Korean War—or even lessening the hostile situation—should be our country's highest priority. This bill will take us further from that goal.

Mr. Speaker, our allies in South Korea have grave concerns about this bill. Few of us expect it to win Senate passage or, if it does, the President's approval. Passage of this bill today puts a successful strategy in jeopardy, and does so at what may well be a turning point in history. I urge my colleagues to vote no on the bill.

Ms. LEE. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. GILMAN. Mr. Speaker, I too want to thank the gentleman from Massachusetts (Mr. MARKEY) for his supportive remarks and his diligent work on this matter.

Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. PEASE). The question is on the motion offered by the gentleman from New York (Mr. GILMAN) that the House suspend the rules and pass the bill, H.R. 4251, as amended.

The question was taken.

Mr. GILMAN. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

IMPACT AID REAUTHORIZATION ACT OF 2000

Mr. GOODLING. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3616) to reauthorize the impact aid program under the Elementary and Secondary Education Act of 1965, and for other purposes, as amended.

The Clerk read as follows:

H.R. 3616

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 Reauthorization Act of 2000''.

SEC. 2. PURPOSE.

Section 8001 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7701) is amended—

(1) in the matter preceding paragraph (1)—

(A) by inserting after ''educational services to federally connected children'' the following: ''in a manner that promotes control by local educational agencies with little or no Federal or State involvement''; and

(B) by inserting after ''certain activities of the Federal Government'' the following: '', such as activities to fulfill the responsibilities of the Federal Government with respect to Indian tribes and activities under section 514 of the Soldiers' and Sailors' Civil Relief Act of 1940 (50 U.S.C. App. 574),'';

(2) in paragraph (4), by adding ''or'' at the end;

(3) by striking paragraph (5);

(4) by redesignating paragraph (6) as paragraph (5); and

(5) in paragraph (5) (as redesignated), by inserting before the period at the end the following: ''and because of the difficulty of raising local revenue through bond referendums for capital projects due to the inability to tax Federal property''.

SEC. 3. PAYMENTS RELATING TO FEDERAL ACQUISITION OF REAL PROPERTY.

(a) FISCAL YEAR REQUIREMENT.—Section 8002(a) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7702(a)) is amended in the matter preceding paragraph (1) by striking ''1999'' and inserting ''2005''.

(b) AMOUNT.—

(1) INSUFFICIENT FUNDS.—Section 8002(b)(1)(B) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7702(b)(1)(B)) is amended by striking ''shall ratably reduce the payment to each eligible local educational agency'' and inserting ''shall calculate the payment for each eligible local educational agency in accordance with subsection (h)''.

(2) MAXIMUM AMOUNT.—Section 8002(b)(1)(C) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7702(b)(1)(C)) is amended by adding at the end before the period the following: '', or the maximum amount that such agency is eligible to receive for such fiscal year under this section, whichever is greater''.

(c) PAYMENTS WITH RESPECT TO FISCAL YEARS IN WHICH INSUFFICIENT FUNDS ARE APPROPRIATED.—Section 8002(h) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7702(h)) is amended to read as follows:

''(h) PAYMENTS WITH RESPECT TO FISCAL YEARS IN WHICH INSUFFICIENT FUNDS ARE APPROPRIATED.—For any fiscal year for which the amount appropriated under section 8014(a) is insufficient to pay to each local educational agency the full amount determined under subsection (b), the Secretary shall make payments to each local educational agency under this section as follows:

''(1) FOUNDATION PAYMENTS FOR PRE-1995 RECIPIENTS.—

''(A) IN GENERAL.—The Secretary shall first make a foundation payment to each local educational agency that is eligible to receive a payment under this section for the fiscal year involved and was eligible to receive a payment under section 2 of the Act of September 30, 1950 (Public Law 874, 81st Congress) (as such section was in effect on the day preceding the date of the enactment of the Improving America's Schools Act of 1994) for any of the fiscal years 1989 through 1994.

''(B) AMOUNT.—The amount of a payment under subparagraph (A) for a local educational agency shall be equal to 37 percent of the payment amount the local educational agency was eligible to receive under section 2 of the Act of September 30, 1950, for fiscal year 1994 (or if the local educational agency was not eligible to receive a payment under such section 2 for fiscal year 1994, the payment that local educational agency was eligible to receive under such section 2 for the most recent fiscal year preceding 1994).

''(C) INSUFFICIENT APPROPRIATIONS.—If the amount appropriated under section 8014(a) is insufficient to pay the full amount determined under this paragraph for all eligible local educational agencies for the fiscal year, then the Secretary shall ratably reduce the payment to each local educational agency under this paragraph.

''(2) PAYMENTS FOR 1995 RECIPIENTS.—

''(A) IN GENERAL.—From any amounts remaining after making payments under paragraph (1) for the fiscal year involved, the Secretary shall make a payment to each eligible local educational agency that received a payment under this section for fiscal year 1995.

''(B) AMOUNT.—The amount of a payment under subparagraph (A) for a local educational agency shall be determined as follows:

''(i) Calculate the difference between the amount appropriated to carry out this section for fiscal year 1995 and the total amount of foundation payments made under paragraph (1) for the fiscal year.

''(ii) Determine the percentage share for each local educational agency that received a payment under this section for fiscal year 1995 by dividing the assessed value of the Federal property of the local educational agency for fiscal year 1995 determined in accordance with subsection (b)(3), by the total national assessed value of the Federal property of all such local educational agencies for fiscal year 1995, as so determined.

''(iii) Multiply the percentage share described in clause (ii) for the local educational agency by the amount determined under clause (i).

''(3) SUBSECTION (i) RECIPIENTS.—From any funds remaining after making payments under paragraphs (1) and (2) for the fiscal year involved, the Secretary shall make payments in accordance with subsection (i).

''(4) REMAINING FUNDS.—From any funds remaining after making payments under paragraphs (1), (2), and (3) for the fiscal year involved—

''(A) the Secretary shall make a payment to each local educational agency that received a foundation payment under paragraph (1) for the fiscal year involved in an amount that bears the same relation to 25 percent of the remainder as the amount the local educational agency received under paragraph (1) for the fiscal year involved bears to the amount all local educational agencies received under paragraph (1) for the fiscal year involved; and

''(B) the Secretary shall make a payment to each local educational agency that is eligible to receive a payment under this section for the fiscal year involved in an amount that bears the same relation to 75 percent of the remainder as a percentage share determined for the local educational agency (in the same manner as percentage shares are determined for local educational agencies under paragraph (2)(B)(ii)) bears to the percentage share determined (in the same manner) for all local educational agencies eligible to receive a payment under this section for the fiscal year involved, except that for the purpose of calculating a local educational agency's assessed value of the Federal property, data from the most current fiscal year shall be used.''.

(d) SPECIAL PAYMENTS.—

(1) IN GENERAL.—Section 8002(i)(1) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7702(i)(1)) is amended to read as follows:

''(1) IN GENERAL.—For any fiscal year beginning with fiscal year 2000 for which the amount appropriated to carry out this section exceeds the amount so appropriated for fiscal year 1996 and for which subsection (b)(1)(B) applies, the Secretary shall use the remainder described in subsection (h)(3) for the fiscal year involved (not to exceed the amount equal to the difference between (A) the amount appropriated to carry out this section for fiscal year 1997 and (B) the amount appropriated to carry out this section for fiscal year 1996) to increase the payment that would otherwise be made under this section to not more than 50 percent of the maximum amount determined under subsection (b) for any local educational agency described in paragraph (2).''.

(2) CONFORMING AMENDMENT.—The heading of section 8002(i) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7702(i)) is amended by striking ''PRIORITY'' and inserting SPECIAL''.

(e) ADDITIONAL ASSISTANCE FOR CERTAIN LOCAL EDUCATIONAL AGENCIES IMPACTED BY FEDERAL PROPERTY ACQUISITION.—Section 8002(j)(2) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7702(j)(2)) is amended—

(1) by striking ''(A) A local educational agency'' and inserting ''A local educational agency'';

(2) by redesignating clauses (i) through (v) as subparagraphs (A) through (E), respectively; and

(3) in subparagraph (C) (as redesignated), by adding at the end before the semicolon the following: ''and such agency does not currently have a military installation located within its geographic boundaries''.

(f) DATA; PRELIMINARY AND FINAL PAYMENTS.—Section 8002 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7702) is amended by adding at the end the following:

''(l) DATA; PRELIMINARY AND FINAL PAYMENTS.—

''(1) IN GENERAL.—The Secretary shall—

''(A) not later than 30 days following the application deadline under section 8005(c) for a fiscal year, require any local educational agency that applied for a payment under subsection (b) for the fiscal year to submit such data as may be necessary in order to compute the payment;

''(B) as soon as possible after the beginning of any fiscal year, but no later than 60 days after the enactment of an Act making appropriations to carry out this title for the fiscal year, provide a preliminary payment under subsection (b) for any local educational agency that applied for a payment under subsection (b) for the fiscal year and was eligible for such a payment for the preceding fiscal year, in the amount of 60 percent of the payment for the previous year; and

''(C) provide a final payment under subsection (b) for any eligible local educational agency not later than 12 months after the application deadline established under section 8005(c), except that any local educational agency failing to submit all of the data required under subparagraph (A) shall be denied such payment for the fiscal year for which the application is made unless funds from a source other than the Act described in subparagraph (B) are made available to provide such payment.

''(2) ELIGIBILITY FOR PAYMENTS IN SUBSEQUENT YEARS.—The denial of a payment under subsection (b) to a local educational agency for a fiscal year pursuant to this subsection shall not affect the eligibility of the local educational agency for a final payment under subsection (b) for a subsequent fiscal year.''.

SEC. 4. PAYMENTS FOR ELIGIBLE FEDERALLY CONNECTED CHILDREN.

(a) MILITARY INSTALLATION HOUSING UNDERGOING RENOVATION OR REBUILDING.—

(1) IN GENERAL.—Section 8003(a)(4) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7703(a)) is amended—

(A) in the heading, by striking ''UNDERGOING RENOVATION'' and inserting ''UNDERGOING RENOVATION OR REBUILDING'';

(B) by striking ''For purposes'' and inserting the following:

''(A) IN GENERAL.—For purposes'';

(C) in subparagraph (A) (as designated by subparagraph (B)), by inserting ''or rebuilding'' after ''undergoing renovation''; and

(D) by adding at the end the following:

''(B) LIMITATIONS.—(i)(I) Except as provided in subclause (II), children described in paragraph (1)(D)(i) may be deemed to be children described in paragraph (1)(B) with respect to housing on Federal property undergoing renovation or rebuilding in accordance with subparagraph (A) for a period not to exceed 2 fiscal years.

''(II) If the Secretary determines, on the basis of a certification provided to the Secretary by a designated representative of the Secretary of Defense, that the expected completion date of the renovation or rebuilding of the housing has been delayed by not less than 1 year, then—

''(aa) in the case of a determination made by the Secretary in the 1st fiscal year described in subclause (I), the time period described such subclause shall be extended by the Secretary for an additional 2 years; and

''(bb) in the case of a determination made by the Secretary in the 2nd fiscal year described in subclause (I), the time period described such subclause shall be extended by the Secretary for an additional 1 year.

''(ii) The number of children described in paragraph (1)(D)(i) who are deemed to be children described in paragraph (1)(B) with respect to housing on Federal property undergoing renovation or rebuilding in accordance with subparagraph (A) for any fiscal year may not exceed the maximum number of children who are expected to occupy that housing upon completion of the renovation or rebuilding.''.

(2) EFFECTIVE DATE.—The amendments made by paragraph (1) shall apply with respect to payments to a local educational agency for fiscal years beginning before, on, or after the date of the enactment of this Act.

(b) MILITARY ''BUILD TO LEASE'' PROGRAM HOUSING.—Section 8003(a) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7703(a)) is amended by adding at the end the following:

''(5) MILITARY 'BUILD TO LEASE' PROGRAM HOUSING.—

''(A) IN GENERAL.—For purposes of computing the amount of payment for a local educational agency for children identified under paragraph (1), the Secretary shall consider children residing in housing initially acquired or constructed under the former section 2828(g) of title 10, United States Code (commonly known as the 'Build to Lease' program), as added by section 801 of the Military Construction Authorization Act, 1984, to be children described under paragraph (1)(B) if the property described is within the fenced security perimeter of the military facility upon which such housing is situated.

''(B) ADDITIONAL REQUIREMENTS.—If the property described in subparagraph (A) is not owned by the Federal Government, is subject to taxation by a State or political subdivision of a State, and thereby generates revenues for a local educational agency that is applying to receive a payment under this section, then the Secretary—

''(i) shall require the local educational agency to provide certification from an appropriate official of the Department of Defense that the property is being used to provide military housing; and

''(ii) shall reduce the amount of the payment under this section by an amount equal to the amount of revenue from such taxation received in the second preceding fiscal year by such local educational agency, unless the amount of such revenue was taken into account by the State for such second preceding fiscal year and already resulted in a reduction in the amount of State aid paid to such local educational agency.''.

SEC. 5. MAXIMUM AMOUNT OF BASIC SUPPORT PAYMENTS.

Section 8003(b)(1) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7703(b)(1)) is amended by adding at the end the following:

''(D) INCREASE IN LOCAL CONTRIBUTION RATE DUE TO UNUSUAL GEOGRAPHIC FACTORS.—If the current expenditures in those local educational agencies which the Secretary has determined to be generally comparable to the local educational agency for which a computation is made under subparagraph (C) are not reasonably comparable because of unusual geographical factors which affect the current expenditures necessary to maintain, in such agency, a level of education equivalent to that maintained in such other agencies, then the Secretary shall increase the local contribution rate for such agency under subparagraph (C)(iii) by such an amount which the Secretary determines will compensate such agency for the increase in current expenditures necessitated by such unusual geographical factors. The amount of any such supplementary payment may not exceed the per-pupil share (computed with regard to all children in average daily attendance), as determined by the Secretary, of the increased current expenditures necessitated by such unusual geographic factors.''.

SEC. 6. BASIC SUPPORT PAYMENTS FOR HEAVILY IMPACTED LOCAL EDUCATIONAL AGENCIES.

(a) IN GENERAL.—Section 8003(b) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7703(b)) is amended—

(1) by redesignating paragraphs (2) and (3) as paragraphs (3) and (4), respectively; and

(2) by inserting after paragraph (1) the following:

''(2) BASIC SUPPORT PAYMENTS FOR HEAVILY IMPACTED LOCAL EDUCATIONAL AGENCIES.—

''(A) IN GENERAL.—(i) From the amount appropriated under section 8014(b) for a fiscal year, the Secretary is authorized to make basic support payments to eligible heavily impacted local educational agencies with children described in subsection (a).

''(ii) A local educational agency that receives a basic support payment under this paragraph for a fiscal year shall not be eligible to receive a basic support payment under paragraph (1) for that fiscal year.

''(B) ELIGIBILITY FOR CONTINUING HEAVILY IMPACTED LOCAL EDUCATIONAL AGENCIES.—

''(i) FISCAL YEAR 2001.—A heavily impacted local educational agency is eligible to receive a basic support payment under subparagraph (A) for fiscal year 2001 with respect to a number of children determined under subsection (a)(1) only if the agency received an additional assistance payment under subsection (f) (as such subsection was in effect on the day before the date of the enactment of the Impact Aid Reauthorization Act of 2000) for fiscal year 2000.

''(ii) FISCAL YEAR 2002 AND SUBSEQUENT FISCAL YEARS.—A heavily impacted local educational agency described in clause (i) is eligible to receive a basic support payment under subparagraph (A) for fiscal year 2002 and any subsequent fiscal year with respect to a number of children determined under subsection (a)(1) only if the agency—

''(I) received a basic support payment under subparagraph (A) for fiscal year 2001; and

''(II)(aa) is a local educational agency whose boundaries are the same as a Federal military installation;

''(bb) has an enrollment of federally connected children described in subsection (a)(1) which constitutes a percentage of the total student enrollment of such agency which is not less than 35 percent, has a per-pupil expenditure that is less than the average per-pupil expenditure of the State in which the agency is located or the average per-pupil expenditure of all States (whichever average per-pupil expenditure is greater), except that a local educational agency with a total student enrollment of less than 350 students shall be deemed to have satisfied such per-pupil expenditure requirement, and has a tax rate for general fund purposes which is at least 95 percent of the average tax rate for general fund purposes of comparable local educational agencies in the State; or

''(cc) has a total student enrollment of not less than 25,000 students, of which not less than 50 percent are federally connected children described in subsection (a)(1) and not less than 6,000 of such federally connected children are children described in subparagraphs (A) and (B) of subsection (a)(1).

''(iii) RESUMPTION OF ELIGIBILITY.—A heavily impacted local educational agency described in clause (i) or (ii) that becomes ineligible under either such clause for 1 or more fiscal years may resume eligibility for a basic support payment under this paragraph for a subsequent fiscal year only if the agency meets the requirements of item (aa), (bb), or (cc) of clause (ii)(II) for that subsequent fiscal year.

''(C) ELIGIBILITY FOR NEW HEAVILY IMPACTED LOCAL EDUCATIONAL AGENCIES.—

''(i) IN GENERAL.—A heavily impacted local educational agency that did not receive an additional assistance payment under subsection (f) (as such subsection was in effect on the day before the date of the enactment of the Impact Aid Reauthorization Act of 2000) for fiscal year 2000 is eligible to receive a basic support payment under subparagraph (A) for fiscal year 2002 and any subsequent fiscal year with respect to a number of children determined under subsection (a)(1) only if the agency—

''(I) has an enrollment of federally connected children described in subsection (a)(1) which constitutes a percentage of the total student enrollment of such agency which (aa) is not less than 50 percent if such agency receives a payment on behalf of children described in subparagraphs (F) and (G) of such subsection or (bb) is not less than 40 percent if such agency does not receive a payment on behalf of such children;

''(II)(aa) is a local educational agency whose boundaries are the same as a Federal military installation; or

''(bb) is a local educational agency that has a tax rate for general fund purposes which is at least 95 percent of the average tax rate for general fund purposes of comparable local educational agencies in the State; and

''(III)(aa) for a local educational agency that has a total student enrollment of 350 or more students, the agency has a per-pupil expenditure that is less than the average per-pupil expenditure of the State in which the agency is located; or

''(bb) for a local educational agency that has a total student enrollment of less than 350 students, the agency has a per-pupil expenditure that is less than the average per-pupil expenditure of a comparable agency in the State in which the agency is located.

''(ii) RESUMPTION OF ELIGIBILITY.—A heavily impacted local educational agency described in clause (i) that becomes ineligible under such clause for 1 or more fiscal years may resume eligibility for a basic support payment under this paragraph for a subsequent fiscal year only if the agency meets the requirements of subclauses (I), (II), and (III) of clause (i) for that subsequent fiscal year.

''(iii) APPLICATION.—With respect to the first fiscal year for which a heavily impacted local educational agency described in clause (i) applies for a basic support payment under subparagraph (A), or with respect to the first fiscal year for which a heavily impacted local educational agency applies for a basic support payment under subparagraph (A) after becoming ineligible under clause (i) for 1 or more preceding fiscal years, the agency shall apply for such payment at least 1 year prior to the start of that first fiscal year.

''(D) MAXIMUM AMOUNT FOR REGULAR HEAVILY IMPACTED LOCAL EDUCATIONAL AGENCIES.—(i) Except as provided in subparagraph (E), the maximum amount that a heavily impacted local educational agency is eligible to receive under this paragraph for any fiscal year is the sum of the total weighted student units, as computed under subsection (a)(2) (subject to clause (ii)), multiplied by the greater of—

''(I) four-fifths of the average per-pupil expenditure of the State in which the local educational agency is located for the third fiscal year preceding the fiscal year for which the determination is made; or

''(II) four-fifths of the average per-pupil expenditure of all of the States for the third fiscal year preceding the fiscal year for which the determination is made.

''(ii)(I) For a local educational agency with respect to which 35 percent or more of the total student enrollment of the schools of the agency are children described in subparagraph (D) or (E) (or a combination thereof) of subsection (a)(1), the Secretary shall calculate the weighted student units of such children for purposes of subsection (a)(2) by multiplying the number of such children by a factor of 0.55.

''(II) For a local educational agency that has an enrollment of 100 or fewer federally connected children described in subsection (a)(1), the Secretary shall calculate the total number of weighted student units for purposes of subsection (a)(2) by multiplying the number of such children by a factor of 1.75.

''(III) For a local educational agency that has an enrollment of more than 100 but not more than 750 children described in subsection (a)(1), the Secretary shall calculate the total number of weighted student units for purposes of subsection (a)(2) by multiplying the number of such children by a factor of 1.25.

''(E) MAXIMUM AMOUNT FOR LARGE HEAVILY IMPACTED LOCAL EDUCATIONAL AGENCIES.—(i)(I) Subject to clause (ii), the maximum amount that a heavily impacted local educational agency described in subclause (II) is eligible to receive under this paragraph for any fiscal year shall be determined in accordance with the formula described in paragraph (1)(C).

''(II) A heavily impacted local educational agency described in this subclause is a local educational agency that has a total student enrollment of not less than 25,000 students, of which not less than 50 percent are federally connected children described in subsection (a)(1) and not less than 6,000 of such federally connected children are children described in subparagraphs (A) and (B) of subsection (a)(1).

''(ii) For purposes of calculating the maximum amount described in clause (i), the factor used in determining the weighted student units under subsection (a)(2) with respect to children described in subparagraphs (A) and (B) of subsection (a)(1) shall be 1.35.

''(F) DATA.—For purposes of providing assistance under this paragraph, the Secretary shall use student, revenue, expenditure, and tax data from the third fiscal year preceding the fiscal year for which the local educational agency is applying for assistance under this paragraph.''.

(b) PAYMENTS WITH RESPECT TO FISCAL YEARS IN WHICH INSUFFICIENT FUNDS ARE APPROPRIATED.—Paragraph (3) of section 8003(b) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7703(b)), as redesignated, is amended—

(1) in subparagraph (A), by striking ''paragraph (1)'' and inserting ''paragraphs (1) and (2)'';

(2) in subparagraph (B)—

(A) in the heading, by inserting after ''PAYMENTS'' the following: ''IN LIEU OF PAYMENTS UNDER PARAGRAPH (1)'';

(B) in the matter preceding subclause (I) of clause (i), by inserting after '''threshold payment')'' the following: ''in lieu of basic support payments under paragraph (1)'';

(C) in clause (ii), by striking ''paragraph (1)'' and inserting ''clause (i)''; and

(D) by adding at the end the following:

''(iv) In the case of a local educational agency that has a total student enrollment of fewer than 1,000 students and that has a per-pupil expenditure that is less than the average per-pupil expenditure of the State in which the agency is located, the total percentage used to calculate threshold payments under clause (i) shall not be less than 40 percent.'';

(3) by redesignating subparagraph (C) as subparagraph (D);

(4) by inserting after subparagraph (B) the following:

''(C) LEARNING OPPORTUNITY THRESHOLD PAYMENTS IN LIEU OF PAYMENTS UNDER PARAGRAPH (2).—For fiscal years described in subparagraph (A), the learning opportunity threshold payment in lieu of basic support payments under paragraph (2) shall be equal to the amount obtained under subparagraph (D) or (E) of paragraph (2), as the case may be.''; and

(5) in subparagraph (D) (as redesignated), by striking ''computation made under subparagraph (B)'' and inserting ''computations made under subparagraphs (B) and (C)''.

(c) CONFORMING AMENDMENTS.—(1) Section 8002(b)(1)(C) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7702(b)(1)(C)) is amended by striking ''section 8003(b)(1)(C)'' and inserting ''paragraph (1)(C) of section 8003(b) or subparagraph (D) or (E) of paragraph (2) of such section, as the case may be''.

(2) Section 8003 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7703) is amended—

(A) in subsection (a)(1), by striking ''subsection (b), (d), or (f)'' and inserting ''subsection (b) or (d)'';

(B) in subsection (b)—

(i) in paragraph (1)(C), in the matter preceding clause (i), by striking ''this subsection'' and inserting ''this paragraph''; and

(ii) in paragraph (4) (as redesignated)—

(I) in subparagraph (A), by striking ''paragraphs (1)(B), (1)(C), and (2) of this subsection'' and inserting ''subparagraphs (B) and (C) of paragraph (1) or subparagraphs (B) through (D) of paragraph (2), as the case may be, paragraph (3) of this subsection''; and

(II) in subparagraph (B)—

(aa) by inserting after ''paragraph (1)(C)'' the following: ''or subparagraph (D) or (E) of paragraph (2), as the case may be,''; and

(bb) by striking ''paragraph (2)(B)'' and inserting ''subparagraph (B) or (C) of paragraph (3)'';

(C) in subsection (c)(1), by striking ''paragraph (2) and subsection (f)'' and inserting ''subsection (b)(2) and paragraph (2)'';

(D) by striking subsection (f); and

(E) in subsection (i), by striking ''sections 8002 and 8003(b)'' and inserting ''section 8002 and subsection (b) of this section''.

SEC. 7. BASIC SUPPORT PAYMENTS FOR LOCAL EDUCATIONAL AGENCIES AFFECTED BY REMOVAL OF FEDERAL PROPERTY.

Section 8003(b) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7703(b)), as amended by this Act, is further amended by adding at the end the following:

''(5) LOCAL EDUCATIONAL AGENCIES AFFECTED BY REMOVAL OF FEDERAL PROPERTY.—

''(A) IN GENERAL.—In computing the amount of a basic support payment under this subsection for a fiscal year for a local educational agency described in subparagraph (B), the Secretary shall meet the additional requirements described in subparagraph (C).

''(B) LOCAL EDUCATIONAL AGENCY DESCRIBED.—A local educational agency described in this subparagraph is a local educational agency with respect to which Federal property (i) located within the boundaries of the agency, and (ii) on which 1 or more children reside who are receiving a free public education at a school of the agency, is transferred by the Federal Government to another entity in any fiscal year beginning on or after the date of the enactment of the Impact Aid Reauthorization Act of 2000 so that the property is subject to taxation by the State or a political subdivision of the State.

''(C) ADDITIONAL REQUIREMENTS.—The additional requirements described in this subparagraph are the following:

''(i) For each fiscal year beginning after the date on which the Federal property is transferred, a child described in subparagraph (B) who continues to reside on such property and who continues to receive a free public education at a school of the agency shall be deemed to be a child who resides on Federal property for purposes of computing under the applicable subparagraph of subsection (a)(1) the amount that the agency is eligible to receive under this subsection.

''(ii)(I) For the third fiscal year beginning after the date on which the Federal property is transferred, and for each fiscal year thereafter, the Secretary shall, after computing the amount that the agency is otherwise eligible to receive under this subsection for the fiscal year involved, deduct from such amount an amount equal to the revenue received by the agency for the immediately preceding fiscal year as a result of the taxable status of the former Federal property.

''(II) For purposes of determining the amount of revenue to be deducted in accordance with subclause (I), the local educational agency—

''(aa) shall provide for a review and certification of such amount by an appropriate local tax authority; and

''(bb) shall submit to the Secretary a report containing the amount certified under item (aa).''.

SEC. 8. ADDITIONAL PAYMENTS FOR LOCAL EDUCATIONAL AGENCIES WITH HIGH CONCENTRATIONS OF CHILDREN WITH SEVERE DISABILITIES.

(a) REPEAL.—Subsection (g) of section 8003 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7703(g)) is repealed.

(b) CONFORMING AMENDMENTS.—(1) Section 8003 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7703) is amended by redesignating subsections (h) and (i) as subsections (f) and (g), respectively.

(2) Section 426 of the General Education Provisions Act (20 U.S.C. 1228) is amended by striking ''subsections (d) and (g) of section 8003 of such Act'' and inserting ''section 8003(d) of such Act''.

SEC. 9. APPLICATION FOR PAYMENTS UNDER SECTIONS 8002 AND 8003.

Section 8005(d) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7705(d)) is amended—

(1) in paragraph (2), by inserting after ''not more than 60 days after a deadline established under subsection (c)'' the following: '', or not more than 60 days after the date on which the Secretary sends written notice to the local educational agency pursuant to paragraph (3)(A), as the case may be,''; and

(2) in paragraph (3) to read as follows:

''(3) LATE APPLICATIONS.—

''(A) NOTICE.—The Secretary shall, as soon as practicable after the deadline established under subsection (c), provide to each local educational agency that applied for a payment under section 8002 or 8003 for the prior fiscal year, and with respect to which the Secretary has not received an application for a payment under either such section (as the case may be) for the fiscal year in question, written notice of the failure to comply with the deadline and instruction to ensure that the application is filed not later than 60 days after the date on which the Secretary sends the notice.

''(B) ACCEPTANCE AND APPROVAL OF LATE APPLICATIONS.—The Secretary shall not accept or approve any application of a local educational agency that is filed more than 60 days after the date on which the Secretary sends written notice to the local educational agency pursuant to subparagraph (A).''.

SEC. 10. PAYMENTS FOR SUDDEN AND SUBSTANTIAL INCREASES IN ATTENDANCE OF MILITARY DEPENDENTS.

Section 8006 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7706) is repealed.

SEC. 11. CONSTRUCTION.

(a) IN GENERAL.—Section 8007 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7707) is amended to read as follows:

''SEC. 8007. CONSTRUCTION.

''(a) CONSTRUCTION PAYMENTS AUTHORIZED.—

''(1) IN GENERAL.—From 70 percent of the amount appropriated for each fiscal year under section 8014(e), the Secretary shall make payments in accordance with this subsection to each local educational agency that receives a basic support payment under section 8003(b) for that fiscal year.

''(2) ADDITIONAL REQUIREMENTS.—A local educational agency that receives a basic support payment under section 8003(b)(1) shall also meet at least 1 of the following requirements:

''(A) The number of children determined under section 8003(a)(1)(C) for the agency for the preceding school year constituted at least 50 percent of the total student enrollment in the schools of the agency during the preceding school year.

''(B) The number of children determined under subparagraphs (B) and (D)(i) of section 8003(a)(1) for the agency for the preceding school year constituted at least 50 percent of the total student enrollment in the schools of the agency during the preceding school year.

''(3) AMOUNT OF PAYMENTS.—

''(A) LOCAL EDUCATIONAL AGENCIES IMPACTED BY MILITARY DEPENDENT CHILDREN.—The amount of a payment to each local educational agency described in this subsection that is impacted by military dependent children for a fiscal year shall be equal to—

''(i)(II) 35 percent of the amount appropriated under section 8014(e) for such fiscal year; divided by

''(II) the total number of weighted student units of children described in subparagraphs (B) and (D)(i) of section 8003(a)(1) for all local educational agencies described in this subsection (as calculated under section 8003(a)(2)), including the number of weighted student units of such children attending a school facility described in section 8008(a) if the Secretary does not provide assistance for the school facility under that section for the prior fiscal year; multiplied by

''(ii) the total number of such weighted student units for the agency.

''(B) LOCAL EDUCATIONAL AGENCIES IMPACTED BY CHILDREN WHO RESIDE ON INDIAN LANDS.—The amount of a payment to each local educational agency described in this subsection that is impacted by children who reside on Indian lands for a fiscal year shall be equal to—

''(i)(I) 35 percent of the amount appropriated under section 8014(e) for such fiscal year; divided by

''(II) the total number of weighted student units of children described in section 8003(a)(1)(C) for all local educational agencies described in this subsection (as calculated under section 8003(a)(2)); multiplied by

''(ii) the total number of such weighted student units for the agency.

''(4) USE OF FUNDS.—Any local educational agency that receives funds under this subsection shall use such funds for construction, as defined in section 8013(3).

''(b) SCHOOL FACILITY MODERNIZATION GRANTS AUTHORIZED.—

''(1) IN GENERAL.—From 30 percent of the amount appropriated for each fiscal year under section 8014(e), the Secretary shall award grants in accordance with this subsection to eligible local educational agencies to enable the local educational agencies to carry out modernization of school facilities.

''(2) ELIGIBILITY REQUIREMENTS.—A local educational agency is eligible to receive funds under this subsection only if—

''(A) such agency (or in the case of a local educational agency that does not have the authority to tax or issue bonds, such agency's fiscal agent) has no capacity to issue bonds or is at such agency's limit in bonded indebtedness for the purposes of generating funds for capital expenditures; and

''(B)(i) such agency received assistance under section 8002(a) for the fiscal year and has an assessed value of taxable property per student in the school district that is less than the average of the assessed value of taxable property per student in the State in which the local educational agency is located; or

''(ii) such agency received assistance under subsection (a) for the fiscal year and has a school facility emergency, as determined by the Secretary, that poses a health or safety hazard to the students and school personnel assigned to the school facility.

''(3) AWARD CRITERIA.—In awarding grants under this subsection the Secretary shall consider 1 or more of the following factors:

''(A) The extent to which the local educational agency lacks the fiscal capacity to undertake the modernization project without Federal assistance.

''(B) The extent to which property in the local educational agency is nontaxable due to the presence of the Federal Government.

''(C) The extent to which the local educational agency serves high numbers or percentages of children described in subparagraphs (A), (B), (C), and (D) of section 8003(a)(1).

''(D) The need for modernization to meet—

''(i) the threat that the condition of the school facility poses to the safety and well-being of students;

''(ii) overcrowding conditions as evidenced by the use of trailers and portable buildings and the potential for future overcrowding because of increased enrollment; and

''(iii) facility needs resulting from actions of the Federal Government.

''(E) The age of the school facility to be modernized.

''(4) OTHER AWARD PROVISIONS.—

''(A) FEDERAL SHARE.—The Federal funds provided under this subsection to a local educational agency described in subparagraph (C) shall not exceed 50 percent of the total cost of the project to be assisted under this subsection. A local educational agency may use in-kind contributions to meet the matching requirement of the preceding sentence.

''(B) MAXIMUM GRANT.—A local educational agency described in subparagraph (C) may not receive a grant under this subsection in an amount that exceeds $3,000,000 during any 5-year period.

''(C) LOCAL EDUCATIONAL AGENCY DESCRIBED.—A local educational agency described in this subparagraph is a local educational agency that has the authority to issue bonds but is at such agency's limit in bonded indebtedness for the purposes of generating funds for capital expenditures.

''(5) APPLICATIONS.—A local educational agency that desires to receive a grant under this subsection shall submit an application to the Secretary at such time, in such manner, and accompanied by such information as the Secretary may require. Each application shall contain—

''(A) documentation certifying such agency's lack of bonding capacity;

''(B) a listing of the school facilities to be modernized, including the number and percentage of children determined under section 8003(a)(1) in average daily attendance in each school facility;

''(C) a description of the ownership of the property on which the current school facility is located or on which the planned school facility will be located;

''(D) a description of any school facility deficiency that poses a health or safety hazard to the occupants of the school facility and a description of how that deficiency will be repaired;

''(E) a description of the modernization to be supported with funds provided under this subsection;

''(F) a cost estimate of the proposed modernization; and

''(G) such other information and assurances as the Secretary may reasonably require.

''(6) EMERGENCY GRANTS.—

''(A) APPLICATIONS.—Each local educational agency described in paragraph (2)(B)(ii) that desires a grant under this subsection shall include in the application submitted under paragraph (5) a signed statement from an appropriate local official certifying that a health or safety deficiency exists.

''(B) PRIORITY.—If the Secretary receives more than 1 application from local educational agencies described in paragraph (2)(B)(ii) for grants under this subsection for any fiscal year, the Secretary shall give priority to local educational agencies based on the severity of the emergency, as determined by the Secretary, and when the application was received.

''(C) CONSIDERATION FOR FOLLOWING YEAR.—A local educational agency described in paragraph (2)(B)(ii) that applies for a grant under this subsection for any fiscal year and does not receive the grant shall have the application for the grant considered for the following fiscal year, subject to the priority described in subparagraph (B).''.

(b) DEFINITION.—Section 8013 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7713) is amended by adding at the end the following:

''(13) MODERNIZATION.—The term 'modernization' means repair, renovation, alteration, or construction, including—

''(A) the concurrent installation of equipment; and

''(B) the complete or partial replacement of an existing school facility, but only if such replacement is less expensive and more cost-effective than repair, renovation, or alteration of the school facility.''.

SEC. 12. FEDERAL ADMINISTRATION.

Section 8010(c) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7710(c)) is amended—

(1) by striking paragraph (1);

(2) by redesignating paragraphs (2) and (3) as paragraphs (1) and (2), respectively; and

(3) in paragraph (2)(D) (as redesignated), by striking ''section 5(d)(2) of the Act of September 30, 1950 (Public Law 874, 81st Congress) (as such section was in effect on the day preceding the date of enactment of the Improving America's Schools Act of 1994) or''.

SEC. 13. ADMINISTRATIVE HEARINGS AND JUDICIAL REVIEW.

(a) ADMINISTRATIVE HEARINGS.—

(1) IN GENERAL.—Section 8011(a) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7711) is amended by adding at the end before the period the following: ''if the local educational agency or State, as the case may be, submits to the Secretary a request for the hearing not later than 60 days after the date of the action of the Secretary under this title''.

(2) EFFECTIVE DATE.—The amendment made by paragraph (1) shall apply with respect to an action of the Secretary under title VIII of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7701 et seq.) initiated on or after the date of the enactment of this Act.

(b) JUDICIAL REVIEW OF SECRETARIAL ACTION.—Section 8011(b)(1) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7711(b)(1)) is amended by striking ''60 days'' and inserting ''30 working days (as determined by the local educational agency or State)''.

SEC. 14. DEFINITIONS.

Section 8013(5)(A)(iii) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7713(5)(A)(iii)) is amended—

(1) in subclause (I), by striking ''or'' at the end; and

(2) by adding at the end the following:

''(III) affordable housing assisted under the Native American Housing Assistance and Self-Determination Act of 1996; or''.

SEC. 15. AUTHORIZATION OF APPROPRIATIONS.

(a) PAYMENTS FOR FEDERAL ACQUISITION OF REAL PROPERTY.—Section 8014(a) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7714(a)) is amended by striking ''$16,750,000 for fiscal year 1995'' and inserting ''$32,000,000 for fiscal year 2000''.

(b) BASIC PAYMENTS.—Section 8014(b) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7714(b)) is amended—

(1) by striking ''subsections (b) and (f) of section 8003'' and inserting ''section 8003(b)'';

(2) by striking ''$775,000,000 for fiscal year 1995'' and inserting ''$809,400,000 for fiscal year 2000''; and

(3) by striking '', of which 6 percent'' and all that follows and inserting a period.

(c) PAYMENTS FOR CHILDREN WITH DISABILITIES.—Section 8014(c) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7714(c)) is amended by striking ''$45,000,000 for fiscal year 1995'' and inserting ''$50,000,000 for fiscal year 2000''.

(d) PAYMENTS FOR INCREASES IN MILITARY CHILDREN.—Subsection (d) of section 8014 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7714) is repealed.

(e) CONSTRUCTION.—Section 8014(e) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7714(e)) is amended by striking ''$25,000,000 for fiscal year 1995'' and inserting ''$10,052,000 for fiscal year 2000''.

(f) FACILITIES MAINTENANCE.—Section 8014(f) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7714(f)) is amended by striking ''$2,000,000 for fiscal year 1995'' and inserting ''$5,000,000 for fiscal year 2000''.

(g) ADDITIONAL ASSISTANCE FOR CERTAIN LOCAL EDUCATIONAL AGENCIES IMPACTED BY FEDERAL PROPERTY ACQUISITION.—Section 8014(g) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7714(g)) is amended—

(1) in the heading, by striking ''FEDERAL PROPERTY LOCAL EDUCATIONAL AGENCIES'' and inserting ''LOCAL EDUCATIONAL AGENCIES IMPACTED BY FEDERAL PROPERTY ACQUISITION''; and

(2) by striking ''such sums as are necessary beginning in fiscal year 1998 and for each succeeding fiscal year'' and inserting ''$1,500,000 for fiscal year 2000 and such sums as may be necessary for each of the four succeeding fiscal years''.

SEC. 16. EFFECTIVE DATE.

This Act, and the amendments made by this Act, shall take effect on October 1, 2000, or the date of the enactment of this Act, whichever occurs later.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Pennsylvania (Mr. GOODLING) and the gentlewoman from Hawaii (Mrs. MINK) each will control 20 minutes.

The Chair recognizes the gentleman from Pennsylvania (Mr. Goodling).

GENERAL LEAVE

Mr. GOODLING. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on H.R. 3616, the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. GOODLING. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, first of all, I want to thank Miss Impact Aid. Miss Impact Aid, Ms. Selmser, is sitting beside me here. She came with me 19 years ago, and she is still here and still doing Impact Aid.

I rise in support of H.R. 3616, the Impact Aid Reauthorization Act of 2000. This legislation, introduced by the gentleman from North Carolina (Mr. HAYES), updates and improves the Impact Aid program to address issues brought to our attention by school leaders and educators around the country.

Up front let me thank the gentleman from North Carolina for his tireless effort on behalf of the Impact Aid program. His constituents should be very proud of his good work on behalf of America's students.

H.R. 3616 was reported by the Committee on Education and the Workforce by a voice vote. It represents a strong bipartisan agreement and is supported by 10 cochairs of the bipartisan House Impact Aid Coalition, the National Association of Federally Impacted Schools, the National Military Impacted Schools Association and the Indian Impacted Schools Association.

Mr. Speaker, the Impact Aid is unlike any other Elementary and Secondary Education program. Impact Aid is truly a Federal responsibility. It provides funds to schools that have lost taxable property due to Federal ownership, such as the presence of military installations, tribal lands, low-rent housing or national parks. Because of this Federal presence, the amount of money available to schools is reduced to the extent that it could negatively impact on the quality of education provided to students.

There was a time when I believed the program was not well focused. Money

was being spent on districts where there was not a clear need due to a Federal presence. This changed with the reforms to Impact Aid during the last reauthorization in 1994. At that time the program was revised to focus available funds on those school districts with the greatest need for assistance. Since those changes were implemented, I believe the program has worked quite well, and the bill before us, H.R. 3616, continues these reforms, while including additional improvements to the Impact Aid program.

H.R. 3616 would modify the formula used to determine payments for Federal property to ensure a more equitable distribution of funds. It also reforms the method used to make payments to the most heavily impacted school districts to reduce paperwork and speed up the receipt of needed funds. This change has been tested in a pilot program included in the last two appropriation bills and has proven to work.

This legislation will revise the current construction provisions of Impact Aid. This section, modeled on a bill authored by the gentleman from Arizona (Mr. HAYWORTH), would allow federally-impacted school districts with no bonding capacity, or schools with health or safety hazards to apply for Impact Aid construction funds. A portion of these funds would be reserved for that purpose.

The bill provides a funding floor for small school districts with fewer than a thousand children who have a per-pupil expenditure lower than their State average. This change will help these districts raise their per-pupil spending to a level that will provide them the necessary resources to better meet the educational needs of the student.

Finally, as many of my colleagues know, every year we are faced with amendments to the Impact Aid program to assist schools that have missed filing deadlines. In the past, some districts have sent their applications to the wrong address or have had personnel changes that caused the deadline to be overlooked. H.R. 3616 contains a provision to require the Department of Education to notify schools that they have missed the filing deadline. The Department will also provide schools with 60 days from the date of notice to file their application.

□ 1615

In my view, this ensures that school districts will no longer have any excuse for missing their deadlines. They are not little children, so they should make sure they do not miss their deadlines if they want the money.

These are but a few of the changes included in the legislation we are considering today. I would like to thank the gentleman from Missouri (Mr. CLAY), the ranking minority member; the gentleman from Delaware (Mr. CASTLE); the gentleman from Michigan (Mr. KILDEE); and, most importantly, the gentleman from North Carolina (Mr. HAYES) for working with me to create a strong bipartisan reauthorization bill.

Mr. Speaker, I reserve the balance of my time.

Mrs. MINK of Hawaii. Mr. Speaker, I yield myself such time as I may consume.

(Mrs. MINK of Hawaii asked and was given permission to revise and extend her remarks.)

Mrs. MINK of Hawaii. Mr. Speaker, today's legislation before the House, H.R. 3616, authorizes a very valuable and important Federal education program known as Impact Aid.

Impact Aid is a Federal formula grant designed to assist school districts that have lost property tax revenue due to the presence of tax-exempt Federal property or have increased expenditures due to the enrollment of federally-connected children.

Children covered under the Impact Aid law include those residing on Indian lands, military installations, low-rent housing properties and other Federal properties, and whose parents are in the uniformed services or employed on eligible Federal properties.

Impact Aid is the only Federal education program where funds are sent directly to the school districts.

In a State like Hawaii, which has a very large number of military installations and over 150,000 military personnel at any given time, we have a very large dependence on the impact program. So I want to take this opportunity to thank the chairman of the House Committee on Education and the Workforce, the gentleman from Pennsylvania (Mr. GOODLING), for advancing this very important bill with the modifications that he described.

I know that it is the product of several months of bipartisan negotiations, and I believe that the changes that have been made to the legislation will add many of the improvements that have been sought by our school districts, including the business about late filing.

The bill allows a new provision for districts that have no bonding authority and have very serious construction and housing problems with reference to their school facilities, which present serious health and safety problems for the children. I hope that this new authority will address many of the emergency needs that have come to attention of this committee.

In closing, Mr. Speaker, I urge Members to support this important legislation, H.R. 3616. It comes to the floor with very strong bipartisan support.

Mr. Speaker, I reserve the balance of my time.

Mr. GOODLING. Mr. Speaker, I yield 2 minutes to the gentleman from Nebraska (Mr. BARRETT) from the committee.

Mr. BARRETT of Nebraska. Mr. Speaker, I thank my chairman for yielding me this time.

Mr. Speaker, I rise in very strong support of the Impact Aid Reauthorization Act of 2000. Mr. Speaker, this bill provides much needed support for federally-impacted school districts without the local tax base to support education. This primarily includes those schools on or near military bases and on Indian reservations.

I have always supported Impact Aid, and this bill goes a long way toward meeting some of the critical needs of Impact Aid schools. I especially like the expanded construction fund provisions to help schools without bonding authority. This will help Indian schools in my State like Winnebago, Walthill, Omaha Nation, and Santee.

I often think it is too easy for people in Washington to forget that schools receiving Impact Aid are often the poorest and face some of the biggest obstacles. A few months ago, the Omaha World-Herald ran an excellent series describing some of the challenges facing Indian education in Nebraska and across the country. Dysfunctional tribal governments, poor home environments, alcohol, tobacco, drug addiction, the highest truancy and dropout rates of any minority group, and a host of other problems face Native American children in schools across this country.

When the U.S. Government signed treaties with these tribes years ago, we promised to educate their children. So far, our efforts have fallen short and have left generations of Native American children without the chance of a good education.

Now, at a very bare minimum, Mr. Speaker, for Native American children, as well as children from our military personnel, like those serving at the Omaha Offutt Air Force Base, we can authorize funds to support basic education through Impact Aid. This is a good bill. It is a well-balanced bill. I strongly urge the passage of the Impact Aid Reauthorization Act of 2000.

Mrs. MINK of Hawaii. Mr. Speaker, I am pleased to yield 3 minutes to the gentleman from Virginia (Mr. SCOTT) a distinguished member of our Committee on Education and the Workforce.

Mr. SCOTT. Mr. Speaker, I thank the gentlewoman from Hawaii for yielding me the time.

Mr. Speaker, the bill before us today is a true bipartisan effort. I would like to thank the gentleman from Pennsylvania (Chairman GOODLING), the gentleman from Delaware (Mr. CASTLE), the gentleman from Missouri (Mr. CLAY) and the gentleman from Michigan (Mr. KILDEE) for their work in crafting reauthorization which will ensure that federally-impacted school districts will continue to be compensated for the loss in property tax revenue due to the military or Federal presence in their district.

I want to specifically thank the gentleman from Pennsylvania (Chairman GOODLING) on behalf of the Virginia Tidewater Delegation, the gentleman from Virginia (Mr. BATEMAN), the gentleman from Virginia (Mr. SISISKY), the

gentleman from Virginia (Mr. PICKETT) and myself for his assistance in resolving a unique situation in the district of the gentleman from Virginia (Mr. PICKETT) at the Oceana Naval Air Station in Virginia Beach.

As a result of the efforts of the chairman, the Virginia Beach school district can continue to receive Impact Aid without future penalties and other school districts who find themselves in a similar situation as it relates to rehabilitated military housing will have the appropriate guidance.

Mr. Speaker, Impact Aid continues to be an important funding stream for school districts that enroll a high number of children whose parents serve in the military or whose parents are Federal employees.

There is one part of the bill, however, Mr. Speaker, that needs improvement. I encourage the conference committee to work towards adjusting the funding formula to better reflect the impact of military and civilian dependent students whose parents work on Federal and military installations but actually reside in the local community.

The school districts, obviously, will not benefit from the taxes paid by the employer of Federal employees. And employer taxes represent a substantial portion of the tax base which pays for public schools. And so, an increase in aid for those children will help compensate what the loss is to the school districts by the loss of employer taxes. That means a lot to school districts in Norfolk, Newport News or Hampton in my district. But the same scenario holds true for the other school districts in the Hampton area of Virginia such as York County, Virginia Beach, and Chesapeake.

I want to congratulate my colleagues on this reauthorization, and I look forward to working with them towards full compensation of school districts for the loss in taxes that they receive and the Impact Aid as an extremely crucial part of helping that funding gap.

Mr. GOODLING. Mr. Speaker, I yield 3 minutes to the gentleman from Nebraska (Mr. TERRY).

Mr. TERRY. Mr. Speaker, I rise in support of H.R. 3616.

I testify today in my capacity as co-chairman of the Impact Aid Coalition and as the representative of Offut Air Force Base in my home district.

Offutt Air Force Base has as its tenants US/STRATCOM and the 55th Wing and a variety of other missions. This district is a heavily-impacted district. The land mass of Offutt Air Force Base is huge; and our school districts that educate the military children rely on their primary funding, property taxes, which, of course, because of the Federal base, this district does not collect.

Each year Congress rides to the rescue for these type of school districts. Bellevue is a wonderful example of a school district dependent on the deadbeat dad of the Federal Government for its survival. Each year it survives attempts to cut the budget for these military families. Such as, in Bellevue, 45 percent of its school population is composed of military families.

These families should not have to settle for less of an education than their counterparts surrounding Bellevue and Nebraska. Our military families should not be treated as second-class citizens.

Mr. Speaker, I am especially pleased with how this legislation deals with section 8003(f). The Clinton/Gore administration, in their budget, recommended the elimination of this section, which would take $6 million annually from this school district. H.R. 3616 deals a blow to this proposal by taking section (f) from a pilot program and making it a basic part of the payment structure. It would also encourage the method under which the supplemental payments are calculated and paid, therefore expediting the receipts of payment by heavily-impacted school districts. Until now, these heavily-impacted school districts had to wait a significant amount of time in order to receive their Federal payments.

Those in our armed forces need to know that the Federal Government is doing right by the school systems that teach their children. Education programs outside of Impact Aid are receiving increases, while we survive repeated attempts to cut Impact Aid.

I urge my colleagues to vote for this legislation. The $4.8 billion, 5-year reauthorization will ensure that those schools that are heavily impacted will maintain its funding.

Mrs. MINK of Hawaii. Mr. Speaker, I am pleased to yield 5 minutes to the gentleman from Texas (Mr. EDWARDS), who chairs the Congressional Impact Aid Caucus.

Mr. EDWARDS. Mr. Speaker, I thank the gentlewoman from Hawaii (Mrs. MINK) for yielding me the time.

Mr. Speaker, oftentimes the best products of this House pass with very little national attention for the very reason they have been put together on a bipartisan basis, and there has not been a great deal of conflict. This is a perfect example of that.

This is an important bill, helping deserving families and children. The Impact Aid program annually helps over 17 million children, Native American, military children, and helps them receive a better education. It is an important program for many reasons.

I want to congratulate the gentleman from Pennsylvania (Chairman GOODLING) for his leadership, along with the gentleman from Missouri (Mr. CLAY), in seeing that this important legislation that is affecting millions of children is here on the floor without rancor, without partisanship. This is a great compliment to the chairman and to the ranking member.

I also want to take this time, I was not here on the floor, to thank the gentleman from Illinois (Mr. PORTER), who is chairman of the Subcommittee on Labor, Health and Human Services and Education, and who has played a fundamental roll over the last several years in ensuring increased funding for these Native American children and military children. We will miss his leadership.

But most importantly, millions of children will have a better life for many decades to come because of the leadership of the gentleman from Illinois (Mr. PORTER), the gentleman from Pennsylvania (Mr. GOODLING), and the gentleman from Missouri (Mr. CLAY) and all of those on the committee who have worked on this important legislation.

Mr. Speaker, as the representative of Ft. Hood, Texas, I have the privilege of representing the largest Army installation in the world. And from that perspective, I would like to take just a few moments to focus my remarks on the sacrifices made by military children, those children we are helping in this bill.

On Veterans Day and Memorial Day, our Nation, and rightfully so, honors men and women in uniform who have given so much, perhaps their all, for all of us in this country.

What is all too often forgotten is the sacrifices made by our military families and children. Think just for a minute, if you would, about the life of a military child, knowing how proud they are of their mom or dad who are serving in the military. But think for a moment what it is like to move five or six or eight or ten times between their first grade classes and graduating from high school. What is it like to just get elected as cheerleader in their high school or captain of their soccer team or football team only to find out that their mother or father has been asked by his or her country to move to another State?

What is it like to have mom or dad deployed for 6 or 12 months at a time, missing baseball and soccer and other events at their school? And what is it like to have mother or father not be there for high school commencement because mom or dad is serving their country?

Worse yet, what is it like for millions of young military children who have to face the possible reality of not having their mother or father at their high school commencement because they might have been killed in training or in combat?

Just over a year ago, Mr. Speaker, I saw a high school junior in my district in Coleen, a young lady who saw her mother for the first time in 2 months because her mother was in Bosnia serving in uniform, saw her mother over teleconferencing from Ft. Hood. How do we put a value on the sacrifice of that young lady who had not even seen her mom in 2 months and would not see her in person for several more months?

□ 1630

Just Easter weekend of this year with Senator HUTCHINSON and others, I met a young private who missed the birth recently of his first child. Who

among us as fathers in this House would not be devastated to be away from our wife upon such an important moment as that? We all know military children rightfully are proud of their parents.

While we cannot fully understand all of their sacrifices unless we were in their shoes, what we can do and what we morally must do is say and to ensure that military children deserve no less than a first-class education. That is what impact aid is all about. It is a first-class, quality education for deserving children. It is telling our soldiers and sailors and airmen and Marines, if you are thousands of miles away in uniform putting your life on the line for your Nation, then you have a right to know your children are back home getting a good education. Impact aid is about readiness, because we cannot attract and keep the best and brightest in our military unless we ensure that their families can be confident their children will get a quality education. Impact aid. It is not the only way but it is an important way we in this House today on a bipartisan basis can say thank you to the servicemen and women of America.

Mr. GOODLING. Mr. Speaker, I yield 2¾ minutes to the gentlewoman from New York (Mrs. KELLY), who knows what impact aid is all about.

Mrs. KELLY. Mr. Speaker, I rise today in support of H.R. 3616, the Impact Aid Reauthorization Act of 2000. This bill, which has moved through the committee process with strong bipartisan support is a clear example of this Congress' dedication to our Nation's children and a fulfillment of the Federal commitment to local educational agencies impacted by the presence of the Federal Government.

In fact, section 8002 of the Impact Aid Program which serves land impacted districts was funded in fiscal year 2000 at almost twice the amount it was funded at for fiscal year 1995. However, this section and the entire program is still not yet fully funded. Due to the program's limited resources, we face a situation where we must factor need into the funding formula to ensure that resources are getting to the schools who rely on the assistance the most.

Like many of my colleagues, I represent one of the most highly impacted schools in the Nation. This school relies on the impact aid program. Adjacent to West Point, the Highland Falls-Fort Montgomery school district is a textbook example of the importance of this program. As one of 243 land impacted school districts, it is nearly impossible for this district to raise the revenues necessary to provide their children with the quality of education which they deserve. Because this school is sandwiched between Federal land, a State park and the Hudson River, it leaves the school district with 93 percent nontaxable land. Only 7 percent of land is available from which to fund the school. Several years ago when faced with decreased funding, the school district was faced with a real possibility that it would have to close its doors. They were forced to eliminate several teachers, some of the support staff and some administrators. In fact, it even got so bad that the students walked out to protest the deteriorating conditions of their schools. Today, thanks to the renewed support of section 8002 and of the Impact Aid Program, this school district has been able to begin capital improvements, they have hired new teachers, they have tutors and they have reinstated the college advanced placement courses. None of this would have been possible without the assistance that they received through Impact Aid.

Mr. Speaker, reauthorization of this and the other programs associated with the Elementary and Secondary Education Act is critical to the future success of our children and our Nation. I urge my colleagues to vote in support of this legislation.

In addition, I would like to thank the sponsor of this legislation the gentleman from North Carolina (Mr. HAYES) and the distinguished chairman of the Committee on Education and the Workforce the gentleman from Pennsylvania (Mr. GOODLING) for his tireless efforts on behalf of the children of this Nation, both during his 26 years in the House and as a school superintendent. His efforts are appreciated and they will be very much missed in the future. We thank him for all he has done for all of the schoolchildren of this Nation.

Mr. GOODLING. Mr. Speaker, I yield 2½ minutes to the gentleman from New York (Mr. GILMAN).

(Mr. GILMAN asked and was given permission to revise and extend his remarks.)

Mr. GILMAN. Mr. Speaker, I thank the gentleman for yielding me this time.

Mr. Speaker, as a longtime cosponsor of impact aid legislation, I rise today in strong support of this bill. I would note that the Impact Aid Reauthorization Act of 2000 is an important step forward. I want to thank the sponsor of the legislation for his hard work, the gentleman from North Carolina (Mr. HAYES) and the gentleman from Pennsylvania (Mr. GOODLING), the distinguished chairman of the Committee on Education and the Workforce, and the gentlewoman from Hawaii (Mrs. MINK) for their longtime advocacy of impact aid.

This measure, Mr. Speaker, will assist those school districts with their loss of tax revenues resulting from a heavy presence of federally owned lands. Such is the case for the Highland Falls-Fort Montgomery School District located in Orange County, New York, which includes some 16,000 acres of the United States Military Academy at West Point.

Mr. Speaker, this measure establishes a pilot program for heavily impacted school districts and addresses the growing problem of how to compensate school districts for the loss of impact aid revenues due to the continued practice of privatizing military housing, all of which is of particular concern to those in the Highland Falls-Fort Montgomery District due to the presence of the West Point Military Academy.

I am pleased that the House today is considering this important measure to once again ensure the economic viability of those school districts throughout our communities providing the important service of educating our children, including those from the armed forces.

Accordingly, I urge all of our colleagues to support this important Impact Aid measure.

Mr. GOODLING. Mr. Speaker, if I had known what the gentlewoman from New York was going to say at the end, I would have given her a couple of minutes.

Mr. Speaker, I yield 5 minutes to the gentleman from North Carolina (Mr. HAYES), who worked tirelessly to promote this legislation.

(Mr. HAYES asked and was given permission to revise and extend his remarks.)

Mr. HAYES. Mr. Speaker, I would like to take up where the gentlewoman from New York left off. The gentleman from Pennsylvania has worked with enthusiasm, with determination and with tireless effort to move this bill forward. I would like to also thank the gentleman from Michigan (Mr. KILDEE), the ranking member of the subcommittee, again for his tireless effort and identify myself with the remarks of the gentleman from Texas (Mr. EDWARDS) and call to the attention of the body that this has been a bill supported strongly by Members on both sides of the aisle. This has been an example of Congress working together for our young people to give them opportunities and working at its best.

Mr. Speaker, I rise to ask my colleagues, as have others, to support strongly this important piece of education legislation. In my Congressional district, impact aid is a crucial element of the basic financial support for schools in Cumberland, Robeson, Hoke, Richmond and Scotland Counties. Just as local taxes support other school districts, impact aid bridges the gap in counties where the Federal Government is a major landowner. In some cases, impact aid supplies a significant portion of school districts' operating budgets. For example, in Cumberland County, home of Fort Bragg and Pope Air Force Base, over one-third of the school district's budget comes from impact aid and other Federal education programs. In fact, the Cumberland County School System receives the most impact aid of any system in North Carolina. Dr. Bill Harrison, superintendent of Cumberland County Schools, recently testified before Congress on the importance of impact aid. He did a great job of describing the real world ways by which our children are helped through impact aid.

The Impact Aid Reauthorization Act of 2000 builds on key improvements to

the Impact Aid Program. The program was written so it would focus impact aid dollars on those school districts most heavily impacted by a Federal presence. These changes have proven extremely successful in getting funds to schools in greatest need of assistance, thus enabling them to improve the quality of education provided to students. This legislation will further improve the program and should lead to even stronger support among my colleagues for funding key needs in federally impacted school districts. As in my Congressional district, many of the children affected by this law are the children of members of the Armed Services. We need to make sure that the men and women who serve and put themselves in harm's way have peace of mind knowing that their children will receive a quality education.

As one of the over 150 members of the Impact Aid Coalition, one of the largest bipartisan coalitions in Congress, we have worked together to support our local school systems that provide support for military men and women and those citizens who are affected by Federal properties. This bill has the support of the National Association of Federally Impacted Schools, the association that represents over 1,600 school districts nationwide that will benefit from this legislation, and also the National Military Impacted Schools Association. I would like to submit their letters of support for the RECORD.

AIR FORCE SERGEANTS ASSOCIATION,
Temple Hills, MD, February 28, 2000.

Hon. ROBIN HAYES,
Cannon House Office Building,
Washington, DC.

DEAR REPRESENTATIVE HAYES: On behalf of the 150,000 members of the Air Force Sergeants Association, I applaud you for introducing H.R. 3616, the ''Impact Aid Reauthorization Act of 2000.'' Congratulations on the unanimous vote to bring H.R. 3616 out of the House Education & Workforce Committee to the floor of the House of Representatives. This unanimous vote is a great sign of your leadership and the commitment that committee members have to the children of our military men and women. Your leadership in developing this legislation to reauthorize Impact Aid will benefit thousands of children and school districts.

Thank you again for sponsoring the ''Impact Aid Reauthorization Act of 2000.'' As always we are ready to support you on this and other matters of mutual concerns.

Sincerely,

JAMES D. STATON,
Executive Director.

NATIONAL ASSOCIATION OF FEDERALLY IMPACTED SCHOOLS,
Washington, DC, February 23, 2000.

Hon. ROBIN HAYES,
House of Representatives,
Washington, DC.

DEAR REPRESENTATIVE HAYES: On behalf of the 1,600 local educational agencies that are impacted by a federal presence, I want to thank you for your leadership and support in shepherding H.R. 3616 through the House Education and the WorkForce Committee last week. Your introduction of the bill will reauthorize the Impact Aid Program for the next five years is in itself a reason for the National Association of Federally Impacted Schools (NAFIS) to say thank you. But your work to see to it that the bill was favorably reported out of the Education and Workforce Committee exemplifies your unqualified support for the Impact Aid Program.

As you know the bill was unanimously reported out of committee, but we were very concerned about the amendment to eliminate the civilian ''b'' student from the program offered by Representative Tancredo. The passage of his amendment would have made it very difficult for NAFIS as an association representing the interests of all the categories of federal students, to support the bill on the House floor. I hesitate to even think of what our options might have been in terms of trying to overturn the Tancredo amendment. Because the program is not found in every congressional district, our job on the House floor would have been difficult. I know for a fact that your conversations with your Republican colleagues on the committee prior to the mark-up, helped insure that Mr. Tancredo's amendment would fail. I can't find the words to express the association's thanks for your ''active'' support for the bill. Without question, your role as the original sponsor of this legislation, made it possible for the bill to be reported out of committee without amendment.

Our job now is to move the bill through the full House next week. I am hopeful that bringing it up on the suspension calendar will avoid any potential problems that might be lingering. If you feel a need for any assistance from our office as the committee prepares to bring the bill to the floor, please let me know. We will continue to work with Chairman Goodling's staff as they prepare for next week, but again please know that NAFIS recognizes your unselfish role in moving this bill through the House. Again thank you!!!

Sincerely,

JOHN B. FORKENBROCK,
Executive Director.

FLEET RESERVE ASSOCIATION,
Alexandria, VA, February 22, 2000.

Hon. WILLIAM GOODLING,
Chairman, Education and the Workforce Committee, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: On behalf of the 152,000 members of the Fleet Reserve Association (FRA), I wish to express strong support for H.R. 3616, a proposal introduced by Rep. Robin Hayes that re-authorizes and improves the Impact Aid program under the Elementary and Secondary Education Act of 1965.

Impact Aid is an essential support program for schools near military installations enrolling children of uniformed services members. If enacted, H.R. 3616 will help ensure a more balanced distribution of funds, revise construction regulations and authorize other positive changes in the administration of the program. Of special importance to military personnel and their families is an amendment that provides more equitable payments for children living in privatized military housing communities on land formerly owned by the Federal Government.

Quality of life concerns significantly impact military recruiting and retention and are directly related to readiness. Anxiety about the quality of elementary and secondary educational opportunities for their children at each duty station ranks as one of the major concerns along with pay, health care, etc., of our Nation's service members. As the Armed Services work to execute demanding operational commitments around the world, uniformed personnel need not have these additional concerns complicating their military duties.

NATIONAL MILITARY IMPACTED SCHOOLS ASSOCIATION,
Bellevue, NE, February 17, 2000.

Congressman BILL GOODLING,
House Education & Workforce Committee,
Washington, DC.

DEAR CONGRESSMAN GOODLING: The Military Impacted Schools Association (MISA) is extremely proud of the leadership you and your staff have demonstrated in developing the legislative proposal to reauthorize the Impact Aid Program. Congratulations on the unanimous vote to bring H.R. 3616 out of the House Education & Workforce Committee to the floor of the House of Representatives.

There has been a real sensitivity to the needs of military children and your support is greatly appreciated.

The discussion on the proper weight for a military (b) child is also appreciated and we hope this can be continued.

On behalf of the public schools serving the educational needs of over 550,000 military children, we wholeheartedly endorse and support your Impact Aid reauthorization proposal.

Warmest regards,

JOHN F. DEEGAN, Ed.D.,
Chief Executive Officer.

NATIONAL MILITARY FAMILY ASSOCIATION, INC.
Alexandria, VA, February 22, 2000.

Hon. WILLIAM GOODLING,
Chairman, Education and the Workforce Committee, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: The National Military Family Association (NMFA) congratulates you, the members of your Committee, and your staff for the unanimous vote to bring H.R. 3616 to the House floor. This proposal, introduced by Rep. Robin Hayes, provides important improvements to the reauthorization of the Impact Aid Program.

As the only national association whose sole focus is the military family, NMFA knows that military members rank quality education for their children as a top priority. The approximately 75 percent of military children who attend school in civilian systems rather than DoD schools depend on the Impact Aid Program to help ensure adequate funding for the schools serving the military installations where their parents are assigned. This program is essential to the quality of education received by over 500,000 military children as well as several million of their civilian classmates.

We were especially pleased to see the provisions in HR 3616 dealing with equitable payments for children living in privatized military housing or being moved when military family housing is undergoing renovation. Protecting the funding stream for children already in the system is very important. NMFA also appreciates the proposal's attention to the construction needs of districts serving large numbers of military children.

On behalf of the military families we represent, NMFA appreciates your support of the Impact Aid program and endorses HR 3616.

Sincerely yours,

MARGARET HALLGREN,
Director, Government Relations,
National Military Family Association.

NATIONAL INDIAN IMPACTED SCHOOLS ASSOCIATION

HOUSE OF REPRESENTATIVES,
Washington, DC

DEAR REPRESENTATIVE: Over the past several months the National Indian Impacted Schools Association (NIISA) has worked closely with the National Association of Federally Impacted Schools (NAFIS) to make

recommendations to the United States House of Representatives Committee on Education and Workforce on the reauthorization of the Impact Aid Program. H.R. 3616 is the result of those collaborative efforts. I am pleased to say that that bill includes only minor changes which will ''fine tune'' the existing law or revise it to address specific concerns brought forward by both military and Indian lands school districts.

NIISA would like to commend the committee for recognizing the facility needs of school systems that are highly impacted with Indian land and federal trust property. The committee bill recognizes that many of these school systems lack the capacity to issue capital construction bonds and in addition, many of these same school systems are currently educating children in facilities that pose a serious health threat to the students and faculty working within them. The reasonable and responsible approach taken by the committee to address this very serious issue is celebrated by the impact aid community and NIISA urges the Congress to support the committee's recognition of the federal obligation to address this serious building issue.

In summary, the NIISA community strongly supports H.R. 3616 which the United States House of Representatives is about to consider. We urge all members of the House to support this bill when it comes up for vote.

Sincerely,

BRENT D. GISH,
President.

Mr. HAYES. Mr. Speaker, we have a responsibility to assist those school districts impacted by a Federal presence. The Impact Aid Reauthorization Act of 2000 will help ensure school districts receive the support they need to provide children with the best possible education. These are thoughtful improvements to a very important law. I again thank the gentleman from Pennsylvania for his many years of service, his effort on this bill, and I strongly urge my colleagues to wholeheartedly support this legislation.

Mrs. MINK of Hawaii. Mr. Speaker, I yield back the balance of my time.

Mr. GOODLING. Mr. Speaker, I yield myself such time as I may consume.

I want to thank Alex Nock and Marshall Grigsby on the minority side. It may be the last time that we can address Alex as Alex Nock because I understand he is getting married and must take his wife's name from that point on.

Again I want to thank George Conant on our side, and I particularly want to thank Ms. Impact Aid, Lynn Selmser.

Mr. CUNNINGHAM. Mr. Speaker, I am proud to rise in support of H.R. 3616, the Impact Aid Reauthorization Act. As a co-chair of the bipartisan House Impact Aid Caucus, now over 120 members strong, and as an early cosponsor of this bipartisan legislation, I urge my colleagues to vote for H.R. 3616 today.

Let me take a moment to describe for my colleagues what education Impact Aid is, and why this legislation is important.

Impact Aid represents the fulfillment of federal responsibility to local public education. Local public schools are chiefly funded by a combination of state and local income, sales and property taxes. Some 93 percent of local public education funding is just that—local, not federal. However, the presence of federal facilities such as national security installations and Indian reservations has a negative impact on local property tax collections. Such federal property is not locally taxed. This impact reduces the locally-generated revenues to our local public schools—the very same local public schools attended by the children of military personnel or Native Americans. Simply put, Uncle Sam does not pay local property tax for local public education. So until the federal government pays local property tax, the federal government has a responsibility to provide education Impact Aid.

Most of the funding for Impact Aid is paid as general revenue to local education agencies to compensate for federal impaction, which each local school district calculates by formula. Other Impact Aid programs pay to local school districts involved in special circumstances, such as a high presence of children requiring special education, sizable tracts of federal property ineligible for private development and taxation, a large percentage of student population that is federally connected, the presence of Native American children, and other factors. Each one of these is important.

Unfortunately, Mr. Speaker, Impact Aid has been under unprecedented and continuous attack from the Clinton-Gore Administration.

Year after year, Clinton-Gore budgets cut and gut Impact Aid, some years by hundreds of millions of dollars. This year's budget submission for Fiscal Year 2001 is no different; the Administration has for FY 2001 proposed a risky scheme to slash Impact Aid by $136.5 million. This astonishes me for several reasons.

First, military families are under more stress than ever, with parents being sent on longer and more frequent deployments thanks to this Administration's foreign policy and its failure to budget adequately for our basic national security needs. Military recruitment is a challenge, and retaining quality soldiers, sailors and Marines is more difficult every passing year. Yet, President Clinton and Vice President GORE are once again cutting and gutting direct funding to the schools attended by these families' children, which is clearly a federal responsibility.

Secondly, the economic and social challenges on American Indian reservations continue to be most grave, with unemployment and other measures of social stress far above the national average. Their school buildings are falling apart. They have no ability to raise more local property tax revenues for education. The federal government has a specific responsibility to these communities. Yet, President Clinton and Vice President GORE have annually cut the funding for their schools, by cutting funding for Impact Aid.

Thirdly, the Clinton-Gore Administration's callousness toward this responsibility has extended to the Department of Education's historic misadministration of this important program. Through FY 1999, schools and observers of the Impact Aid program could count on schools' payments being made later and later, requiring local schools to take out loans and pay interest just to meet regular budget obligations. As late as mid-1999, the Department was as much as five years late in making certain Impact Aid payments. I am pleased to note that after several years of the Appropriations Subcommittee on Labor, HHS and Education bringing this to the Administration's attention, the Department has finally, after seven years of Clinton-Gore, been making Impact Aid payments on a more timely basis. There was never any valid excuse for them to be made so late in the first place.

Given all this, it is not surprising that the Administration's own proposal to reauthorize Impact Aid would have eliminated Impact Aid payments to hundreds of schools that have legitimate federal impact within their borders.

I am pleased to inform Members, however, that the House Appropriations Subcommittee that funds the Impact Aid program has rejected the mean, extreme Clinton-Gore cut of Impact Aid, and recommended an increase.

Why is this legislation important?

First, H.R. 3616 renews and improves the administration of the Impact Aid program. Without making drastic changes in the legislation since the 1994 authorization, or to the 1996 Impact Aid Technical Amendments which I authored, H.R. 3616 nevertheless addresses challenges that have arisen in the Impact Aid program, and makes needed improvements. Among these are several important incremental improvements to Impact Aid that in recent years have been carried by the Appropriations Subcommittee on Labor, HHS and Education as legislative language. These improvements have successfully simplified schools' application process, and accelerated payments to eligible schools.

Second, and most important, it demonstrates the commitment of the people's bipartisan representatives in this House to Impact Aid as a federal responsibility to America's public schools, to their teachers, administration and students, and to the families who serve our country in the military and to Native Americans.

Mr. Speaker, in closing I want to thank several people who have helped to develop this important legislation.

The bill's sponsor, Representative ROBIN HAYES, Republican from North Carolina, has done a tremendous job with this bill. Congressman HAYES is a friend of education and a friend to America.

I also want to recognize House Education and Workforce Committee Chairman BILL GOODLING, House Education Appropriations Chairman JOHN PORTER, and all of the members of the bipartisan House Impact Aid Coalition, for the contributions they have made to this legislation.

Good work does not happen in a vacuum. Thus, I also want to single out for special thanks the following people: Ms. Lynn Selmser of the Education Committee Staff; John Forkenbrock, the executive director of the National Association of Federally Impacted Schools and his staff and membership; and my constituent Rick Knott, comptroller of the San Diego City Schools and chairman of the California Association of Federally Impacted Schools. Their specific efforts for Impact Aid help children, and have made this a better bill.

With that, Mr. Speaker, I urge Members to vote for schools, for children, and for our military and Native American families, by voting for this bill, H.R. 3616.

Mr. POMEROY. Mr. Speaker, I strongly support H.R. 3616, the Impact Aid Reauthorization Act. In addition to its other important components, this legislation includes a critical provision that would help federally impacted schools in North Dakota and across the country meet their urgent repair needs.

Since 1950, through the Impact Aid program, the federal government has recognized

its responsibility to assist school districts and communities that are impacted by a federal presence such as a military base or Indian reservation. Today over 1½ million children in over 1,600 school districts across the country depend on the Impact Aid program for a quality education.

Until 1994, Congress provided substantial assistance to help federally impacted districts build and repair their schools. This assistance is particularly important to districts whose property tax circumstances make it almost impossible to pass school construction bonds. Since 1994, however, federal funding for the Impact Aid school construction account has fallen off and no longer meets the needs of the over two hundred qualifying schools. As a result, many of these school buildings have become run down, overcrowded, and in some cases, a danger to the health and safety of their students.

I became ware of the real impact of inadequate construction funding when I visited a federally impacted school in my district, Cannonball Elementary. Cannonball Elementary is located on the Standing Rock Reservation in North Dakota, and serves as a perfect example of the many challenges Impact Aid schools face in trying to provide a safe and healthy learning environment with serverly limited resources.

The Standing Rock Reservation currently suffers from staggering unemployment rates and overall economic depression. A quality education is critical in ensuring that the children on this reservation escape a life of poverty. As in all federally impacted schools, a quality education for children at Cannonball depends upon the willingness of the federal government to fulfill the responsibility to it acknowledged in 1950.

For the past several years, however, the federal government's commitment to Impact Aid has fallen short of meeting the most basic needs of these students. As a result of inadequate construction funding, Cannonball has fallen into despair. Storage rooms have been converted to makeshift classrooms and entire portions of the building have been condemned. Students and teachers are often forced to move from classroom to classroom to dodge the stench of sewer back-up that permeates through the building. I have walked the halls of Cannonball Elementary and have found the conditions these children face on a day-to-day basis to be simply deplorable.

Cannonball Elementary and federally impacted schools like it across the country find themselves in a kind of ''Catch 22'' when trying to keep up with their construction needs. Although these schools depend upon the federal government to fund their construction needs, current funding is barely sufficient to cover the daily operating expenses of Impact Aid schools, and repair needs have become increasingly desperate. Last year, a mere $10 million was allocated to section 8007, the Impact Act school construction account. Moreover, $3 million of the $10 million appropriated for section 8007 was earmarked for special projects. The remaining Impact Act schools were left with the balance—only $7 million to address all construction and renovation needs for over 1,600 schools.

The Cannonball School relies on federal Impact Air funds to meet its repair needs, and when that funding is not adequate, the school literally has no other source of funds. The ''Catch-22'' for schools like Cannonball is that when Impact Aid funding is insufficient, they are left out in the cold because they lack a property tax base and the capacity to pass school construction bonds to support urgent repairs. Several other districts in North Dakota, including Minot and Grand Forks Air Force Base school districts, also face the same problem.

Mr. Speaker, I believe that the legislation we will vote on today offer great hope that the Cannonball school and others can finally address their urgent needs. Specifically, H.R. 3616 would create a new section 8007(b) within the Impact Air program to fund urgent school modernization projects. Under this legislation, an individual school district could receive a grant of up to $3 million any time during the five-year authorization period. In order to make the federal funds go farther, the bill also required districts to provide matching funds, but allows for in-kind contributions to count towards the match.

This provision of H.R. 3616 is based on the Federally Impacted School Improvement Act legislation Representative HAYWORTH (R–AZ) and I introduced last year. I would like to take this opportunity to thank Representative HAYWORTH and other members of the House Impact Aid Coalition for their role in the inclusion of section 8007 (b) in this legislation. I would also like to recognize John Forkenbrock in Brady King of the National Association of Federally Impacted Schools Association (NAFIS) for their tireless advocacy on behalf of Impact Aid school districts across the country.

Finally, Mr. Speaker, I would like to thank Representative KILDEE, (D–MI), the Ranking Member of the Committee on Education and the Workforce. Our success today is due in no small part to Mr. KILDEE's vocal support of the inclusion of a school modernization provision in H.R. 3616. On behalf of the students of Cannonball Elementary and thousands like them across the country, I would like to express my gratitude to Mr. KILDEE for his dedication to improving the educational opportunities of our children.

Again, Mr. Speaker, I urge my colleagues to vote in favor of this important legislation, which would help federally impacted schools across the country provide a quality education in a safe, healthy, learning environment.

Mr. WATTS of Oklahoma. Mr. Speaker, I am in strong support of the Impact Aid program. Impact Aid is one of the oldest federal education programs, dating back to 1950. Impact Aid compensates local educational agencies, LEAs, for the substantial and continuing financial burden resulting from federal activities. These activities include federal ownership of certain lands, thus taking the land off the tax roles, as well as the enrollment in LEAs of children of parents who work and/or live on federal land. The federal government provides compensation because these activities deprive LEAs of the ability to collect property or sales taxes from these individuals, for example members of the Armed Forces living on military bases, even though the LEAs are obligated to provide free public education to their children. Thus, Impact Aid is a federal payment to a school district intended to make up for a loss of local tax revenue due to the presence of non-taxable federal property.

Impact Aid is one of the only federal education programs where the funds are sent directly to the school district, and thus there is almost no bureaucracy. In addition, these funds go into the general fund, and may be used as the local school district decides. As a result, the funds are used for the education of all students, and there is no rake-off by states or the federal government to fund bureaucrats.

Nationwide, there are approximately 1,500 federally impacted school districts that are educating 1.3 million federal children. In Oklahoma, there are 287 Oklahoma school districts with federal property. A total of 258,914 students are enrolled in Oklahoma's Federally Impacted Schools. The fourth district of Oklahoma is home to three military bases. Therefore, Oklahoma is comprised of students who are military children, children living in Indian lands, children residing in federal Low Rent Housing projects, children whose civilian parents work on federal property, but do not live on federal property, and children who are special education students. Considering the staggering number of federally impacted children, it is abundantly clear that the federal government has an obligation to federally impacted schools.

By increasing its support, the federal government can assist these schools in providing a quality education to thousands of children across the country. Therefore, I urge my colleagues to join me in reauthorizing the Impact Aid Program. Millions of students depend on the Impact Aid program for a quality education. Let's not disappoint them.

Mr. GOODLING. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mr. PEASE). The question is on the motion offered by the gentleman from Pennsylvania (Mr. GOODLING) that the House suspend the rules and pass the bill, H.R. 3616, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

SENSE OF CONGRESS REGARDING IN-SCHOOL PERSONAL SAFETY PROGRAMS

Mr. CASTLE. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 309) expressing the sense of the Congress with regard to in-school personal safety education programs for children.

The Clerk read as follows:

H. CON. RES. 309

Whereas there were more than 84,000 confirmed cases of sexual abuse in the United States in 1997 and 90 percent of the victims under 12 years old knew their offender;

Whereas 867,129 individuals were reported missing in 1999 and 85 to 90 percent of these missing persons were children;

Whereas according to Department of Justice research, there are approximately 114,000 nonfamily abductions in any one-year period;

Whereas a central element of the National Center for Missing and Exploited Children's (NCMEC) congressionally mandated mission is to prevent the victimization of children;

Whereas NCMEC examined the state of child safety education in the United States, focusing on what works and what does not;