fiscal year shall be—

17 “(A) not less than the greater of the  
18 amount appropriated as provided under para-  
19 graph (1) for such fiscal year; divided by—

20 “(i) the number of children deter-  
21 mined under subparagraphs (B), (C), and  
22 (D)(i) of section 8003(a)(1) who were in  
23 average daily attendance for all local edu-  
24 cational agencies described in paragraph  
25 (2), including the number of children at-

1           tending a school facility described in sec-  
2           tion 8008(a) if the Secretary does not pro-  
3           vide assistance for the school facility under  
4           that section for the fiscal year; multiplied  
5           by

6                   “(ii) the number of children deter-  
7                   mined for such agency; or

8                   “(B) \$25,000.”.

9   **SEC. 2. COMPETITIVE EMERGENCY AND MODERNIZATION**  
10                   **GRANTS.**

11           Section 8007(b) of the Elementary and Secondary  
12   Education Act of 1965 (20 U.S.C. 7707(b)) is amended—

13                   (1) in paragraph (1) by striking “60 percent”  
14                   and inserting “20 percent”;

15                   (2) in paragraph (3)(C)(i)(I) by striking “the  
16                   agency meets at least one” and all that follows, and  
17                   inserting “the number of children determined under  
18                   section 8003(a)(1)(C) for the agency for the pre-  
19                   ceding school year constituted at least 40 percent of  
20                   the total student enrollment in the schools of the  
21                   agency during the preceding school year.”;

22                   (3) by striking paragraph (3)(D)(ii)(II) and in-  
23                   serting the following:

24                                   “(II) The number of children de-  
25                                   termined under section 8003(a)(1)(C)

1                   for the school for the preceding school  
2                   year constituted at least 40 percent of  
3                   the total student enrollment in the  
4                   school during the preceding school  
5                   year.”; and

6                   (4) in paragraph (4)(C) by striking “(B), (C),  
7                   and (D)” and inserting “and (C)”.

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