

106TH CONGRESS
2D SESSION

H. R. 3616

To reauthorize the impact aid program under the Elementary and Secondary Education Act of 1965, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 10, 2000

Mr. HAYES (for himself, Mr. GOODLING, Mr. GREENWOOD, Mr. SCOTT, Mr. EDWARDS, Mr. POMEROY, Mr. HAYWORTH, Mr. KILDEE, Mr. CUNNINGHAM, Mr. THORNBERRY, Mr. MCHUGH, Mr. BILBRAY, Mr. MCCRERY, Mrs. KELLY, Mr. JONES of North Carolina, Mr. KUYKENDALL, Mr. HEFLEY, Mr. YOUNG of Alaska, Mr. CHAMBLISS, Mr. MCKEON, Mr. FLETCHER, Mr. GIBBONS, Mr. NETHERCUTT, Mrs. CUBIN, Mr. KENNEDY of Rhode Island, Mr. SKELTON, Mr. MCINTYRE, Mr. SAXTON, Mr. CALVERT, Mr. WHITFIELD, Mr. PORTER, Mr. PACKARD, Mrs. BONO, Mr. ROHRABACHER, Mr. TERRY, Mr. TANCREDO, and Mr. STUMP) introduced the following bill; which was referred to the Committee on Education and the Workforce

A BILL

To reauthorize the impact aid program under the Elementary and Secondary Education Act of 1965, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Impact Aid Reauthor-
5 ization Act of 2000”.

1 **SEC. 2. PURPOSE.**

2 Section 8001 of the Elementary and Secondary Edu-
3 cation Act of 1965 (20 U.S.C. 7701) is amended—

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

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

10 (B) by inserting after “certain activities of
11 the Federal Government” the following: “, such
12 as activities to fulfill the responsibilities of the
13 Federal Government with respect to Indian
14 tribes and activities under section 514 of the
15 Soldiers’ and Sailors’ Civil Relief Act of 1940
16 (50 U.S.C. App. 574),”;

17 (2) in paragraph (4), by adding “or” at the
18 end;

19 (3) by striking paragraph (5);

20 (4) by redesignating paragraph (6) as para-
21 graph (5); and

22 (5) in paragraph (5) (as redesignated), by in-
23 sserting before the period at the end the following:
24 “and because of the difficulty of raising local rev-
25 enue through bond referendums for capital projects
26 due to the inability to tax Federal property”.

1 **SEC. 3. PAYMENTS RELATING TO FEDERAL ACQUISITION**
2 **OF REAL PROPERTY.**

3 (a) **FISCAL YEAR REQUIREMENT.**—Section 8002(a)
4 of the Elementary and Secondary Education Act of 1965
5 (20 U.S.C. 7702(a)) is amended in the matter preceding
6 paragraph (1) by striking “1999” and inserting “2005”.

7 (b) **AMOUNT.**—

8 (1) **INSUFFICIENT FUNDS.**—Section
9 8002(b)(1)(B) of the Elementary and Secondary
10 Education Act of 1965 (20 U.S.C. 7702(b)(1)(B)) is
11 amended by striking “shall ratably reduce the pay-
12 ment to each eligible local educational agency” and
13 inserting “shall calculate the payment for each eligi-
14 ble local educational agency in accordance with sub-
15 section (h)”.

16 (2) **MAXIMUM AMOUNT.**—Section 8002(b)(1)(C)
17 of the Elementary and Secondary Education Act of
18 1965 (20 U.S.C. 7702(b)(1)(C)) is amended by add-
19 ing at the end before the period the following: “, or
20 the maximum amount that such agency is eligible to
21 receive for such fiscal year under this section, which-
22 ever is greater”.

23 (c) **PAYMENTS WITH RESPECT TO FISCAL YEARS IN**
24 **WHICH INSUFFICIENT FUNDS ARE APPROPRIATED.**—
25 Section 8002(h) of the Elementary and Secondary Edu-

1 cation Act of 1965 (20 U.S.C. 7702(h)) is amended to
2 read as follows:

3 “(h) PAYMENTS WITH RESPECT TO FISCAL YEARS
4 IN WHICH INSUFFICIENT FUNDS ARE APPROPRIATED.—

5 For any fiscal year for which the amount appropriated
6 under section 8014(a) is insufficient to pay to each local
7 educational agency the full amount determined under sub-
8 section (b), the Secretary shall make payments to each
9 local educational agency under this section as follows:

10 “(1) FOUNDATION PAYMENTS FOR PRE-1995 RE-
11 CIPIENTS.—

12 “(A) IN GENERAL.—The Secretary shall
13 first make a foundation payment to each local
14 educational agency that is eligible to receive a
15 payment under this section for the fiscal year
16 involved and was eligible to receive a payment
17 under section 2 of the Act of September 30,
18 1950 (Public Law 874, 81st Congress) (as such
19 section was in effect on the day preceding the
20 date of the enactment of the Improving Amer-
21 ica’s Schools Act of 1994) for any of the fiscal
22 years 1989 through 1994.

23 “(B) AMOUNT.—The amount of a payment
24 under subparagraph (A) for a local educational
25 agency shall be equal to 37 percent of the pay-

1 ment amount the local educational agency was
2 eligible to receive under section 2 of the Act of
3 September 30, 1950, for fiscal year 1994 (or if
4 the local educational agency was not eligible to
5 receive a payment under such section 2 for fis-
6 cal year 1994, the payment that local edu-
7 cational agency was eligible to receive under
8 such section 2 for the most recent fiscal year
9 preceding 1994).

10 “(C) INSUFFICIENT APPROPRIATIONS.—If
11 the amount appropriated under section 8014(a)
12 is insufficient to pay the full amount deter-
13 mined under this paragraph for all eligible local
14 educational agencies for the fiscal year, then
15 the Secretary shall ratably reduce the payment
16 to each local educational agency under this
17 paragraph.

18 “(2) PAYMENTS FOR 1995 RECIPIENTS.—

19 “(A) IN GENERAL.—From any amounts
20 remaining after making payments under para-
21 graph (1) for the fiscal year involved, the Sec-
22 retary shall make a payment to each eligible
23 local educational agency that received a pay-
24 ment under this section for fiscal year 1995.

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

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

9 “(ii) Determine the percentage share
10 for each local educational agency that re-
11 ceived a payment under this section for fis-
12 cal year 1995 by dividing the assessed
13 value of the Federal property of the local
14 educational agency for fiscal year 1995 de-
15 termined in accordance with subsection
16 (b)(3), by the total national assessed value
17 of the Federal property of all such local
18 educational agencies for fiscal year 1995,
19 as so determined.

20 “(iii) Multiply the percentage share
21 described in clause (ii) for the local edu-
22 cational agency by the amount determined
23 under clause (i).

24 “(3) SUBSECTION (i) RECIPIENTS.—From any
25 funds remaining after making payments under para-

1 graphs (1) and (2) for the fiscal year involved, the
2 Secretary shall make payments in accordance with
3 subsection (i).

4 “(4) REMAINING FUNDS.—From any funds re-
5 maining after making payments under paragraphs
6 (1), (2), and (3) for the fiscal year involved—

7 “(A) the Secretary shall make a payment
8 to each local educational agency that received a
9 foundation payment under paragraph (1) for
10 the fiscal year involved in an amount that bears
11 the same relation to 25 percent of the remain-
12 der as the amount the local educational agency
13 received under paragraph (1) for the fiscal year
14 involved bears to the amount all local edu-
15 cational agencies received under paragraph (1)
16 for the fiscal year involved; and

17 “(B) the Secretary shall make a payment
18 to each local educational agency that is eligible
19 to receive a payment under this section for the
20 fiscal year involved in an amount that bears the
21 same relation to 75 percent of the remainder as
22 a percentage share determined for the local
23 educational agency (in the same manner as per-
24 centage shares are determined for local edu-
25 cational agencies under paragraph (2)(B)(ii))

1 bears to the percentage share determined (in
2 the same manner) for all local educational
3 agencies eligible to receive a payment under this
4 section for the fiscal year involved, except that
5 for the purpose of calculating a local edu-
6 cational agency's assessed value of the Federal
7 property, data from the most current fiscal year
8 shall be used.”.

9 (d) SPECIAL PAYMENTS.—

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

13 “(1) IN GENERAL.—For any fiscal year begin-
14 ning with fiscal year 2000 for which the amount ap-
15 propriated to carry out this section exceeds the
16 amount so appropriated for fiscal year 1996 and for
17 which subsection (b)(1)(B) applies, the Secretary
18 shall use the remainder described in subsection
19 (h)(3) for the fiscal year involved (not to exceed the
20 amount equal to the difference between (A) the
21 amount appropriated to carry out this section for
22 fiscal year 1997 and (B) the amount appropriated to
23 carry out this section for fiscal year 1996) to in-
24 crease the payment that would otherwise be made
25 under this section to not more than 50 percent of

1 the maximum amount determined under subsection
2 (b) for any local educational agency described in
3 paragraph (2).”.

4 (2) CONFORMING AMENDMENT.—The heading
5 of section 8002(i) of the Elementary and Secondary
6 Education Act of 1965 (20 U.S.C. 7702(i)) is
7 amended by striking “PRIORITY” and inserting SPE-
8 CIAL”.

9 (e) ADDITIONAL ASSISTANCE FOR CERTAIN LOCAL
10 EDUCATIONAL AGENCIES IMPACTED BY FEDERAL PROP-
11 erty ACQUISITION.—Section 8002(j)(2) of the Elemen-
12 tary and Secondary Education Act of 1965 (20 U.S.C.
13 7702(j)(2)) is amended—

14 (1) by striking “(A) A local educational agen-
15 cy” and inserting “A local educational agency”;

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

18 (3) in subparagraph (C) (as redesignated), by
19 adding at the end before the period the following:
20 “and such agency does not currently have a military
21 installation located within its geographic bound-
22 aries”.

23 (f) DATA; PRELIMINARY AND FINAL PAYMENTS.—
24 Section 8002 of the Elementary and Secondary Education

1 Act of 1965 (20 U.S.C. 7702) is amended by adding at
2 the end the following:

3 “(l) DATA; PRELIMINARY AND FINAL PAYMENTS.—

4 “(1) IN GENERAL.—The Secretary shall—

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

11 “(B) as soon as possible after the begin-
12 ning of any fiscal year, but no later than 60
13 days after the enactment of an Act making ap-
14 propriations to carry out this title for the fiscal
15 year, provide a preliminary payment under sub-
16 section (b) for any local educational agency that
17 applied for a payment under subsection (b) for
18 the fiscal year and was eligible for such a pay-
19 ment for the preceding fiscal year, in the
20 amount of 60 percent of the payment for the
21 previous year; and

22 “(C) provide a final payment under sub-
23 section (b) for any eligible local educational
24 agency not later than 12 months after the ap-
25 plication deadline established under section

1 8005(c), except that any local educational agen-
2 cy failing to submit all of the data required
3 under subparagraph (A) shall be denied such
4 payment for the fiscal year for which the appli-
5 cation is made unless funds from a source other
6 than the Act described in subparagraph (B) are
7 made available to provide such payment.

8 “(2) ELIGIBILITY FOR PAYMENTS IN SUBSE-
9 QUENT YEARS.—The denial of a payment under sub-
10 section (b) to a local educational agency for a fiscal
11 year pursuant to this subsection shall not affect the
12 eligibility of the local educational agency for a final
13 payment under subsection (b) for a subsequent fiscal
14 year.”.

15 **SEC. 4. PAYMENTS FOR ELIGIBLE FEDERALLY CONNECTED**
16 **CHILDREN.**

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

19 (1) IN GENERAL.—Section 8003(a)(4) of the
20 Elementary and Secondary Education Act of 1965
21 (20 U.S.C. 7703(a)) is amended—

22 (A) in the heading, by striking “UNDER-
23 GOING RENOVATION” and inserting “UNDER-
24 GOING RENOVATION OR REBUILDING”;

1 (B) by striking “For purposes” and insert-
2 ing the following:

3 “(A) IN GENERAL.—For purposes”;

4 (C) in subparagraph (A) (as designated by
5 subparagraph (B)), by inserting “or rebuilding”
6 after “undergoing renovation”; and

7 (D) by adding at the end the following:

8 “(B) LIMITATIONS.—(i)(I) Except as pro-
9 vided in subclause (II), children described in
10 paragraph (1)(D)(i) may be deemed to be chil-
11 dren described in paragraph (1)(B) with respect
12 to housing on Federal property undergoing ren-
13 ovation or rebuilding in accordance with sub-
14 paragraph (A) for a period not to exceed 2 fis-
15 cal years.

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

22 “(aa) in the case of a determination
23 made by the Secretary in the 1st fiscal
24 year described in subclause (I), the time
25 period described such subclause shall be

1 extended by the Secretary for an additional
2 2 years; and

3 “(bb) in the case of a determination
4 made by the Secretary in the 2nd fiscal
5 year described in subclause (I), the time
6 period described such subclause shall be
7 extended by the Secretary for an additional
8 1 year.

9 “(ii) The number of children described in
10 paragraph (1)(D)(i) who are deemed to be chil-
11 dren described in paragraph (1)(B) with respect
12 to housing on Federal property undergoing ren-
13 ovation or rebuilding in accordance with sub-
14 paragraph (A) for any fiscal year may not ex-
15 ceed the maximum number of children who are
16 expected to occupy that housing upon comple-
17 tion of the renovation or rebuilding.”.

18 (2) EFFECTIVE DATE.—The amendments made
19 by paragraph (1) shall apply with respect to pay-
20 ments to a local educational agency for fiscal years
21 beginning before, on, or after the date of the enact-
22 ment of this Act.

23 (b) MILITARY “BUILD TO LEASE” PROGRAM HOUS-
24 ING.—Section 8003(a) of the Elementary and Secondary

1 Education Act of 1965 (20 U.S.C. 7703(a)) is amended
2 by adding at the end the following:

3 “(5) MILITARY ‘BUILD TO LEASE’ PROGRAM
4 HOUSING.—

5 “(A) IN GENERAL.—For purposes of com-
6 puting the amount of payment for a local edu-
7 cational agency for children identified under
8 paragraph (1), the Secretary shall consider chil-
9 dren residing in housing initially acquired or
10 constructed under the former section 2828(g) of
11 title 10, United States Code (commonly known
12 as the ‘Build to Lease’ program), as added by
13 section 801 of the Military Construction Au-
14 thorization Act, 1984, to be children described
15 under paragraph (1)(B) if the property de-
16 scribed is within the fenced security perimeter
17 of the military facility upon which such housing
18 is situated.

19 “(B) ADDITIONAL REQUIREMENTS.—If the
20 property described in subparagraph (A) is not
21 owned by the Federal Government, is subject to
22 taxation by a State or political subdivision of a
23 State, and thereby generates revenues for a
24 local educational agency that is applying to re-

1 ceive a payment under this section, then the
2 Secretary—

3 “(i) shall require the local educational
4 agency to provide certification from an ap-
5 propriate official of the Department of De-
6 fense that the property is being used to
7 provide military housing; and

8 “(ii) shall reduce the amount of the
9 payment under this section by an amount
10 equal to the amount of revenue from such
11 taxation received in the second preceding
12 fiscal year by such local educational agen-
13 cy, unless the amount of such revenue was
14 taken into account by the State for such
15 second preceding fiscal year and already
16 resulted in a reduction in the amount of
17 State aid paid to such local educational
18 agency.”.

19 **SEC. 5. BASIC SUPPORT PAYMENTS FOR HEAVILY IM-**
20 **PACTED LOCAL EDUCATIONAL AGENCIES.**

21 (a) IN GENERAL.—Section 8003(b) of the Elemen-
22 tary and Secondary Education Act of 1965 (20 U.S.C.
23 7703(b)) is amended—

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

1 (2) by inserting after paragraph (1) the fol-
2 lowing:

3 “(2) BASIC SUPPORT PAYMENTS FOR HEAVILY
4 IMPACTED LOCAL EDUCATIONAL AGENCIES.—

5 “(A) IN GENERAL.—(i) From the amount
6 appropriated under section 8014(b) for a fiscal
7 year, the Secretary is authorized to make basic
8 support payments to eligible heavily impacted
9 local educational agencies with children de-
10 scribed in subsection (a).

11 “(ii) A local educational agency that re-
12 ceives a basic support payment under this para-
13 graph for a fiscal year shall not be eligible to
14 receive a basic support payment under para-
15 graph (1) for that fiscal year.

16 “(B) ELIGIBILITY FOR CONTINUING HEAV-
17 ILY IMPACTED LOCAL EDUCATIONAL AGEN-
18 CIES.—

19 “(i) FISCAL YEAR 2001.—A heavily
20 impacted local educational agency is eligi-
21 ble to receive a basic support payment
22 under subparagraph (A) for fiscal year
23 2001 with respect to a number of children
24 determined under subsection (a)(1) only if
25 the agency received an additional assist-

1 ance payment under subsection (f) (as
2 such subsection was in effect on the day
3 before the date of the enactment of the
4 Impact Aid Reauthorization Act of 2000)
5 for fiscal year 2000.

6 “(ii) FISCAL YEAR 2002 AND SUBSE-
7 QUENT FISCAL YEARS.—A heavily im-
8 pacted local educational agency described
9 in clause (i) is eligible to receive a basic
10 support payment under subparagraph (A)
11 for fiscal year 2002 and any subsequent
12 fiscal year with respect to a number of
13 children determined under subsection
14 (a)(1) only if the agency—

15 “(I) received a basic support pay-
16 ment under subparagraph (A) for fis-
17 cal year 2001; and

18 “(II)(aa) is a local educational
19 agency whose boundaries are the same
20 as a Federal military installation;

21 “(bb) has an enrollment of feder-
22 ally connected children described in
23 subsection (a)(1) which constitutes a
24 percentage of the total student enroll-
25 ment of such agency which is not less

1 than 35 percent, has a per-pupil ex-
2 penditure that is less than the average
3 per-pupil expenditure of the State in
4 which the agency is located or the av-
5 erage per-pupil expenditure of all
6 States (whichever average per-pupil
7 expenditure is greater), except that a
8 local educational agency with a total
9 student enrollment of less than 350
10 students shall be deemed to have sat-
11 isfied such per-pupil expenditure re-
12 quirement, and has a tax rate for gen-
13 eral fund purposes which is at least
14 95 percent of the average tax rate for
15 general fund purposes of comparable
16 local educational agencies in the
17 State; or

18 “(cc) has a total student enroll-
19 ment of not less than 25,000 stu-
20 dents, of which not less than 50 per-
21 cent are federally connected children
22 described in subsection (a)(1) and not
23 less than 6,000 of such federally con-
24 nected children are children described

1 in subparagraphs (A) and (B) of sub-
2 section (a)(1).

3 “(iii) RESUMPTION OF ELIGIBILITY.—

4 A heavily impacted local educational agen-
5 cy described in clause (i) or (ii) that be-
6 comes ineligible under either such clause
7 for 1 or more fiscal years may resume eli-
8 gibility for a basic support payment under
9 this paragraph for a subsequent fiscal year
10 only if the agency meets the requirements
11 of item (aa), (bb), or (cc) of clause (ii)(II)
12 for that subsequent fiscal year.

13 “(C) ELIGIBILITY FOR NEW HEAVILY IM-
14 PACTED LOCAL EDUCATIONAL AGENCIES.—

15 “(i) IN GENERAL.—A heavily im-
16 pacted local educational agency that did
17 not receive an additional assistance pay-
18 ment under subsection (f) (as such sub-
19 section was in effect on the day before the
20 date of the enactment of the Impact Aid
21 Reauthorization Act of 2000) for fiscal
22 year 2000 is eligible to receive a basic sup-
23 port payment under subparagraph (A) for
24 fiscal year 2002 and any subsequent fiscal
25 year with respect to a number of children

1 determined under subsection (a)(1) only if
2 the agency—

3 “(I) has an enrollment of feder-
4 ally connected children described in
5 subsection (a)(1) which constitutes a
6 percentage of the total student enroll-
7 ment of such agency which (aa) is not
8 less than 50 percent if such agency
9 receives a payment on behalf of chil-
10 dren described in subparagraphs (F)
11 and (G) of such subsection or (bb) is
12 not less than 40 percent if such agen-
13 cy does not receive a payment on be-
14 half of such children;

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

18 “(bb) is a local educational agen-
19 cy that has a tax rate for general
20 fund purposes which is at least 95
21 percent of the average tax rate for
22 general fund purposes of comparable
23 local educational agencies in the
24 State; and

1 “(III)(aa) for a local educational
2 agency that has a total student enroll-
3 ment of 350 or more students, the
4 agency has a per-pupil expenditure
5 that is less than the average per-pupil
6 expenditure of the State in which the
7 agency is located; or

8 “(bb) for a local educational
9 agency that has a total student enroll-
10 ment of less than 350 students, the
11 agency has a per-pupil expenditure
12 that is less than the average per-pupil
13 expenditure of a comparable agency in
14 the State in which the agency is lo-
15 cated.

16 “(ii) RESUMPTION OF ELIGIBILITY.—
17 A heavily impacted local educational agen-
18 cy described in clause (i) that becomes in-
19 eligible under such clause for 1 or more
20 fiscal years may resume eligibility for a
21 basic support payment under this para-
22 graph for a subsequent fiscal year only if
23 the agency meets the requirements of sub-
24 clauses (I), (II), and (III) of clause (i) for
25 that subsequent fiscal year.

1 “(iii) APPLICATION.—With respect to
2 the first fiscal year for which a heavily im-
3 pacted local educational agency described
4 in clause (i) applies for a basic support
5 payment under subparagraph (A), or with
6 respect to the first fiscal year for which a
7 heavily impacted local educational agency
8 applies for a basic support payment under
9 subparagraph (A) after becoming ineligible
10 under clause (i) for 1 or more preceding
11 fiscal years, the agency shall apply for
12 such payment at least 1 year prior to the
13 start of that first fiscal year.

14 “(D) MAXIMUM AMOUNT FOR REGULAR
15 HEAVILY IMPACTED LOCAL EDUCATIONAL
16 AGENCIES.—(i) Except as provided in subpara-
17 graph (E), the maximum amount that a heavily
18 impacted local educational agency is eligible to
19 receive under this paragraph for any fiscal year
20 is the sum of the total weighted student units,
21 as computed under subsection (a)(2) (subject to
22 clause (ii)), multiplied by the greater of—

23 “(I) four-fifths of the average per-
24 pupil expenditure of the State in which the
25 local educational agency is located for the

1 third fiscal year preceding the fiscal year
2 for which the determination is made; or

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

7 “(ii)(I) For a local educational agency with
8 respect to which 35 percent or more of the total
9 student enrollment of the schools of the agency
10 are children described in subparagraph (D) or
11 (E) (or a combination thereof) of subsection
12 (a)(1), the Secretary shall calculate the weight-
13 ed student units of such children for purposes
14 of subsection (a)(2) by multiplying the number
15 of such children by a factor of 0.55.

16 “(II) For a local educational agency that
17 has an enrollment of 100 or fewer federally con-
18 nected children described in subsection (a)(1),
19 the Secretary shall calculate the total number
20 of weighted student units for purposes of sub-
21 section (a)(2) by multiplying the number of
22 such children by a factor of 1.75.

23 “(III) For a local educational agency that
24 has an enrollment of more than 100 but not
25 more than 750 children described in subsection

1 (a)(1), the Secretary shall calculate the total
2 number of weighted student units for purposes
3 of subsection (a)(2) by multiplying the number
4 of such children by a factor of 1.25.

5 “(E) MAXIMUM AMOUNT FOR LARGE
6 HEAVILY IMPACTED LOCAL EDUCATIONAL
7 AGENCIES.—(i)(I) Subject to clause (ii), the
8 maximum amount that a heavily impacted local
9 educational agency described in subclause (II)
10 is eligible to receive under this paragraph for
11 any fiscal year shall be determined in accord-
12 ance with the formula described in paragraph
13 (1)(C).

14 “(II) A heavily impacted local educational
15 agency described in this subclause is a local
16 educational agency that has a total student en-
17 rollment of not less than 25,000 students, of
18 which not less than 50 percent are federally
19 connected children described in subsection
20 (a)(1) and not less than 6,000 of such federally
21 connected children are children described in
22 subparagraphs (A) and (B) of subsection
23 (a)(1).

24 “(ii) For purposes of calculating the max-
25 imum amount described in clause (i), the factor

1 used in determining the weighted student units
2 under subsection (a)(2) with respect to children
3 described in subparagraphs (A) and (B) of sub-
4 section (a)(1) shall be 1.35.

5 “(F) DATA.—For purposes of providing
6 assistance under this paragraph, the Secretary
7 shall use student, revenue, expenditure, and tax
8 data from the third fiscal year preceding the
9 fiscal year for which the local educational agen-
10 cy is applying for assistance under this para-
11 graph.”.

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

17 (1) in subparagraph (A), by striking “para-
18 graph (1)” and inserting “paragraphs (1) and (2)”;

19 (2) in subparagraph (B)—

20 (A) in the heading, by inserting after
21 “PAYMENTS” the following: “IN LIEU OF PAY-
22 MENTS UNDER PARAGRAPH (1)”;

23 (B) in the matter preceding subclause (I)
24 of clause (i), by inserting after “threshold pay-

1 ment’)'’ the following: “in lieu of basic support
2 payments under paragraph (1)”;

3 (C) in clause (ii), by striking “paragraph
4 (1)” and inserting “clause (i)”;

5 (D) by adding at the end the following:

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

14 (3) by redesignating subparagraph (C) as sub-
15 paragraph (D);

16 (4) by inserting after subparagraph (B) the fol-
17 lowing:

18 “(C) LEARNING OPPORTUNITY THRESH-
19 OLD PAYMENTS IN LIEU OF PAYMENTS UNDER
20 PARAGRAPH (2).—For fiscal years described in
21 subparagraph (A), the learning opportunity
22 threshold payment in lieu of basic support pay-
23 ments under paragraph (2) shall be equal to the
24 amount obtained under subparagraph (D) or
25 (E) of paragraph (2), as the case may be.”; and

1 (5) in subparagraph (D) (as redesignated), by
2 striking “computation made under subparagraph
3 (B)” and inserting “computations made under sub-
4 paragraphs (B) and (C)”.

5 (c) CONFORMING AMENDMENTS.—(1) Section
6 8002(b)(1)(C) of the Elementary and Secondary Edu-
7 cation Act of 1965 (20 U.S.C. 7702(b)(1)(C)) is amended
8 by striking “section 8003(b)(1)(C)” and inserting “para-
9 graph 1(C) of section 8003(b) or subparagraph (D) or (E)
10 of paragraph (2) of such section, as the case may be”.

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

13 (A) in subsection (a)(1), by striking “subsection
14 (b), (d), or (f)” and inserting “subsection (b) or
15 (d)”;

16 (B) in subsection (b)—

17 (i) in paragraph (1)(C), in the matter pre-
18 ceding clause (i), by striking “this subsection”
19 and inserting “this paragraph”; and

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

21 (I) in subparagraph (A), by striking
22 “paragraphs (1)(B), (1)(C), and (2) of this
23 subsection” and inserting “subparagraphs
24 (B) and (C) of paragraph (1) or subpara-
25 graphs (B) through (D) of paragraph (2),

1 as the case may be, paragraph (3) of this
2 subsection”; and

3 (II) in subparagraph (B)—

4 (aa) by inserting after “para-
5 graph (1)(C)” the following: “or sub-
6 paragraph (D) or (E) of paragraph
7 (2), as the case may be,”; and

8 (bb) by striking “paragraph
9 (2)(B)” and inserting “subparagraph
10 (B) or (C) of paragraph (3)”;

11 (C) in subsection (e)(1), by striking “paragraph
12 (2) and subsection (f)” and inserting “subsection
13 (b)(2) and paragraph (2)”;

14 (D) by striking subsection (f); and

15 (E) in subsection (i), by striking “sections 8002
16 and 8003(b)” and inserting “section 8002 and sub-
17 section (b) of this section”.

18 **SEC. 6. BASIC SUPPORT PAYMENTS FOR LOCAL EDU-**
19 **CATIONAL AGENCIES AFFECTED BY RE-**
20 **MOVAL OF FEDERAL PROPERTY.**

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

1 “(5) LOCAL EDUCATIONAL AGENCIES AF-
2 FECTED BY REMOVAL OF FEDERAL PROPERTY.—

3 “(A) IN GENERAL.—In computing the
4 amount of a basic support payment under this
5 subsection for a fiscal year for a local edu-
6 cational agency described in subparagraph (B),
7 the Secretary shall meet the additional require-
8 ments described in subparagraph (C).

9 “(B) LOCAL EDUCATIONAL AGENCY DE-
10 SCRIBED.—A local educational agency described
11 in this subparagraph is a local educational
12 agency with respect to which Federal property
13 (i) located within the boundaries of the agency,
14 and (ii) on which 1 or more children reside who
15 are receiving a free public education at a school
16 of the agency, is transferred by the Federal
17 Government to another entity in any fiscal year
18 beginning on or after the date of the enactment
19 of the Impact Aid Reauthorization Act of 2000
20 so that the property is subject to taxation by
21 the State or a political subdivision of the State.

22 “(C) ADDITIONAL REQUIREMENTS.—The
23 additional requirements described in this sub-
24 paragraph are the following:

1 “(i) For each fiscal year beginning
2 after the date on which the Federal prop-
3 erty is transferred, a child described in
4 subparagraph (B) who continues to reside
5 on such property and who continues to re-
6 ceive a free public education at a school of
7 the agency shall be deemed to be a child
8 who resides on Federal property for pur-
9 poses of computing under the applicable
10 subparagraph of subsection (a)(1) the
11 amount that the agency is eligible to re-
12 ceive under this subsection.

13 “(ii)(I) For the third fiscal year be-
14 ginning after the date on which the Fed-
15 eral property is transferred, and for each
16 fiscal year thereafter, the Secretary shall,
17 after computing the amount that the agen-
18 cy is otherwise eligible to receive under this
19 subsection for the fiscal year involved, de-
20 duct from such amount an amount equal
21 to the revenue received by the agency for
22 the immediately preceding fiscal year as a
23 result of the taxable status of the former
24 Federal property.

1 “(II) For purposes of determining the
2 amount of revenue to be deducted in ac-
3 cordance with subclause (I), the local edu-
4 cational agency—

5 “(aa) shall provide for a review
6 and certification of such amount by
7 an appropriate local tax authority;
8 and

9 “(bb) shall submit to the Sec-
10 retary a report containing the amount
11 certified under item (aa).”.

12 **SEC. 7. ADDITIONAL PAYMENTS FOR LOCAL EDUCATIONAL**
13 **AGENCIES WITH HIGH CONCENTRATIONS OF**
14 **CHILDREN WITH SEVERE DISABILITIES.**

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

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

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

1 **SEC. 8. APPLICATION FOR PAYMENTS UNDER SECTIONS**
2 **8002 AND 8003.**

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

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

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

13 “(3) LATE APPLICATIONS.—

14 “(A) NOTICE.—The Secretary shall, as
15 soon as practicable after the deadline estab-
16 lished under subsection (c), provide to each
17 local educational agency that applied for a pay-
18 ment under section 8002 or 8003 for the prior
19 fiscal year, and with respect to which the Sec-
20 retary has not received an application for a pay-
21 ment under either such section (as the case
22 may be) for the fiscal year in question, written
23 notice of the failure to comply with the deadline
24 and instruction to ensure that the application is
25 filed not later than 60 days after the date on
26 which the Secretary sends the notice.

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

8 **SEC. 9. PAYMENTS FOR SUDDEN AND SUBSTANTIAL IN-**
9 **CREASES IN ATTENDANCE OF MILITARY DE-**
10 **PENDENTS.**

11 Section 8006 of the Elementary and Secondary Edu-
12 cation Act of 1965 (20 U.S.C. 7706) is repealed.

13 **SEC. 10. CONSTRUCTION.**

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

17 **“SEC. 8007. CONSTRUCTION.**

18 “(a) CONSTRUCTION PAYMENTS AUTHORIZED.—

19 “(1) IN GENERAL.—From 70 percent of the
20 amount appropriated for each fiscal year under sec-
21 tion 8014(e), the Secretary shall make payments in
22 accordance with this subsection to each local edu-
23 cational agency that receives a basic support pay-
24 ment under section 8003(b) for that fiscal year.

1 “(2) ADDITIONAL REQUIREMENTS.—A local
2 educational agency that receives a basic support pay-
3 ment under section 8003(b)(1) shall also meet at
4 least 1 of the following requirements:

5 “(A) The number of children determined
6 under section 8003(a)(1)(C) for the agency for
7 the preceding school year constituted at least
8 50 percent of the total student enrollment in
9 the schools of the agency during the preceding
10 school year.

11 “(B) The number of children determined
12 under subparagraphs (B) and (D)(i) of section
13 8003(a)(1) for the agency for the preceding
14 school year constituted at least 50 percent of
15 the total student enrollment in the schools of
16 the agency during the preceding school year.

17 “(3) AMOUNT OF PAYMENTS.—

18 “(A) LOCAL EDUCATIONAL AGENCIES IM-
19 PACTED BY MILITARY DEPENDENT CHIL-
20 DREN.—The amount of a payment to each local
21 educational agency described in this subsection
22 that is impacted by military dependent children
23 for a fiscal year shall be equal to—

1 “(i)(II) 35 percent of the amount ap-
2 propriated under section 8014(e) for such
3 fiscal year; divided by

4 “(II) the total number of weighted
5 student units of children described in sub-
6 paragraphs (B) and (D)(i) of section
7 8003(a)(1) for all local educational agen-
8 cies described in this subsection (as cal-
9 culated under section 8003(a)(2)), includ-
10 ing the number of weighted student units
11 of such children attending a school facility
12 described in section 8008(a) if the Sec-
13 retary does not provide assistance for the
14 school facility under that section for the
15 prior fiscal year; multiplied by

16 “(ii) the total number of such weight-
17 ed student units for the agency.

18 “(B) LOCAL EDUCATIONAL AGENCIES IM-
19 PACTED BY CHILDREN WHO RESIDE ON INDIAN
20 LANDS.—The amount of a payment to each
21 local educational agency described in this sub-
22 section that is impacted by children who reside
23 on Indian lands for a fiscal year shall be equal
24 to—

1 “(i)(I) 35 percent of the amount ap-
2 propriated under section 8014(e) for such
3 fiscal year; divided by

4 “(II) the total number of weighted
5 student units of children described in sec-
6 tion 8003(a)(1)(C) for all local educational
7 agencies described in this subsection (as
8 calculated under section 8003(a)(2)); mul-
9 tiplied by

10 “(ii) the total number of such weight-
11 ed student units for the agency.

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

16 “(b) SCHOOL FACILITY MODERNIZATION GRANTS
17 AUTHORIZED.—

18 “(1) IN GENERAL.—From 30 percent of the
19 amount appropriated for each fiscal year under sec-
20 tion 8014(e), the Secretary shall award grants in ac-
21 cordance with this subsection to eligible local edu-
22 cational agencies to enable the local educational
23 agencies to carry out modernization of school facili-
24 ties.

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

4 “(A) such agency (or in the case of a local
5 educational agency that does not have the au-
6 thority to tax or issue bonds, such agency’s fis-
7 cal agent) has no capacity to issue bonds or is
8 at such agency’s limit in bonded indebtedness
9 for the purposes of generating funds for capital
10 expenditures; and

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

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

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

4 “(A) The extent to which the local edu-
5 cational agency lacks the fiscal capacity to un-
6 dertake the modernization project without Fed-
7 eral assistance.

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

11 “(C) The extent to which the local edu-
12 cational agency serves high numbers or percent-
13 ages of children described in subparagraphs
14 (A), (B), (C), and (D) of section 8003(a)(1).

15 “(D) The need for modernization to
16 meet—

17 “(i) the threat that the condition of
18 the school facility poses to the safety and
19 well-being of students;

20 “(ii) overcrowding conditions as evi-
21 denced by the use of trailers and portable
22 buildings and the potential for future over-
23 crowding because of increased enrollment;
24 and

1 “(iii) facility needs resulting from ac-
2 tions of the Federal Government.

3 “(E) The age of the school facility to be
4 modernized.

5 “(4) OTHER AWARD PROVISIONS.—

6 “(A) FEDERAL SHARE.—The Federal
7 funds provided under this subsection to a local
8 educational agency described in subparagraph
9 (C) shall not exceed 50 percent of the total cost
10 of the project to be assisted under this sub-
11 section. A local educational agency may use in-
12 kind contributions to meet the matching re-
13 quirement of the preceding sentence.

14 “(B) MAXIMUM GRANT.—A local edu-
15 cational agency described in subparagraph (C)
16 may not receive a grant under this subsection
17 in an amount that exceeds \$3,000,000 during
18 any 5-year period.

19 “(C) LOCAL EDUCATIONAL AGENCY DE-
20 SCRIBED.—A local educational agency described
21 in this subparagraph is a local educational
22 agency that has the authority to issue bonds
23 but is at such agency’s limit in bonded indebt-
24 edness for the purposes of generating funds for
25 capital expenditures.

1 “(5) APPLICATIONS.—A local educational agen-
2 cy that desires to receive a grant under this sub-
3 section shall submit an application to the Secretary
4 at such time, in such manner, and accompanied by
5 such information as the Secretary may require. Each
6 application shall contain—

7 “(A) documentation certifying such agen-
8 cy’s lack of bonding capacity;

9 “(B) a listing of the school facilities to be
10 modernized, including the number and percent-
11 age of children determined under section
12 8003(a)(1) in average daily attendance in each
13 school facility;

14 “(C) a description of the ownership of the
15 property on which the current school facility is
16 located or on which the planned school facility
17 will be located;

18 “(D) a description of any school facility
19 deficiency that poses a health or safety hazard
20 to the occupants of the school facility and a de-
21 scription of how that deficiency will be repaired;

22 “(E) a description of the modernization to
23 be supported with funds provided under this
24 subsection;

1 “(F) a cost estimate of the proposed mod-
2 ernization; and

3 “(G) such other information and assur-
4 ances as the Secretary may reasonably require.

5 “(6) EMERGENCY GRANTS.—

6 “(A) APPLICATIONS.—Each local edu-
7 cational agency described in paragraph
8 (2)(B)(ii) that desires a grant under this sub-
9 section shall include in the application sub-
10 mitted under paragraph (5) a signed statement
11 from an appropriate local official certifying that
12 a health or safety deficiency exists.

13 “(B) PRIORITY.—If the Secretary receives
14 more than 1 application from local educational
15 agencies described in paragraph (2)(B)(ii) for
16 grants under this subsection for any fiscal year,
17 the Secretary shall give priority to local edu-
18 cational agencies based on the severity of the
19 emergency, as determined by the Secretary, and
20 when the application was received.

21 “(C) CONSIDERATION FOR FOLLOWING
22 YEAR.—A local educational agency described in
23 paragraph (2)(B)(ii) that applies for a grant
24 under this subsection for any fiscal year and
25 does not receive the grant shall have the appli-

1 cation for the grant considered for the following
2 fiscal year, subject to the priority described in
3 subparagraph (B).”.

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

7 “(13) MODERNIZATION.—The term ‘moderniza-
8 tion’ means repair, renovation, alteration, or con-
9 struction, including—

10 “(A) the concurrent installation of equip-
11 ment; and

12 “(B) the complete or partial replacement
13 of an existing school facility, but only if such
14 replacement is less expensive and more cost-ef-
15 fective than repair, renovation, or alteration of
16 the school facility.”.

17 **SEC. 11. FEDERAL ADMINISTRATION.**

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

20 (1) by striking paragraph (1);

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

23 (3) in paragraph (2)(D) (as redesignated), by
24 striking “section 5(d)(2) of the Act of September
25 30, 1950 (Public Law 874, 81st Congress) (as such

1 section was in effect on the day preceding the date
2 of enactment of the Improving America's Schools
3 Act of 1994) or”.

4 **SEC. 12. ADMINISTRATIVE HEARINGS AND JUDICIAL RE-**
5 **VIEW.**

6 (a) ADMINISTRATIVE HEARINGS.—

7 (1) IN GENERAL.—Section 8011(a) of the Ele-
8 mentary and Secondary Education Act of 1965 (20
9 U.S.C. 7711) is amended by adding at the end be-
10 fore the period the following: “if the local edu-
11 cational agency or State, as the case may be, sub-
12 mits to the Secretary a request for the hearing not
13 later than 60 days after the date of the action of the
14 Secretary under this title”.

15 (2) EFFECTIVE DATE.—The amendment made
16 by paragraph (1) shall apply with respect to an ac-
17 tion of the Secretary under title VIII of the Elemen-
18 tary and Secondary Education Act of 1965 (20
19 U.S.C. 7701 et seq.) initiated on or after the date
20 of the enactment of this Act.

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

1 **SEC. 13. DEFINITIONS.**

2 Section 8013(5)(A)(iii) of the Elementary and Sec-
3 ondary Education Act of 1965 (20 U.S.C. 7713(5)(A)(iii))
4 is amended—

5 (1) in subclause (I), by striking “or” at the
6 end; and

7 (2) by adding at the end the following:

8 “(III) affordable housing assisted
9 under the Native American Housing As-
10 sistance and Self-Determination Act of
11 1996; or”.

12 **SEC. 14. AUTHORIZATION OF APPROPRIATIONS.**

13 (a) PAYMENTS FOR FEDERAL ACQUISITION OF REAL
14 PROPERTY.—Section 8014(a) of the Elementary and Sec-
15 ondary Education Act of 1965 (20 U.S.C. 7714(a)) is
16 amended by striking “\$16,750,000 for fiscal year 1995
17 and such sums as may be necessary for each of the four
18 succeeding fiscal years” and inserting “such sums as may
19 be necessary for fiscal year 2000 and each of the four suc-
20 ceeding fiscal years”.

21 (b) BASIC PAYMENTS.—Section 8014(b) of the Ele-
22 mentary and Secondary Education Act of 1965 (20 U.S.C.
23 7714(b)) is amended—

24 (1) by striking “subsections (b) and (f) of sec-
25 tion 8003” and inserting “section 8003(b)”; and

1 (2) by striking “\$775,000,000 for fiscal year
2 1995” and all that follows preceding the period at
3 the end and inserting “such sums as may be nec-
4 essary for fiscal year 2000 and each of the four suc-
5 ceeding fiscal years”.

6 (c) PAYMENTS FOR CHILDREN WITH DISABIL-
7 ITIES.—Section 8014(e) of the Elementary and Secondary
8 Education Act of 1965 (20 U.S.C. 7714(e)) is amended
9 by striking “\$45,000,000 for fiscal year 1995 and such
10 sums as may be necessary for each of the four succeeding
11 fiscal years” and inserting “such sums as may be nec-
12 essary for fiscal year 2000 and each of the four succeeding
13 fiscal years”.

14 (d) PAYMENTS FOR INCREASES IN MILITARY CHIL-
15 DREN.—Subsection (d) of section 8014 of the Elementary
16 and Secondary Education Act of 1965 (20 U.S.C. 7714)
17 is repealed.

18 (e) CONSTRUCTION.—Section 8014(e) of the Elemen-
19 tary and Secondary Education Act of 1965 (20 U.S.C.
20 7714(e)) is amended by striking “\$25,000,000 for fiscal
21 year 1995 and such sums as may be necessary for each
22 of the four succeeding fiscal years” and inserting “such
23 sums as may be necessary for fiscal year 2000 and each
24 of the four succeeding fiscal years”.

1 (f) FACILITIES MAINTENANCE.—Section 8014(f) of
2 the Elementary and Secondary Education Act of 1965 (20
3 U.S.C. 7714(f)) is amended by striking “\$2,000,000 for
4 fiscal year 1995 and such sums as may be necessary for
5 each of the four succeeding fiscal years” and inserting
6 “such sums as may be necessary for fiscal year 2000 and
7 each of the four succeeding fiscal years”.

8 (g) ADDITIONAL ASSISTANCE FOR CERTAIN LOCAL
9 EDUCATIONAL AGENCIES IMPACTED BY FEDERAL PROP-
10 ERTY ACQUISITION.—Section 8014(g) of the Elementary
11 and Secondary Education Act of 1965 (20 U.S.C.
12 7714(g)) is amended—

13 (1) in the heading, by striking “FEDERAL
14 PROPERTY LOCAL EDUCATIONAL AGENCIES” and
15 inserting “LOCAL EDUCATIONAL AGENCIES IM-
16 PACTED BY FEDERAL PROPERTY ACQUISITION”;
17 and

18 (2) by striking “beginning in fiscal year 1998
19 and for each succeeding fiscal year” and inserting
20 “for fiscal year 2000 and each of the four suc-
21 ceeding fiscal years”.

○