

111TH CONGRESS
2D SESSION

S. 3914

To amend title VIII of the Elementary and Secondary Education Act of 1965 to require the Secretary of Education to complete payments under such title to local educational agencies eligible for such payments within 3 fiscal years.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 29, 2010

Mrs. MURRAY (for herself, Ms. CANTWELL, Mr. BURRIS, Mr. REED, Mr. SANDERS, Mrs. HAGAN, Mr. SCHUMER, Mr. CONRAD, Mrs. GILLIBRAND, Mr. BEGICH, Mr. LEVIN, Mr. WEBB, and Mr. BENNET) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

A BILL

To amend title VIII of the Elementary and Secondary Education Act of 1965 to require the Secretary of Education to complete payments under such title to local educational agencies eligible for such payments within 3 fiscal years.

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. TIMELY PAYMENTS.**

4 Section 8010 of the Elementary and Secondary Edu-
5 cation Act of 1965 (20 U.S.C. 7710) is amended by add-
6 ing at the end the following:

1 “(d) TIMELY PAYMENTS.—

2 “(1) IN GENERAL.—Subject to paragraph (2),
 3 the Secretary shall pay a local educational agency
 4 the full amount that the agency is eligible to receive
 5 under this title for a fiscal year not later than Sep-
 6 tember 30 of the second fiscal year following the fis-
 7 cal year for which such amount has been appro-
 8 priated if, not later than 1 calendar year following
 9 the fiscal year in which such amount has been ap-
 10 propriated, such local educational agency submits to
 11 the Secretary all the data and information necessary
 12 for the Secretary to pay the full amount that the
 13 agency is eligible to receive under this title for such
 14 fiscal year.

15 “(2) PAYMENTS WITH RESPECT TO FISCAL
 16 YEARS IN WHICH INSUFFICIENT FUNDS ARE APPRO-
 17 PRIATED.—For a fiscal year in which the amount
 18 appropriated under section 8014 is insufficient to
 19 pay the full amount a local educational agency is eli-
 20 gible to receive under this title, paragraph (1) shall
 21 be applied by substituting ‘is available to pay the
 22 agency’ for ‘the agency is eligible to receive’ each
 23 place it appears.”.

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