117TH CONGRESS
1ST SESSION

H. R. ______

To provide temporary impact aid construction grants to eligible local educational agencies, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mr. O’HALLERAN introduced the following bill; which was referred to the Committee on __________________________

A BILL

To provide temporary impact aid construction grants to eligible local educational agencies, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Impact Aid Infrastructure Act”.

SEC. 2. IMPACT AID CONSTRUCTION GRANTS AUTHORIZED.

(a) FUNDING AND SUNSET.—

(1) AUTHORIZATION OF APPROPRIATIONS.—

There are authorized to be appropriated
$1,000,000,000 for fiscal year 2022 to carry out this Act.

(2) SUPPLEMENTAL FUNDING.—The amount authorized under paragraph (1) shall be in addition to any amounts authorized to be appropriated or otherwise made available to carry out section 7007 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7707).

(3) AVAILABILITY OF FUNDS.—Any amounts appropriated under paragraph (1) shall remain available until expended.

(4) SUNSET.—The authority to award grants under this Act shall expire at the end of the 3-year period beginning on the date on which funds are first made available to award a grant under this Act.

(b) RESERVATION FOR MANAGEMENT AND OVERSIGHT.—From the funds appropriated under subsection (a)(1), the Secretary of Education may reserve not more than half of 1 percent for management and oversight of the activities carried out with those funds.

(c) FORMULA GRANTS.—

(1) IN GENERAL.—From 40 percent of the funds appropriated under subsection (a)(1) and not reserved under subsection (b), the Secretary of Education shall make payments in accordance with sec-
tion 7007(a) of the Elementary and Secondary Edu-
cation Act of 1965 (20 U.S.C. 7707(a)).

(2) SPECIAL RULE.—The Secretary of Edu-
cation when calculating the total number of weighted
student units as described in paragraph (3)(A)(i)(II)
of section 7007(a) of the Elementary and Secondary
Education Act of 1965 (20 U.S.C. 7707(a)) shall in-
clude the total number of weighted student units of
children described in subparagraphs (B) and (D)(i)
of section 7003(a)(1) of such Act for all local edu-
cational agencies not meeting the requirements as
described in section 7007(a)(2)(B) of such Act but
that meet the requirements of section 572(a)(2) of
the National Defense Authorization Act for Fiscal

(d) COMPETITIVE GRANTS.—From 60 percent of the
funds appropriated under subsection (a)(1) and not re-
served under subsection (b), the Secretary of Education—

(1) shall award emergency grants in accordance
with section 7007(b) of the Elementary and Sec-
ondary Education Act of 1965 (20 U.S.C. 7707(b)),
except as otherwise provided in this Act; and

(2) may award modernization grants in accord-
ance with section 7007(b) of the Elementary and
Secondary Education Act of 1965 (20 U.S.C. 7707(b)), except as otherwise provided in this Act.

SEC. 3. ELIGIBILITY.

(a) Eligibility for Emergency Grants.—

(1) IN GENERAL.—For purposes of receiving an emergency grant under section 2(d)(1), in addition to a local educational agency that meets the eligibility requirements for the award of such a grant under any of subparagraph (A), (C), or (D) of section 7007(b)(3) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7707(b)(3)), a local educational agency that meets the requirements described in paragraph (2) (without regard to whether the agency meets any of the requirements of such subparagraph (A), (C), or (D)), shall be eligible for such a grant.

(2) REQUIREMENTS.—A local educational agency meets the requirements of this paragraph, if such agency has—

(A) a total taxable assessed value of real property that may be taxed for school purposes of less than $100,000,000; or

(B) an assessed value of real property per student that may be taxed for school purposes that is less than the average of the assessed
value of real property per student that may be
taxed for school purposes in the State in which
the local educational agency is located.

(b) Eligibility for Modernization Grants.—

(1) In general.—For purposes of receiving a
modernization grant under section 2(d)(2), in addi-
tion to a local educational agency that meets the eli-
gibility requirements for the award of such a grant
under any of subparagraph (B), (C), or (D) of sec-
tion 7007(b)(3) of the Elementary and Secondary
Education Act of 1965 (20 U.S.C. 7707(b)(3)), a
local educational agency that meets the requirements
described in paragraph (2) (without regard to
whether the agency meets any of the requirements
of such subparagraph (B), (C), or (D)), shall be eli-
gible for such a grant.

(2) Requirements.—A local educational agen-
cy meets the requirements of this paragraph, if such
agency has—

(A) a total taxable assessed value of real
property that may be taxed for school purposes
of less than $100,000,000; or

(B) an assessed value of real property per
student that may be taxed for school purposes
that is less than the average of the assessed
value of real property per student that may be
taxed for school purposes in the State in which
the local educational agency is located.

(e) LOCAL EDUCATIONAL AGENCY DEFINED.—In
this section, the term “local educational agency” has the
meaning given the term in section 7013 of the Elementary

SEC. 4. INAPPLICABILITY OF CERTAIN PROVISIONS.

Clauses (i) and (vi) of section 7007(b)(5)(A) of the
Elementary and Secondary Education Act of 1965 (20
U.S.C. 7707(b)(5)(A)) shall not apply to grants made
under section 2(d).