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House of Representatives

The House met at 2 p.m. and was called to order by the Speaker pro tempore (Mr. ABRAHAM).

DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
July 7, 2015.

I hereby appoint the Honorable RALPH LEE ABRAHAM to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,
Speaker of the House of Representatives.

PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer:

Loving and gracious God, we give You thanks for giving us another day.

As the Members of this assembly return from days away celebrating our Nation's birth, grant them safe journey. May they return ready to assume a difficult work which must be done.

We pray for the needs of the Nation, the world, and all of creation. Bless those who seek to honor You and serve each other and all Americans in this House through their public service.

May the words and deeds of this place reflect an earnest desire for justice, and may men and women in government build on the tradition of equity and truth that represents the noblest heritage of our people.

May Your blessing, O God, be with us this day and every day to come, and may all we do be done for Your greater honor and glory.

Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from Michigan (Mr. KILDEE) come forward and lead the House in the Pledge of Allegiance.

Mr. KILDEE led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

U.S. SOCCER TEAM WINS WORLD CUP

(Mr. POE of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. POE of Texas. Mr. Speaker, on July 17, 2011, the United States Women's soccer team lost to Japan in the World Cup title match. It was a crushing defeat, one that motivated the Women's National Team.

The World Cup is every 4 years, and the rematch this Sunday was one for the history books. Scoring the most goals in any World Cup final game, the United States Women's National Team earned their third World Cup championship. That is unprecedented.

Just 16 minutes into the game, the U.S. center midfielder scored her third goal of the game. It was the hat trick seen around the world.

The roar of the announcers echoed in living rooms across America. Twenty-five million people cheered on the USA, and a new American hero, Carli Lloyd, became a household name.

The United States defeated Japan 5–2, as the Red, White, and Blue proudly waved over the field in Vancouver, Canada.

Congratulations to the 2015 Women's National Team and to Coach Jill Ellis. The team motto, ''She Believes,'' made believers of the whole world.

And that is just the way it is.

Mr. Speaker, I insert the names of all of the players, their hometowns, and their jersey numbers into the RECORD.

2015 US WOMEN'S NATIONAL SOCCER TEAM

Shannon Box—Redondo Beach, CA—7; Morgan Brian—St. Simons Island, GA—14; Lori Chalupny—St. Louis, MO—16; Whitney Engen—Rolling Hills Estates, CA—6; Ashlyn Harris—Satellite Beach, FL—18; Tobin Heath—Basking Ridge, NJ—17; Lauren Holiday—Indianapolis, IN—12; Julie Johnston—Mesa, AZ—19; Meghan Klingenberg—Gibsonia, PA—22; Ali Krieger—Dumfries, VA—11; Sydney Leroux—Scottsdale, AZ—2; Carli Lloyd—Delran, NJ—10; Alex Morgan—Diamond Bar, CA—13; Alyssa Naeher—Bridgepoint, CT—21; Kelley O'Hara—Fayetteville, GA—5; Heather O'Reilly—East Brunswick, NJ—9; Christen Press—Palos Verdes Estates, CA—23; Christie Rampone—Point Pleasant, NJ—3; Megan Rapinoe—Redding, CA—15; Amy Rodriguez—Lake Forest, CA—8; Becky Sauerbrunn—St. Louis, MO—4; Hope Solo—Richland, WA—1; Abby Wambach—Rochester, NY—20.

HIGHWAY AND TRANSIT TRUST FUND EXPIRES

(Mr. KILDEE asked and was given permission to address the House for 1 minute.)

Mr. KILDEE. Mr. Speaker, at the end of this month, the highway and transit trust fund will expire, which would be devastating to our country's competitiveness and threaten 660,000 American jobs and thousands of projects to rebuild America's roads, rails, and bridges. We can't let this happen, not during the middle of the summer construction season for sure.

That is why Congress, Democrats and Republicans, really have to work together in a bipartisan fashion to pass a plan to invest in our Nation's infrastructure, our roads, our rails, and our bridges.

Right now, as a percentage of GDP, China is spending 10 times what we are

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on infrastructure. They are investing in their future.

Meanwhile, here at home, we can't even act to extend the highway trust fund, let alone adopt a 21st century plan that invests in our future, invests in America, and rebuilds this Nation in a way that puts people to work and makes us more competitive. How are we supposed to compete with China if we can't even rebuild our own roads and bridges?

We need to act together. Mr. Speaker, the time has long passed. Let's act today.

APPRECIATING THE FLYING TIGERS

(Mr. WILSON of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON of South Carolina. Mr. Speaker, I am grateful to recognize the Flying Tigers, a courageous group of volunteer pilots of World War II who carried out strategic air support missions to protect the citizens of the Republic of China. This elite group became the 14th Air Force and included my father, First Lieutenant Hugh de Veaux Wilson.

Through the leadership of General Claire Chennault, the Flying Tigers achieved impressive victories, destroying 296 enemy aircraft, stopping the invaders, and saving millions of Chinese lives.

America is always appreciative to the Republic of China military who rescued most of the crews after 15 U.S. planes crashed into China following the Doolittle Raid in 1942. This raid was formed in my hometown of Springdale at Columbia Army Air Base in South Carolina.

I have visited President Jiang Zemin at the Presidential compound in Beijing on a delegation led by Congressman Curt Weldon. Upon hearing of my father's Flying Tiger service, President Jiang Zemin interrupted the meeting to announce his view that, because of the Flying Tigers, ''the American military is revered in China.''

In conclusion, God bless our troops, and may the President by his actions never forget September the 11th in the global war on terrorism.

MARRIAGE EQUALITY

(Mr. TAKANO asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. TAKANO. Mr. Speaker, I rise today to enter the following words into the CONGRESSIONAL RECORD:

''No union is more profound than marriage, for it embodies the highest ideals of love, fidelity, devotion, sacrifice, and family. In forming a marital union, two people become something greater than once they were.

''As some of the petitioners in these cases demonstrate, marriage embodies a love that may endure even past death. It would misunderstand these men and women to say they disrespect the idea of marriage.

''Their plea is that they do respect it, respect it so deeply that they seek to find its fulfillment for themselves. Their hope is not to be condemned to live in loneliness, excluded from one of civilization's oldest institutions.

''They ask for equal dignity in the eyes of the law. The Constitution grants them that right. The judgment of the Court of Appeals for the Sixth Circuit is reversed.

''It is so ordered.''

These words, Mr. Speaker, were written by Supreme Court Justice Anthony Kennedy in his Obergefell v. Hodges ruling, and they embody what the LGBT community has pursued for decades: equality under the law.

HONORING MINNESOTA'S PHIL HOUSLEY

(Mr. EMMER of Minnesota asked and was given permission to address the House for 1 minute.)

Mr. EMMER of Minnesota. Mr. Speaker, I rise today to congratulate my friend and Minnesota's own, Phil Housley, on his recent induction into the Hockey Hall of Fame.

Phil Housley is a true Minnesotan. Born and raised in the state of hockey, he graduated from South St. Paul High School in 1982.

Phil was drafted by the Buffalo Sabres right out of high school and spent 21 years playing in the National Hockey League for eight different teams.

Phil is a seven-time all-star and the highest scoring U.S.-born defenseman in NHL history. He also helped Team USA win a silver medal in the 2002 Olympics.

Phil played his last professional game in 2003, but his hockey career did not end there. He is currently working as the assistant coach for the Nashville Predators.

Phil was born to compete at the highest level, and he is being recognized with the highest honor his sport can grant: induction into the Hockey Hall of Fame.

Congratulations, Phil. You deserve it.

FAMILIES IMPACTED BY OPIATE ABUSE

(Mr. KENNEDY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KENNEDY. Mr. Speaker, yesterday I spent part of my day with a number of families from Taunton, Massachusetts, a city in my district that has been tragically impacted by opiate abuse.

Of the families that were there, one young man stood out. Cory was an honor student from Taunton High School. He was a starting pitcher for the baseball team when a pitching injury sidelined him and forced him into surgery. After 12 bouts in rehab, he ended up overdosing on heroin and today continues to suffer brain damage from that overdose.

Mr. Speaker, these stories have become far too common, not just across Taunton and across our Commonwealth in Massachusetts, but around our country.

This is why I rise today to recognize the tremendous work of my colleague, Congressman WHITFIELD, and his work in introducing with me the National All Schedules Prescription Electronic Reporting Act, as well as our colleague Congresswoman SUSAN BROOKS, who has introduced the Heroin and Prescription Opioid Abuse Prevention, Education, and Enforcement Act.

Mr. Speaker, there is no silver bullet to these challenges. Together, this body, piece by piece, can help craft the legislation that we need to get this epidemic under wraps.

SANCTUARY CITIES COST INNOCENT LIVES

(Mr. SMITH of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SMITH of Texas. Mr. Speaker, dangerous policies have deadly consequences. We were reminded of this last week when a young woman in San Francisco, Kate Steinle, was tragically murdered by an illegal immigrant who should have been deported long ago.

Unknown to many Americans, cities across the Nation, like San Francisco, have declared that they will be a sanctuary for illegal immigrants. They refuse to cooperate with Federal immigration authorities in violation of Federal law. And victims like Kate Steinle pay the ultimate price

This administration, regrettably, has condoned sanctuary cities and has done nothing to make them abide by Federal immigration laws.

In this case, the killer had been ordered deported five times and charged with seven previous felonies but had been released instead.

If this administration and local officials in sanctuary cities care about the safety of the American people, they should work to secure our borders and uphold, not undermine, our immigration laws.

JORDAN DEFENSE COOPERATION ACT OF 2015

(Ms. GRANGER asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. GRANGER. Mr. Speaker, as an original cosponsor of the United States Jordan Defense Cooperation Act of 2015, I rise in strong support of this bill.

Jordan is a vital and loyal partner in the Middle East. Under King Abdullah's strong leadership, Jordan

continues to play a critical role in advancing peace and stability in the region and in the ongoing campaign to defeat ISIL.

Jordan is a leader in the fight against Islamic extremism, conducting airstrikes, training partner nations and rebel forces, and supplying allies.

Due to the unrest in the region and the hosting of more than 700,000 Syrian refugees, Jordan's economy faces ongoing economic and security needs.

As chairwoman of the State, Foreign Operations, and Related Programs Appropriations Subcommittee, I fought to ensure that the Jordanians have the support they need to address these many challenges.

The United States must continue to provide assistance Jordan needs to ensure its success in coalition operations, including strengthening the borders with Iraq and Syria. It is important for both their security and ours.

This support is a key component of the U.S. efforts to keep terrorism in check, create stability in the Middle East, and protect the American people. This assistance should not be delayed because of unnecessary bureaucracy. Such a valued partner deserves and needs our assistance immediately.

This resolution allows Jordan to be treated as if it were a member of the NATO-plus group of countries, which makes them eligible to receive special treatment for the transfer of U.S. defense articles and services.

This important bill must be enacted. I urge my colleagues to vote ''yes.''

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LONG-TERM INFRASTRUCTURE PLAN

(Mr. CONNOLLY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CONNOLLY. Mr. Speaker, this Congress must come up with a long-term infrastructure plan, and it must do it this month before the highway trust fund expires.

No great country can stay great without investing in its infrastructure. Throughout history, great leaders of both parties have understood there is a return on that investment. George Washington understood the need for internal improvements; so did Henry Clay. In the middle of the Civil War, Abraham Lincoln and this Congress invested in the transcontinental railroad.

They had the vision to understand we were making decisions for future generations, and if we don't, China, India, Japan, and our competitors will. They are making the decisions we are not making. They are advancing while we are retreating in critical infrastructure investment.

The American people deserve better from this Congress.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. POE of Texas). Pursuant to clause 4 of rule I, the following enrolled bills were signed by Speaker pro tempore THORNBERRY on Friday, June 26, 2015:

H.R. 893, to require the Secretary of the Treasury to mint coins in commemoration of the centennial of Boys Town, and for other purposes;

H.R. 1295, to extend the African Growth and Opportunity Act, the Generalized System of Preferences, the preferential duty treatment program for Haiti, and for other purposes.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote incurs objection under clause 6 of rule XX.

Record votes on postponed questions will be taken later.

UNITED STATES-JORDAN DEFENSE COOPERATION ACT OF 2015

Ms. ROS-LEHTINEN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 907) to improve defense cooperation between the United States and the Hashemite Kingdom of Jordan, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 907

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 ''United States-Jordan Defense Cooperation Act of 2015''.

SEC. 2. FINDINGS.

Congress makes the following findings:

(1) As of January 22, 2015, the United States Government has provided $3,046,343,000 in assistance to the Syria humanitarian response, of which nearly $467,000,000 has been to the Hashemite Kingdom of Jordan.

(2) As of January 2015, according to the United Nations High Commissioner for Refugees (UNHCR), there are 621,937 registered Syrian refugees in Jordan and 83.8 percent of those refugees live outside refugee camps.

(3) In 2000, the United States and Jordan signed a free-trade agreement that went into force in 2001.

(4) In 1996, the United States granted Jordan major non-NATO ally status.

(5) Jordan is suffering from the Syrian refugee crisis and the threat of the Islamic State of Iraq and the Levant (ISIL).

(6) The Government of Jordan was elected as a non-permanent member of the United Nations Security Council beginning in January 2014 and terminating in December 2015.

(7) Enhanced support for defense cooperation with Jordan is important to the national security of the United States, including through creation of a status in law for Jordan similar to the countries in the North Atlantic Treaty Organization, Japan, Australia, the Republic of Korea, Israel, and New Zealand, with respect to consideration by Congress of foreign military sales to Jordan.

(8) The Colorado National Guard's relationship with the Jordanian military provides a significant benefit to both the United States and Jordan.

(9) Jordanian pilot Moaz al-Kasasbeh was brutally murdered by ISIL.

(10) On February 3, 2015, Secretary of State John Kerry and Jordanian Foreign Minister Nasser Judeh signed a new Memorandum of Understanding that reflects the intention to increase United States assistance to the Government of Jordan from $660,000,000 to $1,000,000,000 per year for the years 2015 through 2017.

SEC. 3. STATEMENT OF POLICY.

It should be the policy of the United States to support the Hashemite Kingdom of Jordan in its response to the Syrian refugee crisis, provide necessary assistance to alleviate the domestic burden to provide basic needs for the assimilated Syrian refugees, cooperate with Jordan to combat the terrorist threat from the Islamic State of Iraq and the Levant (ISIL) or other terrorist organizations, and help secure the border between Jordan and its neighbors Syria and Iraq.

SEC. 4. SENSE OF CONGRESS.

It is the sense of Congress that expeditious consideration of certifications of letters of offer to sell defense articles, defense services, design and construction services, and major defense equipment to the Hashemite Kingdom of Jordan under section 36(b) of the Arms Export Control Act (22 U.S.C. 2776(b)) is fully consistent with United States security and foreign policy interests and the objectives of world peace and security.

SEC. 5. ENHANCED DEFENSE COOPERATION.

(a) IN GENERAL.—For the 3-year period beginning on the date of the enactment of this Act, the Hashemite Kingdom of Jordan shall be treated as if it were a country listed in the provisions of law described in subsection (b) for purposes of applying and administering such provisions of law.

(b) PROVISIONS OF LAW.—The provisions of law described in this subsection are the following provisions of the Arms Export Control Act:

(1) Subsections (b)(2), (d)(2)(B), (d)(3)(A)(i), and (d)(5) of section 3 (22 U.S.C. 2753).

(2) Subsections (e)(2)(A), (h)(1)(A), (h)(2) of section 21 (22 U.S.C. 2761).

(3) Subsections (b)(1), (b)(2), (b)(6), (c), and (d)(2)(A) of section 36 (22 U.S.C. 2776).

(4) Section 62(c)(1) (22 U.S.C. 2796a(c)(1)).

(5) Section 63(a)(2) (22 U.S.C. 2796b(a)(2)).

SEC. 6. MEMORANDUM OF UNDERSTANDING.

The Secretary of State is authorized, subject to the availability of appropriations, to enter into a Memorandum of Understanding with the Hashemite Kingdom of Jordan to increase economic support funds, military cooperation, including joint military exercises, personnel exchanges, support for international peacekeeping missions, and enhanced strategic dialogue.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Florida (Ms. ROS-LEHTINEN) and the gentleman from Virginia (Mr. CONNOLLY) each will control 20 minutes.

The Chair recognizes the gentlewoman from Florida.

GENERAL LEAVE

Ms. ROS-LEHTINEN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to submit statements or extraneous materials for the RECORD on this measure.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Florida?

There was no objection.

Ms. ROS-LEHTINEN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 907, which is before us, is a simple, straightforward, commonsense bill that not only helps secure U.S. national security interests, but also the security interests of one of our closest allies in the Middle East, the Hashemite Kingdom of Jordan.

This bill will give Jordan the ability to buy defense articles, defense services, and major defense equipment under the Arms Export Control Act, as long as any sale is fully consistent with United States security and foreign policy interests and objectives.

The bill also supports the Hashemite Kingdom of Jordan in its response to the Syrian refugee crisis to help alleviate the domestic burden to provide basic needs for the assimilated Syrian refugees, and the bill also calls for greater cooperation with Jordan to fight the terrorist threat from the Islamic State of Iraq and the Levant—ISIL—or any other terrorist organization.

Late last year, Mr. Speaker, I introduced this bill after leading a congressional delegation to Jordan. We traveled to Jordan to see how the people of Jordan were dealing with the strains put on them from the humanitarian crisis developing in Syria.

The King of Jordan had taken in somewhere in the neighborhood of 1 million refugees, despite the toll it has taken on his country's infrastructure and resources; but despite the added pressures the Kingdom was facing from the refugee crisis, the King told us that one of the most pressing issues he was facing was the encroachment of ISIL toward his borders.

He stressed that he was willing to help lead the fight against ISIL, but he just did not have sufficient military equipment with which to do so.

I understand how important the stability and security of Jordan is not just for the region, but also for another strong ally of ours, the democratic Jewish State of Israel. It made sense that, in order to maintain the fragile stability in some of the countries in the region, we would need to help bolster the capabilities of our friends who are committed to defeating this radical extremist threat.

We marked up the bill in November of last year, but simply ran out of time at the end of the Congress. I reintroduced the bill again this year, alongside Mr. TED DEUTCH of Florida, the ranking member of the Middle East and North Africa Subcommittee; KAY GRANGER, chairman of the State, Foreign Operations, and Related Programs Appropriations Subcommittee; and NITA LOWEY, ranking member of the State, Foreign Operations, and Related Programs Appropriations Subcommittee.

I thank Chairman ROYCE and Ranking Member ENGEL because it is through their leadership that we were able to pass the bill out of the Foreign Affairs Committee unanimously this past April.

Mr. Speaker, in Jordan, the U.S. could not ask for a more committed partner in the fight against ISIL. King Abdullah is committed to that fight. He understands the urgency and need to address ISIL head on, and he has shown that he is willing to take the necessary measures to defeat these extremists, but he needs more resources to fight ISIL. He needs these resources to protect the security of his people.

Congress must do everything that we can to help our friends defend themselves and defeat this scourge of terror. I urge my colleagues to support this important bill.

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

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

Mr. Speaker, I rise to support H.R. 907, the U.S.-Jordan Defense Cooperation Act of 2015. As the Middle East has become more unstable and as ISIS continues to terrorize the people of Syria, Iraq, and its neighbors, Jordan remains resolute. While ISIS threatens its borders and terrorizes its people, Jordan has fought back.

When Jordan Air Force pilot Captain al-Kasasbeh was brutally murdered—burned alive in a cage, Mr. Speaker—Jordan did not shrink; it did not retreat. Instead, it took even a more active role in airstrikes against the ISIS threat.

The Syrian civil war and instability created by ISIS has placed a tremendous pressure on the country of Jordan. Jordan has absorbed 620,000 Syrian refugees during this crisis. Its healthcare and educational systems are under severe strain as a result.

The United States has provided over $460 million in response, on top of the over $1 billion in bilateral foreign assistance Jordan received last year. In February, the U.S. and Jordanian Governments signed a memorandum of understanding outlining the intention to provide Jordan with $1 billion per year for the next 3 years. This agreement and this legislation seek to ensure that Jordan is able to defend itself in the wake of these severe threats.

For the next 3 years, the bill would treat Jordan as a NATO member in how weapons sales and maintenance, manufacturing licensing agreements, and technical assistance are considered and notified to this Congress. The bill also authorizes a MOU with Jordan to increase economic and military assistance, as well as joint military operations.

The U.S.-Jordanian relationship is mutually beneficial. Now, more than ever, Jordan needs U.S. support. We need strong Jordanian resolve in the face of the threat against ISIS. I urge my colleagues to support this legislation.

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

Ms. ROS-LEHTINEN. Mr. Speaker, we have no further speakers, and I reserve the balance of my time.

Mr. CONNOLLY. Mr. Speaker, let me close by noting that this bill is crucial because it shows that, if given proper assistance, the region can stand up for itself. This measure does not put U.S. boots on the ground. U.S. support and leadership is appreciated, of course, but Jordan is seeking to defend itself with our help.

We have had many solemn conversations in this body and on this floor about issues of war and peace. This bill demonstrates U.S. leadership in preparing others to fight their own battles, and that is an important strategy as we move forward. This legislation is consistent with that principle.

I urge my colleagues to give this their full support, and I yield back the balance of my time.

Ms. ROS-LEHTINEN. Mr. Speaker, I yield myself such time as I may consume.

I thank my good friend, the gentleman from Virginia, for his comments. I know that it comes from great experience. I believe that he also served as a staff member on the Foreign Relations Committee in the Senate. That has definitely helped him form his opinions and expertise.

Mr. CONNOLLY. Will the gentlewoman yield?

Ms. ROS-LEHTINEN. I yield to the gentleman from Virginia.

Mr. CONNOLLY. I am just amazed that my friend from Florida would be in possession of such intricate knowledge. I thank her for acknowledging it.

Ms. ROS-LEHTINEN. Reclaiming my time, this bill could not come at a more important time, Mr. Speaker.

In March, I was honored to join Speaker BOEHNER on a congressional trip to Jordan in order to discuss the growing threat to that region. I had previously gone there on my own CODEL. Now, going back in March, I see how ISIL has created an even greater threat to the Hashemite Kingdom of Jordan and the refugee crisis continues to build up for the Kingdom of Jordan.

We expressed our appreciation to His Majesty for his steadfast commitment, to support his efforts to fight this ISIL threat, and help him with the burden of the refugees.

The King reiterated again his commitment to defeating ISIL and the need for more assistance from the international community. We told him that we would do what we could to ensure that he had all of the tools needed to win this fight against ISIL.

Since the coalition campaign against ISIL began, Mr. Speaker, the terror group has made great gains in Iraq and Syria. It has expanded its influence across the globe to places like Libya, Tunisia, Sinai, Europe, and even here in the United States.

Congress needs to do our part. We need to step up. We need to show our allies that we are committed to help them. They are taking the fight to ISIL. Let's help them with these tools. We need to show ISIL and all of our enemies that we will stand by our allies.

We will stand by our friends and help them do what is necessary—all that is necessary—to defeat terror and to defeat radical extremism.

I urge my colleagues to support this vital, important bill and support our key ally, the Hashemite Kingdom of Jordan. I would like to thank Mr. ROYCE and Mr. ENGEL again for their leadership, as well as Mr. DEUTCH, Ms. GRANGER, and Mrs. LOWEY.

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

Mrs. LOWEY. Mr. Speaker, I rise in strong support of H.R. 907, U.S.-Jordan Defense Cooperation Act of 2015.

The United States has no stronger partner in the Arab world than Jordan, and His Majesty King Abdullah II continues to be a pioneer in bolstering moderate political voices both in Jordan and throughout the Muslim world.

During such a tumultuous time in the region, with the rise of ISIL and the unprecedented humanitarian needs of millions of refugees, stability and security in Jordan remain vital to our own interests.

That is why this legislation is so important. It would help strengthen military and economic ties between our two countries.

As the Ranking Member of the House Appropriations Subcommittee on State and Foreign Operations, I remain committed to our strategic partnership with Jordan, and I will continue to work as hard as possible to promote stability, economic growth, and prosperity for the Jordanian people.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Florida (Ms. ROS-LEHTINEN) that the House suspend the rules and pass the bill, H.R. 907, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

VETERAN'S I.D. CARD ACT

Mr. ABRAHAM. Madam Speaker, I move to suspend the rules and concur in the Senate amendment to the bill (H.R. 91) to amend title 38, United States Code, to direct the Secretary of Veterans Affairs to issue, upon request, veteran identification cards to certain veterans.

The Clerk read the title of the bill.

The text of the Senate amendment is as follows:

Senate amendment:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Veterans Identification Card Act 2015''.

SEC. 2. VETERANS IDENTIFICATION CARD.

(a) FINDINGS.—Congress makes the following findings:

(1) Effective on the day before the date of the enactment of this Act, veteran identification cards were issued to veterans who have either completed the statutory time-in-service requirement for retirement from the Armed Forces or who have received a medical-related discharge from the Armed Forces.

(2) Effective on the day before the date of the enactment of this Act, a veteran who served a minimum obligated time in service, but who did not meet the criteria described in paragraph (1), did not receive a means of identifying the veteran's status as a veteran other than using the Department of Defense form DD–214 discharge papers of the veteran.

(3) Goods, services, and promotional activities are often offered by public and private institutions to veterans who demonstrate proof of service in the military, but it is impractical for a veteran to always carry Department of Defense form DD–214 discharge papers to demonstrate such proof.

(4) A general purpose veteran identification card made available to veterans would be useful to demonstrate the status of the veterans without having to carry and use official Department of Defense form DD–214 discharge papers.

(5) On the day before the date of the enactment of this Act, the Department of Veterans Affairs had the infrastructure in place across the United States to produce photographic identification cards and accept a small payment to cover the cost of these cards.

(b) PROVISION OF VETERAN IDENTIFICATION CARDS.—Chapter 57 of title 38, United States Code, is amended by adding after section 5705 the following new section:

''§ 5706. Veterans identification card

''(a) IN GENERAL.—The Secretary of Veterans Affairs shall issue an identification card described in subsection (b) to each veteran who—

''(1) requests such card;

''(2) presents a copy of Department of Defense form DD–214 or other official document from the official military personnel file of the veteran that describes the service of the veteran; and

''(3) pays the fee under subsection (c)(1).

''(b) IDENTIFICATION CARD.—An identification card described in this subsection is a card issued to a veteran that—

''(1) displays a photograph of the veteran;

''(2) displays the name of the veteran;

''(3) explains that such card is not proof of any benefits to which the veteran is entitled to;

''(4) contains an identification number that is not a social security number; and

''(5) serves as proof that such veteran—

''(A) served in the Armed Forces; and

''(B) has a Department of Defense form DD–214 or other official document in the official military personnel file of the veteran that describes the service of the veteran.

''(c) COSTS OF CARD.—(1) The Secretary shall charge a fee to each veteran who receives an identification card issued under this section, including a replacement identification card.

''(2)(A) The fee charged under paragraph (1) shall equal such amount as the Secretary determines is necessary to issue an identification card under this section.

''(B) In determining the amount of the fee under subparagraph (A), the Secretary shall ensure that the total amount of fees collected under paragraph (1) equals an amount necessary to carry out this section, including costs related to any additional equipment or personnel required to carry out this section.

''(C) The Secretary shall review and reassess the determination under subparagraph (A) during each five-year period in which the Secretary issues an identification card under this section.

''(3) Amounts collected under this subsection shall be deposited in an account of the Department available to carry out this section. Amounts so deposited shall be—

''(A) merged with amounts in such account;

''(B) available in such amounts as may be provided in appropriation Acts; and

''(C) subject to the same conditions and limitations as amounts otherwise in such account.

''(d) EFFECT OF CARD ON BENEFITS.—(1) An identification card issued under this section shall not serve as proof of any benefits that the veteran may be entitled to under this title.

''(2) A veteran who is issued an identification card under this section shall not be entitled to any benefits under this title by reason of possessing such card.

''(e) ADMINISTRATIVE MEASURES.—(1) The Secretary shall ensure that any information collected or used with respect to an identification card issued under this section is appropriately secured.

''(2) The Secretary may determine any appropriate procedures with respect to issuing a replacement identification card.

''(3) In carrying out this section, the Secretary shall coordinate with the National Personnel Records Center.

''(4) The Secretary may conduct such outreach to advertise the identification card under this section as the Secretary considers appropriate.

''(f) CONSTRUCTION.—This section shall not be construed to affect identification cards otherwise provided by the Secretary to veterans enrolled in the health care system established under section 1705(a) of this title.''.

(c) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 5705 the following new item:

''5706. Veterans identification card.''.

(d) EFFECTIVE DATE.—The amendments made by this Act shall take effect on the date that is 60 days after the date of the enactment of this Act.

The SPEAKER pro tempore (Ms. ROS-LEHTINEN). Pursuant to the rule, the gentleman from Louisiana (Mr. ABRAHAM) and the gentleman from California (Mr. TAKANO) each will control 20 minutes.

The Chair recognizes the gentleman from Louisiana.

GENERAL LEAVE

Mr. ABRAHAM. Madam Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and add extraneous material on the Senate amendment to H.R. 91.

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

There was no objection.

□ 1430

Mr. ABRAHAM. Madam Speaker, I yield myself as much time as I may consume.

Madam Speaker, many businesses show their gratitude to our Nation's servicemembers and veterans by offering special discounts on goods and services to those who have served our Nation in uniform.

Unfortunately, unless a servicemember is a qualified military retiree, DOD does not issue an official ID card as proof of service. That means that millions of veterans cannot easily provide evidence of their service.

This bill, as amended, would change that by directing the Secretary of Veterans Affairs to issue a veteran's ID card that would display the veteran's name and photograph to any veteran who requests such a card, as long as the veteran is not entitled to military retired pay, nor enrolled in the VA healthcare system.

This card would give those who served in the Armed Forces a convenient way to prove that they are veterans, for the purpose of receiving the

promotions and discounts offered by many businesses around the country.

The bill, as amended, would also require the Secretary to determine a fee to be charged that would cover all costs of producing the cards and managing the program. The bill also specifies that the card does not entitle the holder to any VA benefits.

H.R. 91 passed the House by a vote of 402–0 on May 18. The Senate passed it by unanimous consent on June 22, with an amendment that would authorize VA to provide this card to any person who meets the statutory definition of a veteran.

Under current law, a veteran is defined as ''a person who served in the active military, naval, or air service and who was discharged or released therefrom under conditions other than dishonorable.''

I thank my colleague Mr. BUCHANAN for his efforts on this commonsense legislation.

Madam Speaker, I reserve the balance of my time.

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

H.R. 91 passed the House 402–0, as my good friend mentioned, in May. It was amended by the Senate and passed 2 weeks ago. Today, we are taking up the Senate amendment to H.R. 91. This measure will assist veterans in proving that they are indeed veterans.

In most instances, a veteran must be enrolled with the VA to receive a VA ID card or utilize their DD–214 to prove their military service, which may contain personal health information.

Veterans who retire from the armed services are issued a Department of Defense ID card that serves this purpose. However, the majority of servicemembers do not retire in service, leaving millions of veterans sometimes challenged to provide proof of their honorable military service.

Extending the option of a veterans ID is a simple way to resolve this issue and honor America's veterans.

Madam Speaker, I reserve the balance of my time.

Mr. ABRAHAM. Madam Speaker, I yield 2 minutes to the gentleman from Florida (Mr. BUCHANAN).

Mr. BUCHANAN. Madam Speaker, I thank the chairman for yielding.

Madam Speaker, today is a good day for our Nation's veterans.

My legislation will allow all veterans to receive official ID cards through the VA. No longer will veterans be forced to carry around documents that contain sensitive information that puts them at needless risk of identity theft, and it does all this at no cost to the taxpayer.

Madam Speaker, this bill is a prime example of what can be accomplished when we put partisanship aside and the needs of our country first.

Thank you, and God bless our men and women in uniform.

Mr. TAKANO. Madam Speaker, I join Vietnam Veterans of America, the Association of the U.S. Navy, American Veterans, and others in wholehearted support of the Senate amendment to H.R. 91, the Veterans I.D. Card Act of 2015.

I ask my colleagues to join me in supporting this legislation.

Madam Speaker, I yield back the balance of my time.

Mr. ABRAHAM. Madam Speaker, once again, I encourage all Members to support the Senate amendment to H.R. 91, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Louisiana (Mr. ABRAHAM) that the House suspend the rules and concur in the Senate amendment to the bill, H.R. 91.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. ABRAHAM. Madam 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, further proceedings on this motion will be postponed.

LAND MANAGEMENT WORKFORCE FLEXIBILITY ACT

Mr. CARTER of Georgia. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 1531) to amend title 5, United States Code, to provide a pathway for temporary seasonal employees in Federal land management agencies to compete for vacant permanent positions under internal merit promotion procedures, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1531

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 ''Land Management Workforce Flexibility Act''.

SEC. 2. PERSONNEL FLEXIBILITIES RELATING TO LAND MANAGEMENT AGENCIES.

(a) IN GENERAL.—Subpart I of part III of title 5, United States Code, is amended by inserting after chapter 95 the following:

''CHAPTER 96—PERSONNEL FLEXIBILITIES RELATING TO LAND MANAGEMENT AGENCIES

''Sec.
''9601. Definitions.
''9602. Competitive service; time-limited appointments.

''§ 9601. Definitions

''For purposes of this chapter—

''(1) the term 'land management agency' means—

''(A) the Forest Service of the Department of Agriculture;

''(B) the Bureau of Land Management of the Department of the Interior;

''(C) the National Park Service of the Department of the Interior;

''(D) the Fish and Wildlife Service of the Department of the Interior;

''(E) the Bureau of Indian Affairs of the Department of the Interior; and

''(F) the Bureau of Reclamation of the Department of the Interior; and

''(2) the term 'time-limited appointment' includes a temporary appointment and a term appointment, as defined by the Office of Personnel Management.

''§ 9602. Competitive service; time-limited appointments

''(a) Notwithstanding chapter 33 or any other provision of law relating to the examination, certification, and appointment of individuals in the competitive service, an employee of a land management agency serving under a time-limited appointment in the competitive service is eligible to compete for a permanent appointment in the competitive service at any land management agency or any other agency (as defined in section 101 of title 31) under the internal merit promotion procedures of the applicable agency if—

''(1) the employee was appointed initially under open, competitive examination under subchapter I of chapter 33 to the time-limited appointment;

''(2) the employee has served under 1 or more time-limited appointments by a land management agency for a period or periods totaling more than 24 months without a break of 2 or more years; and

''(3) the employee's performance has been at an acceptable level of performance throughout the period or periods (as the case may be) referred to in paragraph (2).

''(b) In determining the eligibility of a time-limited employee under this section to be examined for or appointed in the competitive service, the Office of Personnel Management or other examining agency shall waive requirements as to age, unless the requirement is essential to the performance of the duties of the position.

''(c) An individual appointed under this section—

''(1) becomes a career-conditional employee, unless the employee has otherwise completed the service requirements for career tenure; and

''(2) acquires competitive status upon appointment.

''(d) A former employee of a land management agency who served under a time-limited appointment and who otherwise meets the requirements of this section shall be deemed a time-limited employee for purposes of this section if—

''(1) such employee applies for a position covered by this section within the period of 2 years after the most recent date of separation; and

''(2) such employee's most recent separation was for reasons other than misconduct or performance.

''(e) The Office of Personnel Management shall prescribe such regulations as may be necessary to carry out this section.''.

(b) CLERICAL AMENDMENT.—The analysis for part III of title 5, United States Code, is amended by inserting after the item for chapter 95 the following:

''96. Personnel flexibilities relating to land management agencies ..... 9601''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Georgia (Mr. CARTER) and the gentleman from Virginia (Mr. CONNOLLY) each will control 20 minutes.

The Chair recognizes the gentleman from Georgia.

GENERAL LEAVE

Mr. CARTER of Georgia. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the bill under consideration.

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

There was no objection.

Mr. CARTER of Georgia. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I rise today in support of H.R. 1531, introduced by our colleague from Virginia (Mr. CONNOLLY). The Land Management Workforce Flexibility Act allows certain temporary workers to compete for full-time positions when vacancies arise.

Many of the Federal Government's firefighters work on a temporary basis and gain valuable experience as they return year after year to battle Western wildfires. Current law prevents these experienced employees from competing for full-time jobs under internal merit promotion procedures.

This commonsense bill will allow Federal land agencies to fully consider the applications of experienced workers when they identify the need for a full-time employee.

Covered agencies include the Forest Service, the Bureau of Land Management, the National Park Service, the U.S. Fish and Wildlife Service, the Bureau of Indian Affairs, and the Bureau of Reclamation.

The bill does not change the total number of Federal jobs available or the salaries paid to Federal employees; rather, it expands the pool of individuals eligible for Federal land management positions.

Of course, the bill does impose a few conditions to be eligible to compete for a full-time position, including length of service and adherence to performance standards.

I urge support for this bipartisan legislation, and I reserve the balance of my time.

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

I thank my friend from Georgia (Mr. CARTER) for being here today on the floor.

Madam Speaker, obviously, I rise in strong support of our bipartisan Land Management Workforce Flexibility Act. I want to take a moment to recognize our colleagues, Congressman DON YOUNG of Alaska and Congressman ROB BISHOP of Utah, two of this Chamber's most dedicated advocates for the men and women who comprise America's hard-working temporary civil service, particularly our Nation's courageous temporary seasonal wildland firefighters.

It was an honor to join my esteemed colleagues, who have each served as chairman of the House Natural Resources Committee, to develop and introduce this good government legislation. The spirit of bipartisanship that went into creating it is reflected in the equal number of Democratic and Republican cosponsors.

Further, I was pleased that the entire Committee on Oversight and Government Reform joined us in unanimously supporting this much-needed reform to remove arbitrary barriers that prevent talented, long-term temporary seasonal employees from just competing for vacant permanent positions, as my friend from Georgia described.

As the committee noted favorably in reporting the bill, our legislation will improve government effectiveness by enhancing the quality of the pool of applicants for Federal positions.

Our commonsense legislation provides long-serving, temporary seasonal wildland firefighters and other seasonal employees with the same career advancement opportunities available to all other Federal employees.

Specifically, the Land Management Workforce Flexibility Act authorizes qualifying land management agency employees serving under time-limited appointments to compete for vacant permanent positions under internal merit promotion procedures, just as any permanent Federal employee is eligible to do.

Our bill is deficit neutral, as my friend from Georgia indicated, because it only strengthens the pool of individuals eligible to compete for vacant Federal permanent positions. It does not create new positions.

As the nonpartisan Congressional Budget Office noted, ''CBO estimates that implementing the legislation would have no significant effect on the Federal budget. Enacting the bill would not affect direct spending or revenues because our bipartisan bill would,'' to quote CBO, ''not change the total number of Federal jobs available.''

As many of my colleagues understand, particularly those Members who represent Western constituencies in America, many Federal land management employees, including wildland firefighters, are often hired under temporary appointments that amount to less than 6 months or 1,040 hours. These individuals, so often called temporary appointments, repeatedly are extended on an annual basis.

As Congressman STEPHEN LYNCH, my friend from Massachusetts, the former chairman of the Federal Workforce Subcommittee, observed at a 2010 hearing: ''Oftentimes, seasonal temporary employees have worked in the same capacity year after year, decade after decade.''

Despite those years of service and putting themselves often in harm's way, career advancement and opportunities are severely limited. It is difficult to overstate the adverse impact the unfair policy of precluding their ability to compete for the same jobs as full-time Federal employees has on Americans serving under term-limited appointments since many agencies utilize merit promotion to competitively fill nonentry-level jobs.

Indeed, bipartisan concerns have been raised over a status quo where, no matter how long an individual may serve under a term-limited appointment, even one that is originally obtained under open, competitive examination, he or she never can acquire the status that would enable him or her to compete for vacant permanent positions.

For example, a former chairman of the House Civil Service Subcommittee addressed the illogical inequity of this position at a 1993 hearing, stating:

> Furthermore, there needs to be better access for all temporary employees, not just term employees, to apply for permanent positions within the Federal Government. It is simply unfair that, after years of employment, a temporary employee applying for a permanent position job is no better off than someone off the street applying for a job. Agencies could save large sums of money on education and training by hiring more temporary employees for permanent positions.

At the same hearing, former Congressman Dan Burton submitted a statement for the RECORD, expressing the view: ''One of the best things we can do for temporary employees is to increase their opportunities to compete for permanent positions.''

The current barrier to competition placed on our Nation's temporary seasonal employees demoralizes the dedicated and courageous corps of temporary civil servants that serve in land management agencies, and it contributes to increased attrition and, ultimately, leads to higher training costs and a less-experienced and capable workforce.

As the devastating 2014 California wildfires demonstrated, our country cannot afford to degrade its wildland firefighting and emergency response capabilities that put themselves in harm's way. Our bipartisan bill is consistent with the Office of Personnel Management's support for the concept.

In closing, I strongly urge all my colleagues to support this bipartisan Land Management Workforce Flexibility Act.

Madam Speaker, I yield back the balance of my time.

□ 1445

Mr. CARTER of Georgia. Madam Speaker, I urge adoption of the bill, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Georgia (Mr. CARTER) that the House suspend the rules and pass the bill, H.R. 1531.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2016

GENERAL LEAVE

Mr. CALVERT. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and to

include extraneous material on H.R. 2822 and that I may include tabular material on the same.

The SPEAKER pro tempore (Mr. CARTER of Georgia). Is there objection to the request of the gentleman from California?

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 333 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the bill, H.R. 2822.

Will the gentlewoman from Florida (Ms. ROS-LEHTINEN) kindly take the chair.

□ 1446

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 2822) making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2016, and for other purposes, with Ms. ROS-LEHTINEN (Acting Chair) in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. When the Committee of the Whole rose on Thursday, June 25, 2015, an amendment offered by the gentleman from Michigan (Mr. BENISHEK) had been disposed of, and the bill had been read through page 76, line 4.

Mr. CALVERT. Madam Chair, I move to strike the last word.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. CALVERT. Madam Chair, I would encourage Members who have striking amendments to come to the floor immediately.

I yield back the balance of my time.

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

CAPITAL IMPROVEMENT AND MAINTENANCE

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Forest Service, not otherwise provided for, $357,363,000, to remain available until expended, for construction, capital improvement, maintenance and acquisition of buildings and other facilities and infrastructure; and for construction, reconstruction, decommissioning of roads that are no longer needed, including unauthorized roads that are not part of the transportation system, and maintenance of forest roads and trails by the Forest Service as authorized by 16 U.S.C. 532–538 and 23 U.S.C. 101 and 205: *Provided*, That $40,000,000 shall be designated for urgently needed road decommissioning, road and trail repair and maintenance and associated activities, and removal of fish passage barriers, especially in areas where Forest Service roads may be contributing to water quality problems in streams and water bodies which support threatened, endangered, or sensitive species or community water sources: *Provided further*, That funds becoming available in fiscal year 2016 under the Act of March 4, 1913 (16 U.S.C. 501) shall be transferred to the General Fund of the Treasury and shall not be available for transfer or obligation for any other purpose unless the funds are appropriated: *Provided further*, That of the funds provided for decommissioning of roads, up to $14,743,000 may be transferred to the ''National Forest System'' to support the Integrated Resource Restoration pilot program.

LAND ACQUISITION

For expenses necessary to carry out the provisions of the Land and Water Conservation Fund Act of 1965, (16 U.S.C. 4601-4 et seq.), including administrative expenses, and for acquisition of land or waters, or interest therein, in accordance with statutory authority applicable to the Forest Service, $20,000,000, to be derived from the Land and Water Conservation Fund and to remain available until expended.

AMENDMENT OFFERED BY MR. POE OF TEXAS

Mr. POE of Texas. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 77, line 14, after the dollar amount, insert ''(reduced by $1,000,000)(increased by $1,000,000)''.

The Acting CHAIR. Pursuant to House Resolution 333, the gentleman from Texas and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. POE of Texas. Madam Chair, this amendment takes $1 million out of the Forest Service land acquisition account and then, for technical reasons, inserts it back into the same account with the intent to identify unused land for potential sale.

The United States Federal Government currently owns around 640 million acres of land. That is just a number. But that is 27 percent of the landmass in the United States, owned by Uncle Sam. That is the same size as all of Western Europe, if you can imagine that, that being 27 percent of the United States landmass. The Forest Service alone owns over 230 million acres of this Federal land.

This amendment is very simple. All it does is to have the Federal Government examine the land that it has in its possession for the potential sale back to Americans so that Americans can own America.

We are not talking about National Forests. We are not talking about the Grand Canyon. We are talking about unused land that is owned by the Federal Government.

It will have the Federal Government go through that land—27 percent of the landmass in the country—and decide whether some of that might actually be better to be in the possession and the property of Americans so that, if Americans then own the land, that land in some State—like Utah—can then be developed by Americans, and then those people can pay taxes on the land that would go to the State of Utah, for example. Right now the land is unused. It is not able to be productive.

So that is what this amendment would do: have the Forest Service study the possibility of selling some of that unused land back to the United States.

I yield to the gentleman from California.

Mr. CALVERT. Madam Chair, I urge the adoption of the gentleman's amendment.

Mr. POE of Texas. I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Texas (Mr. POE).

The amendment was agreed to.

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

ACQUISITION OF LANDS FOR NATIONAL FORESTS SPECIAL ACTS

For acquisition of lands within the exterior boundaries of the Cache, Uinta, and Wasatch National Forests, Utah; the Toiyabe National Forest, Nevada; and the Angeles, San Bernardino, Sequoia, and Cleveland National Forests, California, as authorized by law, $950,000, to be derived from forest receipts.

ACQUISITION OF LANDS TO COMPLETE LAND EXCHANGES

For acquisition of lands, such sums, to be derived from funds deposited by State, county, or municipal governments, public school districts, or other public school authorities, and for authorized expenditures from funds deposited by non-Federal parties pursuant to Land Sale and Exchange Acts, pursuant to the Act of December 4, 1967 (16 U.S.C. 484a), to remain available until expended (16 U.S.C. 4601-516–617a, 555a; Public Law 96–586; Public Law 76–589, 76–591; and Public Law 78–310).

RANGE BETTERMENT FUND

For necessary expenses of range rehabilitation, protection, and improvement, 50 percent of all moneys received during the prior fiscal year, as fees for grazing domestic livestock on lands in National Forests in the 16 Western States, pursuant to section 401(b)(1) of Public Law 94–579, to remain available until expended, of which not to exceed 6 percent shall be available for administrative expenses associated with on-the-ground range rehabilitation, protection, and improvements.

GIFTS, DONATIONS AND BEQUESTS FOR FOREST AND RANGELAND RESEARCH

For expenses authorized by 16 U.S.C. 1643(b), $45,000, to remain available until expended, to be derived from the fund established pursuant to the above Act.

MANAGEMENT OF NATIONAL FOREST LANDS FOR SUBSISTENCE USES

For necessary expenses of the Forest Service to manage Federal lands in Alaska for subsistence uses under title VIII of the Alaska National Interest Lands Conservation Act (Public Law 96–487), $2,441,000, to remain available until expended.

WILDLAND FIRE MANAGEMENT

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses for forest fire presuppression activities on National Forest System lands, for emergency fire suppression on or adjacent to such lands or other lands under fire protection agreement, hazardous fuels management on or adjacent to such lands, emergency rehabilitation of burned-over National Forest System lands and water, and for State and volunteer fire assistance, $2,373,078,000, to remain available until expended: *Provided*, That such funds including unobligated balances under this heading, are available for repayment of advances from other appropriations accounts previously transferred for such purposes: *Provided further*, That such funds shall be available to reimburse State and other cooperating entities for services provided in response to wildfire and other emergencies or

disasters to the extent such reimbursements by the Forest Service for non-fire emergencies are fully repaid by the responsible emergency management agency: *Provided further*, That, notwithstanding any other provision of law, $6,914,000 of funds appropriated under this appropriation shall be available for the Forest Service in support of fire science research authorized by the Joint Fire Science Program, including all Forest Service authorities for the use of funds, such as contracts, grants, research joint venture agreements, and cooperative agreements: *Provided further*, That all authorities for the use of funds, including the use of contracts, grants, and cooperative agreements, available to execute the Forest and Rangeland Research appropriation, are also available in the utilization of these funds for Fire Science Research: *Provided further*, That funds provided shall be available for emergency rehabilitation and restoration, hazardous fuels management activities, support to Federal emergency response, and wildfire suppression activities of the Forest Service: *Provided further*, That of the funds provided, $361,749,000 is for hazardous fuels management activities, $19,795,000 is for research activities and to make competitive research grants pursuant to the Forest and Rangeland Renewable Resources Research Act, (16 U.S.C. 1641 et seq.), $78,000,000 is for State fire assistance, and $13,000,000 is for volunteer fire assistance under section 10 of the Cooperative Forestry Assistance Act of 1978 (16 U.S.C. 2106): *Provided further*, That amounts in this paragraph may be transferred to the ''National Forest System'', and ''Forest and Rangeland Research'' accounts to fund forest and rangeland research, the Joint Fire Science Program, vegetation and watershed management, heritage site rehabilitation, and wildlife and fish habitat management and restoration: *Provided further*, That the costs of implementing any cooperative agreement between the Federal Government and any non-Federal entity may be shared, as mutually agreed on by the affected parties: *Provided further*, That up to $15,000,000 of the funds provided herein may be used by the Secretary of Agriculture to enter into procurement contracts or cooperative agreements or to issue grants for hazardous fuels management activities and for training or monitoring associated with such hazardous fuels management activities on Federal land or on non-Federal land if the Secretary determines such activities implement a community wildfire protection plan (or equivalent) and benefit resources on Federal land: *Provided further*, That funds made available to implement the Community Forest Restoration Act, Public Law 106–393, title VI, shall be available for use on non-Federal lands in accordance with authorities made available to the Forest Service under the ''State and Private Forestry'' appropriation: *Provided further*, That the Secretary of the Interior and the Secretary of Agriculture may authorize the transfer of funds appropriated for wildland fire management, in an aggregate amount not to exceed $50,000,000, between the Departments when such transfers would facilitate and expedite wildland fire management programs and projects: *Provided further*, That of the funds provided for hazardous fuels management, not to exceed $5,000,000 may be used to make grants, using any authorities available to the Forest Service under the ''State and Private Forestry'' appropriation, for the purpose of creating incentives for increased use of biomass from National Forest System lands: *Provided further*, That funds designated for wildfire suppression, including funds transferred from the ''FLAME Wildfire Suppression Reserve Fund'', shall be assessed for cost pools on the same basis as such assessments are calculated against other agency programs: *Provided further*, That of the funds for hazardous fuels management, up to $28,077,000 may be transferred to the ''National Forest System'' to support the Integrated Resource Restoration pilot program.

AMENDMENT OFFERED BY MR. POLIS

Mr. POLIS. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 79, line 17, after the dollar amount, insert ''(increased by $1,000,000) (decreased by $1,000,000)''.

Mr. CALVERT. Madam Chairman, I reserve a point of order.

The Acting CHAIR. A point of order is reserved.

Pursuant to House Resolution 333, the gentleman from Colorado and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Colorado.

Mr. POLIS. Madam Chair, we still see approximately 3,000 deaths, 17,000 injuries, and $3 billion spent annually as a result of wildfires across the country.

In many ways, wildfires lack parity with nearly every other natural disaster and are hugely underfunded when it comes to mitigation, prevention, and suppression.

Despite the fact the fires often occur in rural communities with smaller populations, wildfires demand intensive resources, equipment, and infrastructure.

The Volunteer Fire Assistance grant program is critical to moving the needle on wildfire management and supporting the men and women who serve in our volunteer fire agencies, including in my district in Colorado. Though this grant program is small and oriented towards lesser trafficked communities, its impact is incredible.

The Volunteer Fire Assistance program provides matching funds to volunteer fire departments protecting communities with 10,000 or fewer residents to purchase equipment and training for use in wildland fire suppression.

Volunteer fire departments provide nearly 80 percent of the initial attack on wildfires across the United States, but, unfortunately, these volunteer fire departments frequently lack the financial resources. And $1 million makes an enormous difference for our volunteer fire departments across the country.

Unfortunately, in recent years, Federal funding for volunteer fire departments to prepare for wildland fire suppression has dwindled. VFA has seen funding reduced from $16 million in FY 2010 to $15.6 million in 2011 and approximately $13 million in FY 2012–2015.

Additionally, the Rural Fire Assistance program, which has historically been funded at $7 to $10 million per year and provided matching grants to fire departments that agreed to assist in responding to wildland fires on Federal lands, hasn't been funded since FY 2010.

I reserve the balance of my time.

Mr. CALVERT. Madam Chair, I withdraw my reservation of a point of order.

The Acting CHAIR. The reservation of the point of order is withdrawn.

Mr. POLIS. Madam Chair, Federal support is critical to ensure volunteer fire departments are able to safely and effectively respond to wildland fires.

The bipartisan amendment I offer today with my colleagues, Representatives RUIZ of California and PETER KING of New York, would help ensure that we have stronger support for our volunteer fire departments across our country.

I urge my colleagues to support this amendment that has been supported by the Congressional Fire Service Institute, the International Association of Fire Chiefs, and National Volunteer Fire Council.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Colorado (Mr. POLIS).

The amendment was agreed to.

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

FLAME WILDFIRE SUPPRESSION RESERVE FUND

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses for large fire suppression operations of the Department of Agriculture and as a reserve fund for suppression and Federal emergency response activities, $315,000,000, to remain available until expended: *Provided*, That such amounts are only available for transfer to the ''Wildland Fire Management'' account following a declaration by the Secretary in accordance with section 502 of the FLAME Act of 2009 (43 U.S.C. 1748a).

ADMINISTRATIVE PROVISIONS, FOREST SERVICE

(INCLUDING TRANSFERS OF FUNDS)

Appropriations to the Forest Service for the current fiscal year shall be available for: (1) purchase of passenger motor vehicles; acquisition of passenger motor vehicles from excess sources, and hire of such vehicles; purchase, lease, operation, maintenance, and acquisition of aircraft to maintain the operable fleet for use in Forest Service wildland fire programs and other Forest Service programs; notwithstanding other provisions of law, existing aircraft being replaced may be sold, with proceeds derived or trade-in value used to offset the purchase price for the replacement aircraft; (2) services pursuant to 7 U.S.C. 2225, and not to exceed $100,000 for employment under 5 U.S.C. 3109; (3) purchase, erection, and alteration of buildings and other public improvements (7 U.S.C. 2250); (4) acquisition of land, waters, and interests therein pursuant to 7 U.S.C. 428a; (5) for expenses pursuant to the Volunteers in the National Forest Act of 1972 (16 U.S.C. 558a, 558d, and 558a note); (6) the cost of uniforms as authorized by 5 U.S.C. 5901–5902; and (7) for debt collection contracts in accordance with 31 U.S.C. 3718(c).

Any appropriations or funds available to the Forest Service may be transferred to the Wildland Fire Management appropriation for forest firefighting, emergency rehabilitation of burned-over or damaged lands or waters under its jurisdiction, and fire preparedness due to severe burning conditions upon the Secretary's notification of the House and Senate Committees on Appropriations that all fire suppression funds appropriated under the headings ''Wildland Fire Management''

and ''FLAME Wildfire Suppression Reserve Fund'' will be obligated within 30 days: *Provided*, That all funds used pursuant to this paragraph must be replenished by a supplemental appropriation which must be requested as promptly as possible.

Funds appropriated to the Forest Service shall be available for assistance to or through the Agency for International Development in connection with forest and rangeland research, technical information, and assistance in foreign countries, and shall be available to support forestry and related natural resource activities outside the United States and its territories and possessions, including technical assistance, education and training, and cooperation with U.S., private, and international organizations. The Forest Service, acting for the International Program, may sign direct funding agreements with foreign governments and institutions as well as other domestic agencies (including the U.S. Agency for International Development, the Department of State, and the Millennium Challenge Corporation), U.S. private sector firms, institutions and organizations to provide technical assistance and training programs overseas on forestry and rangeland management.

Funds appropriated to the Forest Service shall be available for expenditure or transfer to the Department of the Interior, Bureau of Land Management, for removal, preparation, and adoption of excess wild horses and burros from National Forest System lands, and for the performance of cadastral surveys to designate the boundaries of such lands.

None of the funds made available to the Forest Service in this Act or any other Act with respect to any fiscal year shall be subject to transfer under the provisions of section 702(b) of the Department of Agriculture Organic Act of 1944 (7 U.S.C. 2257), section 442 of Public Law 106–224 (7 U.S.C. 7772), or section 10417(b) of Public Law 107–107 (7 U.S.C. 8316(b)).

None of the funds available to the Forest Service may be reprogrammed without the advance approval of the House and Senate Committees on Appropriations in accordance with the reprogramming procedures contained in the report accompanying this Act.

Not more than $82,000,000 of funds available to the Forest Service shall be transferred to the Working Capital Fund of the Department of Agriculture and not more than $14,500,000 of funds available to the Forest Service shall be transferred to the Department of Agriculture for Department Reimbursable Programs, commonly referred to as Greenbook charges. Nothing in this paragraph shall prohibit or limit the use of reimbursable agreements requested by the Forest Service in order to obtain services from the Department of Agriculture's National Information Technology Center and the Department of Agriculture's International Technology Service.

Of the funds available to the Forest Service, up to $5,000,000 shall be available for priority projects within the scope of the approved budget, which shall be carried out by the Youth Conservation Corps and shall be carried out under the authority of the Public Lands Corps Act of 1993, Public Law 103–82, as amended by Public Lands Corps Healthy Forests Restoration Act of 2005, Public Law 109–154.

Of the funds available to the Forest Service, $4,000 is available to the Chief of the Forest Service for official reception and representation expenses.

Pursuant to sections 405(b) and 410(b) of Public Law 101–593, of the funds available to the Forest Service, up to $3,000,000 may be advanced in a lump sum to the National Forest Foundation to aid conservation partnership projects in support of the Forest Service mission, without regard to when the Foundation incurs expenses, for projects on or benefitting National Forest System lands or related to Forest Service programs: *Provided*, That of the Federal funds made available to the Foundation, no more than $300,000 shall be available for administrative expenses: *Provided further*, That the Foundation shall obtain, by the end of the period of Federal financial assistance, private contributions to match on at least one-for-one basis funds made available by the Forest Service: *Provided further*, That the Foundation may transfer Federal funds to a Federal or a non-Federal recipient for a project at the same rate that the recipient has obtained the non-Federal matching funds.

Pursuant to section 2(b)(2) of Public Law 98–244, up to $3,000,000 of the funds available to the Forest Service may be advanced to the National Fish and Wildlife Foundation in a lump sum to aid cost-share conservation projects, without regard to when expenses are incurred, on or benefitting National Forest System lands or related to Forest Service programs: *Provided*, That such funds shall be matched on at least a one-for-one basis by the Foundation or its sub-recipients: *Provided further*, That the Foundation may transfer Federal funds to a Federal or non-Federal recipient for a project at the same rate that the recipient has obtained the non-Federal matching funds.

Funds appropriated to the Forest Service shall be available for interactions with and providing technical assistance to rural communities and natural resource-based businesses for sustainable rural development purposes.

Funds appropriated to the Forest Service shall be available for payments to counties within the Columbia River Gorge National Scenic Area, pursuant to section 14(c)(1) and (2), and section 16(a)(2) of Public Law 99–663.

Any funds appropriated to the Forest Service may be used to meet the non-Federal share requirement in section 502(c) of the Older Americans Act of 1965 (42 U.S.C. 3056(c)(2)).

Funds available to the Forest Service, not to exceed $55,000,000, shall be assessed for the purpose of performing fire, administrative and other facilities maintenance and decommissioning. Such assessments shall occur using a square foot rate charged on the same basis the agency uses to assess programs for payment of rent, utilities, and other support services.

Notwithstanding any other provision of law, any appropriations or funds available to the Forest Service not to exceed $500,000 may be used to reimburse the Office of the General Counsel (OGC), Department of Agriculture, for travel and related expenses incurred as a result of OGC assistance or participation requested by the Forest Service at meetings, training sessions, management reviews, land purchase negotiations and similar nonlitigation-related matters. Future budget justifications for both the Forest Service and the Department of Agriculture should clearly display the sums previously transferred and the requested funding transfers.

An eligible individual who is employed in any project funded under title V of the Older Americans Act of 1965 (42 U.S.C. 3056 et seq.) and administered by the Forest Service shall be considered to be a Federal employee for purposes of chapter 171 of title 28, United States Code.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

INDIAN HEALTH SERVICE

INDIAN HEALTH SERVICES

For expenses necessary to carry out the Act of August 5, 1954 (68 Stat. 674), the Indian Self-Determination and Education Assistance Act, the Indian Health Care Improvement Act, and titles II and III of the Public Health Service Act with respect to the Indian Health Service, $4,321,539,000, together with payments received during the fiscal year pursuant to 42 U.S.C. 238(b) and 238b, for services furnished by the Indian Health Service: *Provided*, That funds made available to tribes and tribal organizations through contracts, grant agreements, or any other agreements or compacts authorized by the Indian Self-Determination and Education Assistance Act of 1975 (25 U.S.C. 450), shall be deemed to be obligated at the time of the grant or contract award and thereafter shall remain available to the tribe or tribal organization without fiscal year limitation: *Provided further*, That, $935,726,000 for Purchased/Referred Care, including $51,500,000 for the Indian Catastrophic Health Emergency Fund, shall remain available until expended: *Provided further*, That, of the funds provided, up to $36,000,000 shall remain available until expended for implementation of the loan repayment program under section 108 of the Indian Health Care Improvement Act: *Provided further*, That the amounts collected by the Federal Government as authorized by sections 104 and 108 of the Indian Health Care Improvement Act (25 U.S.C. 1613a and 1616a) during the preceding fiscal year for breach of contracts shall be deposited to the Fund authorized by section 108A of the Act (25 U.S.C. 1616a-1) and shall remain available until expended and, notwithstanding section 108A(c) of the Act (25 U.S.C. 1616a-1(c)), funds shall be available to make new awards under the loan repayment and scholarship programs under sections 104 and 108 of the Act (25 U.S.C. 1613a and 1616a): *Provided further*, That funds provided in this Act may be used for annual contracts and grants that fall within 2 fiscal years, provided the total obligation is recorded in the year the funds are appropriated: *Provided further*, That the amounts collected by the Secretary of Health and Human Services under the authority of title IV of the Indian Health Care Improvement Act shall remain available until expended for the purpose of achieving compliance with the applicable conditions and requirements of titles XVIII and XIX of the Social Security Act, except for those related to the planning, design, or construction of new facilities: *Provided further*, That funding contained herein for scholarship programs under the Indian Health Care Improvement Act (25 U.S.C. 1613) shall remain available until expended: *Provided further*, That amounts received by tribes and tribal organizations under title IV of the Indian Health Care Improvement Act shall be reported and accounted for and available to the receiving tribes and tribal organizations until expended: *Provided further*, That the Bureau of Indian Affairs may collect from the Indian Health Service, tribes and tribal organizations operating health facilities pursuant to Public Law 93–638, such individually identifiable health information relating to disabled children as may be necessary for the purpose of carrying out its functions under the Individuals with Disabilities Education Act (20 U.S.C. 1400, et seq.): *Provided further*, That the Indian Health Care Improvement Fund may be used, as needed, to carry out activities typically funded under the Indian Health Facilities account: *Provided further*, That $717,970,000 shall be for payments to Indian tribes and tribal organizations for contract support costs associated with contracts, grants, self-governance compacts, or annual funding agreements between the Indian Health Service and an Indian tribe or tribal organization pursuant to the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450 et seq.) prior to or during fiscal

year 2016, and shall remain available until expended.

INDIAN HEALTH FACILITIES

For construction, repair, maintenance, improvement, and equipment of health and related auxiliary facilities, including quarters for personnel; preparation of plans, specifications, and drawings; acquisition of sites, purchase and erection of modular buildings, and purchases of trailers; and for provision of domestic and community sanitation facilities for Indians, as authorized by section 7 of the Act of August 5, 1954 (42 U.S.C. 2004a), the Indian Self-Determination Act, and the Indian Health Care Improvement Act, and for expenses necessary to carry out such Acts and titles II and III of the Public Health Service Act with respect to environmental health and facilities support activities of the Indian Health Service, $466,329,000, to remain available until expended: *Provided*, That notwithstanding any other provision of law, funds appropriated for the planning, design, construction, renovation or expansion of health facilities for the benefit of an Indian tribe or tribes may be used to purchase land on which such facilities will be located: *Provided further*, That not to exceed $500,000 may be used by the Indian Health Service to purchase TRANSAM equipment from the Department of Defense for distribution to the Indian Health Service and tribal facilities: *Provided further*, That none of the funds appropriated to the Indian Health Service may be used for sanitation facilities construction for new homes funded with grants by the housing programs of the United States Department of Housing and Urban Development: *Provided further*, That not to exceed $2,700,000 from this account and the ''Indian Health Services'' account may be used by the Indian Health Service to obtain ambulances for the Indian Health Service and tribal facilities in conjunction with an existing interagency agreement between the Indian Health Service and the General Services Administration: *Provided further*, That not to exceed $500,000 may be placed in a Demolition Fund, to remain available until expended, and be used by the Indian Health Service for the demolition of Federal buildings.

ADMINISTRATIVE PROVISIONS—INDIAN HEALTH SERVICE

Appropriations provided in this Act to the Indian Health Service shall be available for services as authorized by 5 U.S.C. 3109 at rates not to exceed the per diem rate equivalent to the maximum rate payable for senior-level positions under 5 U.S.C. 5376; hire of passenger motor vehicles and aircraft; purchase of medical equipment; purchase of reprints; purchase, renovation and erection of modular buildings and renovation of existing facilities; payments for telephone service in private residences in the field, when authorized under regulations approved by the Secretary; uniforms or allowances therefor as authorized by 5 U.S.C. 5901–5902; and for expenses of attendance at meetings that relate to the functions or activities of the Indian Health Service: *Provided*, That in accordance with the provisions of the Indian Health Care Improvement Act, non-Indian patients may be extended health care at all tribally administered or Indian Health Service facilities, subject to charges, and the proceeds along with funds recovered under the Federal Medical Care Recovery Act (42 U.S.C. 2651–2653) shall be credited to the account of the facility providing the service and shall be available without fiscal year limitation: *Provided further*, That notwithstanding any other law or regulation, funds transferred from the Department of Housing and Urban Development to the Indian Health Service shall be administered under Public Law 86–121, the Indian Sanitation Facilities Act and Public Law 93–638: *Provided further*, That funds appropriated to the Indian Health Service in this Act, except those used for administrative and program direction purposes, shall not be subject to limitations directed at curtailing Federal travel and transportation: *Provided further*, That none of the funds made available to the Indian Health Service in this Act shall be used for any assessments or charges by the Department of Health and Human Services unless identified in the budget justification and provided in this Act, or approved by the House and Senate Committees on Appropriations through the reprogramming process: *Provided further*, That notwithstanding any other provision of law, funds previously or herein made available to a tribe or tribal organization through a contract, grant, or agreement authorized by title I or title V of the Indian Self-Determination and Education Assistance Act of 1975 (25 U.S.C. 450), may be deobligated and reobligated to a self-determination contract under title I, or a self-governance agreement under title V of such Act and thereafter shall remain available to the tribe or tribal organization without fiscal year limitation: *Provided further*, That none of the funds made available to the Indian Health Service in this Act shall be used to implement the final rule published in the Federal Register on September 16, 1987, by the Department of Health and Human Services, relating to the eligibility for the health care services of the Indian Health Service until the Indian Health Service has submitted a budget request reflecting the increased costs associated with the proposed final rule, and such request has been included in an appropriations Act and enacted into law: *Provided further*, That with respect to functions transferred by the Indian Health Service to tribes or tribal organizations, the Indian Health Service is authorized to provide goods and services to those entities on a reimbursable basis, including payments in advance with subsequent adjustment, and the reimbursements received therefrom, along with the funds received from those entities pursuant to the Indian Self-Determination Act, may be credited to the same or subsequent appropriation account from which the funds were originally derived, with such amounts to remain available until expended: *Provided further*, That reimbursements for training, technical assistance, or services provided by the Indian Health Service will contain total costs, including direct, administrative, and overhead associated with the provision of goods, services, or technical assistance: *Provided further*, That the appropriation structure for the Indian Health Service may not be altered without advance notification to the House and Senate Committees on Appropriations: *Provided further*, That the Indian Health Service shall develop a strategic plan for the Urban Indian Health program in consultation with urban Indians and the National Academy of Public Administration, and shall publish such plan not later than one year after the date of enactment of this Act.

NATIONAL INSTITUTES OF HEALTH

NATIONAL INSTITUTE OF ENVIRONMENTAL HEALTH SCIENCES

For necessary expenses for the National Institute of Environmental Health Sciences in carrying out activities set forth in section 311(a) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9660(a)) and section 126(g) of the Superfund Amendments and Reauthorization Act of 1986, $77,349,000.

AGENCY FOR TOXIC SUBSTANCES AND DISEASE REGISTRY

TOXIC SUBSTANCES AND ENVIRONMENTAL PUBLIC HEALTH

For necessary expenses for the Agency for Toxic Substances and Disease Registry (ATSDR) in carrying out activities set forth in sections 104(i) and 111(c)(4) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA) and section 3019 of the Solid Waste Disposal Act, $74,691,000, of which up to $1,000 per eligible employee of the Agency for Toxic Substances and Disease Registry shall remain available until expended for Individual Learning Accounts: *Provided*, That notwithstanding any other provision of law, in lieu of performing a health assessment under section 104(i)(6) of CERCLA, the Administrator of ATSDR may conduct other appropriate health studies, evaluations, or activities, including, without limitation, biomedical testing, clinical evaluations, medical monitoring, and referral to accredited healthcare providers: *Provided further*, That in performing any such health assessment or health study, evaluation, or activity, the Administrator of ATSDR shall not be bound by the deadlines in section 104(i)(6)(A) of CERCLA: *Provided further*, That none of the funds appropriated under this heading shall be available for ATSDR to issue in excess of 40 toxicological profiles pursuant to section 104(i) of CERCLA during fiscal year 2016, and existing profiles may be updated as necessary.

OTHER RELATED AGENCIES

EXECUTIVE OFFICE OF THE PRESIDENT

COUNCIL ON ENVIRONMENTAL QUALITY AND OFFICE OF ENVIRONMENTAL QUALITY

For necessary expenses to continue functions assigned to the Council on Environmental Quality and Office of Environmental Quality pursuant to the National Environmental Policy Act of 1969, the Environmental Quality Improvement Act of 1970, and Reorganization Plan No. 1 of 1977, and not to exceed $750 for official reception and representation expenses, $3,000,000: *Provided*, That notwithstanding section 202 of the National Environmental Policy Act of 1970, the Council shall consist of one member, appointed by the President, by and with the advice and consent of the Senate, serving as chairman and exercising all powers, functions, and duties of the Council.

CHEMICAL SAFETY AND HAZARD INVESTIGATION BOARD

SALARIES AND EXPENSES

For necessary expenses in carrying out activities pursuant to section 112(r)(6) of the Clean Air Act, including hire of passenger vehicles, uniforms or allowances therefor, as authorized by 5 U.S.C. 5901–5902, and for services authorized by 5 U.S.C. 3109 but at rates for individuals not to exceed the per diem equivalent to the maximum rate payable for senior level positions under 5 U.S.C. 5376, $11,000,000: *Provided*, That the Chemical Safety and Hazard Investigation Board (Board) shall have not more than three career Senior Executive Service positions: *Provided further*, That notwithstanding any other provision of law, the individual appointed to the position of Inspector General of the Environmental Protection Agency (EPA) shall, by virtue of such appointment, also hold the position of Inspector General of the Board: *Provided further*, That notwithstanding any other provision of law, the Inspector General of the Board shall utilize personnel of the Office of Inspector General of EPA in performing the duties of the Inspector General of the Board, and shall not appoint any individuals to positions within the Board.

OFFICE OF NAVAJO AND HOPI INDIAN RELOCATION

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Office of Navajo and Hopi Indian Relocation as authorized by Public Law 93–531, $7,341,000, to remain available until expended: *Provided*, That funds provided in this or any other appropriations Act are to be used to relocate eligible individuals and groups including evictees from District 6, Hopi-partitioned lands residents, those in significantly substandard housing, and all others certified as eligible and not included in the preceding categories: *Provided further*, That none of the funds contained in this or any other Act may be used by the Office of Navajo and Hopi Indian Relocation to evict any single Navajo or Navajo family who, as of November 30, 1985, was physically domiciled on the lands partitioned to the Hopi Tribe unless a new or replacement home is provided for such household: *Provided further*, That no relocatee will be provided with more than one new or replacement home: *Provided further*, That the Office shall relocate any certified eligible relocatees who have selected and received an approved homesite on the Navajo reservation or selected a replacement residence off the Navajo reservation or on the land acquired pursuant to 25 U.S.C. 640d-10: *Provided further*, That $200,000 shall be transferred to the Office of Inspector General of the Department of the Interior, to remain available until expended, for audits and investigations of the Office of Navajo and Hopi Indian Relocation, consistent with the Inspector General Act of 1978 (5 U.S.C. App.).

INSTITUTE OF AMERICAN INDIAN AND ALASKA NATIVE CULTURE AND ARTS DEVELOPMENT

PAYMENT TO THE INSTITUTE

For payment to the Institute of American Indian and Alaska Native Culture and Arts Development, as authorized by title XV of Public Law 99–498 (20 U.S.C. 56 part A), $9,469,000, to remain available until September 30, 2017.

SMITHSONIAN INSTITUTION

SALARIES AND EXPENSES

For necessary expenses of the Smithsonian Institution, as authorized by law, including research in the fields of art, science, and history; development, preservation, and documentation of the National Collections; presentation of public exhibits and performances; collection, preparation, dissemination, and exchange of information and publications; conduct of education, training, and museum assistance programs; maintenance, alteration, operation, lease agreements of no more than 30 years, and protection of buildings, facilities, and approaches; not to exceed $100,000 for services as authorized by 5 U.S.C. 3109; and purchase, rental, repair, and cleaning of uniforms for employees, $680,422,000, to remain available until September 30, 2017, except as otherwise provided herein; of which not to exceed $47,522,000 for the instrumentation program, collections acquisition, exhibition reinstallation, the National Museum of African American History and Culture, and the repatriation of skeletal remains program shall remain available until expended; and including such funds as may be necessary to support American overseas research centers: *Provided*, That funds appropriated herein are available for advance payments to independent contractors performing research services or participating in official Smithsonian presentations.

FACILITIES CAPITAL

For necessary expenses of repair, revitalization, and alteration of facilities owned or occupied by the Smithsonian Institution, by contract or otherwise, as authorized by section 2 of the Act of August 22, 1949 (63 Stat. 623), and for construction, including necessary personnel, $139,119,000, to remain available until expended, of which not to exceed $10,000 shall be for services as authorized by 5 U.S.C. 3109.

NATIONAL GALLERY OF ART

SALARIES AND EXPENSES

For the upkeep and operations of the National Gallery of Art, the protection and care of the works of art therein, and administrative expenses incident thereto, as authorized by the Act of March 24, 1937 (50 Stat. 51), as amended by the public resolution of April 13, 1939 (Public Resolution 9, Seventy-sixth Congress), including services as authorized by 5 U.S.C. 3109; payment in advance when authorized by the treasurer of the Gallery for membership in library, museum, and art associations or societies whose publications or services are available to members only, or to members at a price lower than to the general public; purchase, repair, and cleaning of uniforms for guards, and uniforms, or allowances therefor, for other employees as authorized by law (5 U.S.C. 5901–5902); purchase or rental of devices and services for protecting buildings and contents thereof, and maintenance, alteration, improvement, and repair of buildings, approaches, and grounds; and purchase of services for restoration and repair of works of art for the National Gallery of Art by contracts made, without advertising, with individuals, firms, or organizations at such rates or prices and under such terms and conditions as the Gallery may deem proper, $119,500,000, to remain available until September 30, 2017, of which not to exceed $3,578,000 for the special exhibition program shall remain available until expended.

REPAIR, RESTORATION AND RENOVATION OF BUILDINGS

For necessary expenses of repair, restoration and renovation of buildings, grounds and facilities owned or occupied by the National Gallery of Art, by contract or otherwise, for operating lease agreements of no more than 10 years, with no extensions or renewals beyond the 10 years, that address space needs created by the ongoing renovations in the Master Facilities Plan, as authorized, $19,000,000, to remain available until expended: *Provided*, That contracts awarded for environmental systems, protection systems, and exterior repair or renovation of buildings of the National Gallery of Art may be negotiated with selected contractors and awarded on the basis of contractor qualifications as well as price.

JOHN F. KENNEDY CENTER FOR THE PERFORMING ARTS

OPERATIONS AND MAINTENANCE

For necessary expenses for the operation, maintenance and security of the John F. Kennedy Center for the Performing Arts, $21,660,000.

CAPITAL REPAIR AND RESTORATION

For necessary expenses for capital repair and restoration of the existing features of the building and site of the John F. Kennedy Center for the Performing Arts, $11,140,000, to remain available until expended.

WOODROW WILSON INTERNATIONAL CENTER FOR SCHOLARS

SALARIES AND EXPENSES

For expenses necessary in carrying out the provisions of the Woodrow Wilson Memorial Act of 1968 (82 Stat. 1356) including hire of passenger vehicles and services as authorized by 5 U.S.C. 3109, $10,420,000, to remain available until September 30, 2017.

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

NATIONAL ENDOWMENT FOR THE ARTS

GRANTS AND ADMINISTRATION

For necessary expenses to carry out the National Foundation on the Arts and the Humanities Act of 1965, $146,021,000 shall be available to the National Endowment for the Arts for the support of projects and productions in the arts, including arts education and public outreach activities, through assistance to organizations and individuals pursuant to section 5 of the Act, for program support, and for administering the functions of the Act, to remain available until expended.

NATIONAL ENDOWMENT FOR THE HUMANITIES

GRANTS AND ADMINISTRATION

For necessary expenses to carry out the National Foundation on the Arts and the Humanities Act of 1965, $146,021,000 to remain available until expended, of which $135,121,000 shall be available for support of activities in the humanities, pursuant to section 7(c) of the Act and for administering the functions of the Act; and $10,900,000 shall be available to carry out the matching grants program pursuant to section 10(a)(2) of the Act, including $8,500,000 for the purposes of section 7(h): *Provided*, That appropriations for carrying out section 10(a)(2) shall be available for obligation only in such amounts as may be equal to the total amounts of gifts, bequests, devises of money, and other property accepted by the chairman or by grantees of the National Endowment for the Humanities under the provisions of sections 11(a)(2)(B) and 11(a)(3)(B) during the current and preceding fiscal years for which equal amounts have not previously been appropriated.

ADMINISTRATIVE PROVISIONS

None of the funds appropriated to the National Foundation on the Arts and the Humanities may be used to process any grant or contract documents which do not include the text of 18 U.S.C. 1913: *Provided*, That none of the funds appropriated to the National Foundation on the Arts and the Humanities may be used for official reception and representation expenses: *Provided further*, That funds from nonappropriated sources may be used as necessary for official reception and representation expenses: *Provided further*, That the Chairperson of the National Endowment for the Arts may approve grants of up to $10,000, if in the aggregate the amount of such grants does not exceed 5 percent of the sums appropriated for grantmaking purposes per year: *Provided further*, That such small grant actions are taken pursuant to the terms of an expressed and direct delegation of authority from the National Council on the Arts to the Chairperson.

COMMISSION OF FINE ARTS

SALARIES AND EXPENSES

For expenses of the Commission of Fine Arts under Chapter 91 of title 40, United States Code, $2,524,000: *Provided*, That the Commission is authorized to charge fees to cover the full costs of its publications, and such fees shall be credited to this account as an offsetting collection, to remain available until expended without further appropriation: *Provided further*, That the Commission is authorized to accept gifts, including objects, papers, artwork, drawings and artifacts, that pertain to the history and design of the Nation's Capital or the history and activities of the Commission of Fine Arts, for the purpose of artistic display, study or education.

NATIONAL CAPITAL ARTS AND CULTURAL AFFAIRS

For necessary expenses as authorized by Public Law 99–190 (20 U.S.C. 956a), $2,000,000.

ADVISORY COUNCIL ON HISTORIC PRESERVATION

SALARIES AND EXPENSES

For necessary expenses of the Advisory Council on Historic Preservation (Public Law 89–665), $6,080,000.

NATIONAL CAPITAL PLANNING COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the National Capital Planning Commission under chapter 87 of title 40, United States Code, including services as authorized by 5 U.S.C. 3109, $7,948,000: *Provided*, That one-quarter of 1 percent of the funds provided under this heading may be used for official reception and representational expenses associated with hosting international visitors engaged in the planning and physical development of world capitals.

UNITED STATES HOLOCAUST MEMORIAL MUSEUM

HOLOCAUST MEMORIAL MUSEUM

For expenses of the Holocaust Memorial Museum, as authorized by Public Law 106–292 (36 U.S.C. 2301–2310), $52,385,000, of which $865,000 shall remain available until September 30, 2018, for the Museum's equipment replacement program; and of which $2,200,000 for the Museum's repair and rehabilitation program and $1,264,000 for the Museum's outreach initiatives program shall remain available until expended.

TITLE IV—GENERAL PROVISIONS

(INCLUDING TRANSFERS OF FUNDS)

RESTRICTION ON USE OF FUNDS

SEC. 401. No part of any appropriation contained in this Act shall be available for any activity or the publication or distribution of literature that in any way tends to promote public support or opposition to any legislative proposal on which Congressional action is not complete other than to communicate to Members of Congress as described in 18 U.S.C. 1913.

OBLIGATION OF APPROPRIATIONS

SEC. 402. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

DISCLOSURE OF ADMINISTRATIVE EXPENSES

SEC. 403. The amount and basis of estimated overhead charges, deductions, reserves or holdbacks, including working capital fund and cost pool charges, from programs, projects, activities and subactivities to support government-wide, departmental, agency, or bureau administrative functions or headquarters, regional, or central operations shall be presented in annual budget justifications and subject to approval by the Committees on Appropriations of the House of Representatives and the Senate. Changes to such estimates shall be presented to the Committees on Appropriations for approval.

MINING APPLICATIONS

SEC. 404. (a) LIMITATION OF FUNDS.—None of the funds appropriated or otherwise made available pursuant to this Act shall be obligated or expended to accept or process applications for a patent for any mining or mill site claim located under the general mining laws.

(b) EXCEPTIONS.—Subsection (a) shall not apply if the Secretary of the Interior determines that, for the claim concerned (1) a patent application was filed with the Secretary on or before September 30, 1994; and (2) all requirements established under sections 2325 and 2326 of the Revised Statutes (30 U.S.C. 29 and 30) for vein or lode claims, sections 2329, 2330, 2331, and 2333 of the Revised Statutes (30 U.S.C. 35, 36, and 37) for placer claims, and section 2337 of the Revised Statutes (30 U.S.C. 42) for mill site claims, as the case may be, were fully complied with by the applicant by that date.

(c) REPORT.—On September 30, 2017, the Secretary of the Interior shall file with the House and Senate Committees on Appropriations and the Committee on Natural Resources of the House and the Committee on Energy and Natural Resources of the Senate a report on actions taken by the Department under the plan submitted pursuant to section 314(c) of the Department of the Interior and Related Agencies Appropriations Act, 1997 (Public Law 104–208).

(d) MINERAL EXAMINATIONS.—In order to process patent applications in a timely and responsible manner, upon the request of a patent applicant, the Secretary of the Interior shall allow the applicant to fund a qualified third-party contractor to be selected by the Director of the Bureau of Land Management to conduct a mineral examination of the mining claims or mill sites contained in a patent application as set forth in subsection (b). The Bureau of Land Management shall have the sole responsibility to choose and pay the third-party contractor in accordance with the standard procedures employed by the Bureau of Land Management in the retention of third-party contractors.

CONTRACT SUPPORT COSTS, PRIOR YEAR LIMITATION

SEC. 405. Sections 405 and 406 of division F of the Consolidated and Further Continuing Appropriations Act, 2015 (Public Law 113–235) shall continue in effect in fiscal year 2016.

CONTRACT SUPPORT COSTS, FISCAL YEAR 2016 LIMITATION

SEC. 406. Amounts provided by this Act for fiscal year 2016 under the headings ''Department of Health and Human Services, Indian Health Service, Indian Health Services'' and ''Department of the Interior, Bureau of Indian Affairs and Bureau of Indian Education, Operation of Indian Programs'' are the only amounts available for contract support costs arising out of self-determination or self-governance contracts, grants, compacts, or annual funding agreements for fiscal year 2016 with the Bureau of Indian Affairs or the Indian Health Service: *Provided*, That such amounts provided by this Act are not available for payment of claims for contract support costs for prior years, or for repayments of payments for settlements or judgments awarding contract support costs for prior years.

FOREST MANAGEMENT PLANS

SEC. 407. The Secretary of Agriculture shall not be considered to be in violation of subparagraph 6(f)(5)(A) of the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1604(f)(5)(A)) solely because more than 15 years have passed without revision of the plan for a unit of the National Forest System. Nothing in this section exempts the Secretary from any other requirement of the Forest and Rangeland Renewable Resources Planning Act (16 U.S.C. 1600 et seq.) or any other law: *Provided*, That if the Secretary is not acting expeditiously and in good faith, within the funding available, to revise a plan for a unit of the National Forest System, this section shall be void with respect to such plan and a court of proper jurisdiction may order completion of the plan on an accelerated basis.

PROHIBITION WITHIN NATIONAL MONUMENTS

SEC. 408. No funds provided in this Act may be expended to conduct preleasing, leasing and related activities under either the Mineral Leasing Act (30 U.S.C. 181 et seq.) or the Outer Continental Shelf Lands Act (43 U.S.C. 1331 et seq.) within the boundaries of a National Monument established pursuant to the Act of June 8, 1906 (16 U.S.C. 431 et seq.) as such boundary existed on January 20, 2001, except where such activities are allowed under the Presidential proclamation establishing such monument.

LIMITATION ON TAKINGS

SEC. 409. Unless otherwise provided herein, no funds appropriated in this Act for the acquisition of lands or interests in lands may be expended for the filing of declarations of taking or complaints in condemnation without the approval of the House and Senate Committees on Appropriations: *Provided*, That this provision shall not apply to funds appropriated to implement the Everglades National Park Protection and Expansion Act of 1989, or to funds appropriated for Federal assistance to the State of Florida to acquire lands for Everglades restoration purposes.

TIMBER SALE REQUIREMENTS

SEC. 410. No timber sale in Alaska's Region 10 shall be advertised if the indicated rate is deficit (defined as the value of the timber is not sufficient to cover all logging and stumpage costs and provide a normal profit and risk allowance under the Forest Service's appraisal process) when appraised using a residual value appraisal. The western red cedar timber from those sales which is surplus to the needs of the domestic processors in Alaska, shall be made available to domestic processors in the contiguous 48 United States at prevailing domestic prices. All additional western red cedar volume not sold to Alaska or contiguous 48 United States domestic processors may be exported to foreign markets at the election of the timber sale holder. All Alaska yellow cedar may be sold at prevailing export prices at the election of the timber sale holder.

PROHIBITION ON NO-BID CONTRACTS

SEC. 411. None of the funds appropriated or otherwise made available by this Act to executive branch agencies may be used to enter into any Federal contract unless such contract is entered into in accordance with the requirements of chapter 33 of title 41, United States Code, or chapter 137 of title 10, United States Code, and the Federal Acquisition Regulation, unless—

(1) Federal law specifically authorizes a contract to be entered into without regard for these requirements, including formula grants for States, or federally recognized Indian tribes; or

(2) such contract is authorized by the Indian Self-Determination and Education Assistance Act (Public Law 93–638, 25 U.S.C. 450 et seq.) or by any other Federal laws that specifically authorize a contract within an Indian tribe as defined in section 4(e) of that Act (25 U.S.C. 450b(e)); or

(3) such contract was awarded prior to the date of enactment of this Act.

POSTING OF REPORTS

SEC. 412. (a) Any agency receiving funds made available in this Act, shall, subject to subsections (b) and (c), post on the public website of that agency any report required to be submitted by the Congress in this or any other Act, upon the determination by the head of the agency that it shall serve the national interest.

(b) Subsection (a) shall not apply to a report if—

(1) the public posting of the report compromises national security; or

(2) the report contains proprietary information.

(c) The head of the agency posting such report shall do so only after such report has been made available to the requesting Committee or Committees of Congress for no less than 45 days.

NATIONAL ENDOWMENT FOR THE ARTS GRANT GUIDELINES

SEC. 413. Of the funds provided to the National Endowment for the Arts—

(1) The Chairperson shall only award a grant to an individual if such grant is awarded to such individual for a literature fellowship, National Heritage Fellowship, or American Jazz Masters Fellowship.

(2) The Chairperson shall establish procedures to ensure that no funding provided through a grant, except a grant made to a State or local arts agency, or regional group, may be used to make a grant to any other organization or individual to conduct activity independent of the direct grant recipient. Nothing in this subsection shall prohibit payments made in exchange for goods and services.

(3) No grant shall be used for seasonal support to a group, unless the application is specific to the contents of the season, including identified programs or projects.

NATIONAL ENDOWMENT FOR THE ARTS PROGRAM PRIORITIES

SEC. 414. (a) In providing services or awarding financial assistance under the National Foundation on the Arts and the Humanities Act of 1965 from funds appropriated under this Act, the Chairperson of the National Endowment for the Arts shall ensure that priority is given to providing services or awarding financial assistance for projects, productions, workshops, or programs that serve underserved populations.

(b) In this section:

(1) The term ''underserved population'' means a population of individuals, including urban minorities, who have historically been outside the purview of arts and humanities programs due to factors such as a high incidence of income below the poverty line or to geographic isolation.

(2) The term ''poverty line'' means the poverty line (as defined by the Office of Management and Budget, and revised annually in accordance with section 673(2) of the Community Services Block Grant Act (42 U.S.C. 9902(2))) applicable to a family of the size involved.

(c) In providing services and awarding financial assistance under the National Foundation on the Arts and Humanities Act of 1965 with funds appropriated by this Act, the Chairperson of the National Endowment for the Arts shall ensure that priority is given to providing services or awarding financial assistance for projects, productions, workshops, or programs that will encourage public knowledge, education, understanding, and appreciation of the arts.

(d) With funds appropriated by this Act to carry out section 5 of the National Foundation on the Arts and Humanities Act of 1965—

(1) the Chairperson shall establish a grant category for projects, productions, workshops, or programs that are of national impact or availability or are able to tour several States;

(2) the Chairperson shall not make grants exceeding 15 percent, in the aggregate, of such funds to any single State, excluding grants made under the authority of paragraph (1);

(3) the Chairperson shall report to the Congress annually and by State, on grants awarded by the Chairperson in each grant category under section 5 of such Act; and

(4) the Chairperson shall encourage the use of grants to improve and support community-based music performance and education.

STATUS OF BALANCES OF APPROPRIATIONS

SEC. 415. The Department of the Interior, the Environmental Protection Agency, the Forest Service, and the Indian Health Service shall provide the Committees on Appropriations of the House of Representatives and Senate quarterly reports on the status of balances of appropriations including all uncommitted, committed, and unobligated funds in each program and activity.

REPORT ON USE OF CLIMATE CHANGE FUNDS

SEC. 416. Not later than 120 days after the date on which the President's fiscal year 2017 budget request is submitted to the Congress, the President shall submit a comprehensive report to the Committees on Appropriations of the House of Representatives and the Senate describing in detail all Federal agency funding, domestic and international, for climate change programs, projects, and activities in fiscal years 2015 and 2016, including an accounting of funding by agency with each agency identifying climate change programs, projects, and activities and associated costs by line item as presented in the President's Budget Appendix, and including citations and linkages where practicable to each strategic plan that is driving funding within each climate change program, project, and activity listed in the report.

□ 1500

AMENDMENT OFFERED BY MR. GRIJALVA

Mr. GRIJALVA. Madam Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Strike section 416.

The Acting CHAIR. Pursuant to House Resolution 333, the gentleman from Arizona and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. GRIJALVA. Madam Chair, the overwhelming scientific consensus is that climate change is real. Leaders of the communities of faith, such as His Holiness the Pope, are now urging us to take this issue very seriously.

No matter how often the fossil fuel industry whispers that we have nothing to worry about, no matter how much manufactured science they gin up to create doubt, climate change is real.

We should have begun assessing the costs of climate change decades ago, but we did not. The legislation before us today would require a report on climate change expenditures. But the purpose of this section is not to assess the impacts of climate change; the purpose is to root out climate funding in the budget, so that next year's Interior bill can prohibit that spending.

Madam Chair, the report requirement as written is not only pointless, it is counterproductive. The Obama administration is open about responding to climate change. Most of their climate expenditures are clearly labeled and can be discovered by simply reading their budget request. For the remainder, I would be happy to write the President asking him to list these programs, and I suspect he would be pleased to answer.

As written, this reporting requirement is a waste of time. We should be instead asking the administration to report back to us on the costs of climate change to our health, our environment, and our economy.

Earlier this week, the White House issued a report showing that its efforts to reduce air pollution and climate change—efforts opposed by House Republicans, I might add—would provide billions of dollars in health benefits and save hundreds of thousands of lives.

A report also out this week from the National Park Service showed that $90 billion of National Park resources are at risk from sea level rise caused by global warming, and we all know about the historic drought in California and the lingering costs of recovery from Superstorm Sandy.

A full assessment of all the costs of inaction would help inform the Congress and the American people about what steps we must take immediately to ensure that climate change does not bring our country to its knees. Unfortunately, this bill does not ask for that assessment.

Instead, Madam Chair, the section my amendment would strike would undertake some kind of witch hunt to root out the meager funding we have in place to respond to this challenge. To support this section is to deny climate change.

I would tell my colleagues, all the constituent services you provide, all the money you can raise, the votes you cast, and the laws you pass will amount to nothing if you are on the wrong side of history on climate change. Climate deniers will join a long list of political figures who failed to respond to the most serious challenge of their time and so are labeled as failures for all time.

Therefore, I urge a ''yes'' vote on this amendment to strike the reporting language in the bill, and I yield back the balance of my time.

Mr. CALVERT. Madam Chair, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. CALVERT. Madam Chair, this provision shouldn't be controversial. The language has been included in our enacted bills on a bipartisan basis since 2010. The language simply requires that programs and activities dedicated to climate change are reported in a transparent way so the American people know what we are spending their tax dollars on.

With so many climate change programs being initiated, it is important to know what is being done across the government to avoid redundancy, and there is certainly a significant amount of redundancy in some of these climate change studies. It is in the bill so the committee can have the information it needs to provide critical oversight.

Madam Chair, I urge my colleagues to join me in opposing this amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Arizona (Mr. GRIJALVA).

The amendment was rejected.

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

PROHIBITION ON USE OF FUNDS

SEC. 417. Notwithstanding any other provision of law, none of the funds made available

in this Act or any other Act may be used to promulgate or implement any regulation requiring the issuance of permits under title V of the Clean Air Act (42 U.S.C. 7661 et seq.) for carbon dioxide, nitrous oxide, water vapor, or methane emissions resulting from biological processes associated with livestock production.

GREENHOUSE GAS REPORTING RESTRICTIONS

SEC. 418. Notwithstanding any other provision of law, none of the funds made available in this or any other Act may be used to implement any provision in a rule, if that provision requires mandatory reporting of greenhouse gas emissions from manure management systems.

RECREATION FEE

SEC. 419. Section 810 of the Federal Lands Recreation Enhancement Act (16 U.S.C. 6809) is amended by striking ''10 years after the date of the enactment of this Act'' and inserting ''on September 30, 2017''.

MODIFICATION OF AUTHORITIES

SEC. 420. (a) Section 8162(m)(3) of the Department of Defense Appropriations Act, 2000 (40 U.S.C. 8903 note; Public Law 106–79) is amended by striking ''September 30, 2015'' and inserting ''September 30, 2016''.

(b) For fiscal year 2016, the authority provided by the provisos under the heading ''Dwight D. Eisenhower Memorial Commission—Capital Construction'' in division E of Public Law 112–74 shall not be in effect.

FUNDING PROHIBITION

SEC. 421. None of the funds made available by this or any other Act may be used to regulate the lead content of ammunition, ammunition components, or fishing tackle under the Toxic Substances Control Act (15 U.S.C. 2601 et seq.) or any other law.

WATERS OF THE UNITED STATES

SEC. 422. None of the funds made available in this Act or any other Act for any fiscal year may be used to develop, adopt, implement, administer, or enforce any change to the regulations and guidance in effect on October 1, 2012, pertaining to the definition of waters under the jurisdiction of the Federal Water Pollution Control Act (33 U.S.C. 1251, et seq.), including the provisions of the rules dated November 13, 1986, and August 25, 1993, relating to said jurisdiction, and the guidance documents dated January 15, 2003, and December 2, 2008, relating to said jurisdiction.

AMENDMENT NO. 12 OFFERED BY MRS. LAWRENCE

Mrs. LAWRENCE. Madam Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Strike section 422.

The Acting CHAIR. Pursuant to House Resolution 333, the gentlewoman from Michigan and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Michigan.

Mrs. LAWRENCE. Madam Chair, I rise today to offer an amendment that would strike section 422 from the underlying bill. In doing so, this amendment would allow the EPA and the Army to implement the waters of the United States rule. This rule will ensure protection for the Nation's public health and aquatic resources and will clarify the scope of the waters of the United States protected under this law.

Unfortunately, Republicans continue to undermine efforts to protect the Great Lakes as well as other critical water bodies around the Nation. We cannot afford to delay years of work by the EPA and the Army Corps of Engineers that would enhance the protection of our Nation's aquatic resources and public health.

Madam Chair, I urge my colleagues to support my amendment, and I reserve the balance of my time.

□ 1515

Mr. CALVERT. Madam Chair, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. CALVERT. Madam Chair, it comes as no surprise that I rise in opposition to this amendment.

In 2006, the Supreme Court determined the EPA and the Corps of Engineers did not have the authority to regulate nonnavigable waters under the Clean Water Act.

I am certain the EPA's final rule violates that. From day one, the EPA claimed that they were not expanding the waters under their jurisdiction, but we now know that those permits will be required and that the final rule is worse than proposed.

Twenty-seven States have now filed lawsuits challenging the legality of EPA's rule, so the Agency again finds itself on shaky legal ground, both on process and substance.

The language in the bill protects the authority of the States by preventing the EPA from implementing its regulation and expanding its jurisdiction. The language needs to stay in, so I urge a ''no'' vote on the amendment.

I yield such time as he may consume to the gentleman from Idaho (Mr. SIMPSON).

Mr. SIMPSON. Madam Chair, I thank the gentleman for yielding.

I rise in opposition to this amendment.

The language is in there for a very good reason. Everybody assumes that the waters are not covered under the Clean Water Act, that being the navigable waters. That is a definition they came up with somehow—I don't know—but that they are unregulated waters.

They are not unregulated waters. They are regulated by the States. When the court said, ''Navigable waters is kind of an elusive term, so maybe you ought to redefine it,'' the EPA said, ''Okay, we will just regulate all the waters,'' and that is what they did with this. They have gone way beyond whatever the intent of the Clean Water Act was.

I will tell you most resource groups, most agricultural groups, everybody else disagrees with what the EPA has done on this new rule that they are writing. The fact that they have expanded their authority into areas far beyond what was intended in the Clean Water Act, I think, goes beyond the pale and goes beyond what Congress originally intended under the Clean Water Act.

We are not talking about leaving waters unregulated; they are just being regulated by the States, and they need to start over in writing this rule.

Mr. CALVERT. Madam Chair, I reserve the balance of my time.

Mrs. LAWRENCE. Madam Chair, can you tell me how much time I have remaining?

The Acting CHAIR. The gentlewoman from Michigan has 4 minutes remaining.

Mrs. LAWRENCE. Madam Chair, I yield 2 minutes to the gentlewoman from Minnesota (Ms. MCCOLLUM), my colleague.

Ms. MCCOLLUM. Madam Chair, I thank my colleague.

I rise to support the Lawrence amendment to strike the section prohibiting the new rule on the Federal jurisdiction of the waters of the United States.

A few weeks ago, the Obama administration issued a final rule that clarifies the limits of Federal authority under the Clean Water Act. It does this by reducing red tape and providing more certainty for the regulated community.

Instead of confusion in case-by-case determinations about where waters are covered, the rule says physical, measurable boundaries for the first time about where clean water coverage begins and ends.

The rule does not expand the waters covered. In fact, it will actually reduce the scope of waters protected by the Clean Water Act.

Additionally, the rule does not create any new permitting requirements for agriculture. It maintains all previous exemptions and exclusions.

The rule ensures that the waters protected under the Clean Water Act are more precisely defined and predictably measured, making permitting less costly, easier, and faster for business and industry.

Prohibiting the EPA from implementing the rule will only perpetrate confusion in the jurisdiction of the water.

This harmful rider should be struck; therefore, I urge my colleagues to support the Lawrence amendment.

Mr. CALVERT. Madam Chair, I yield to the gentleman from Arizona (Mr. GOSAR).

Mr. GOSAR. Madam Chair, I strongly oppose the gentlewoman's amendment as it seeks to strip a commonsense provision included in the base bill that will protect the American people from the EPA's new waters of the U.S. regulation, commonly referred to as WOTUS.

WOTUS is a terrible Agency proposal that will have disastrous effects and economic consequences for agriculture, small business, property owners, municipalities, and other water users throughout the country.

This job-killing, overreaching water grab being imposed by Washington bureaucrats is a dream killer for future generations and local economies. The EPA claims this new regulation was

shaped by public input; yet we recently learned that the EPA used taxpayer dollars to unleash a propaganda campaign in an attempt to rally comments and support for this WOTUS regulation, despite the Anti-Lobbying Act which bans such actions.

Furthermore, States and local governments that have traditionally managed these waterways and activities were not included in drafting the WOTUS regulation. The Agency failed to comply with the Regulatory Flexibility Act as required by Federal law and consider the new impact that the WOTUS regulations would have on small businesses.

The EPA claims this rule is grounded in law; yet this overreaching regulation contradicts prior Supreme Court decisions by expanding Agency control over 60 percent of our country's streams and millions of acres of wetlands that were previously nonjurisdictional.

Despite claiming the WOTUS rule reduces Agency jurisdiction, the final regulation imposes new regulations for navigable waters and their tributaries, potholes, ditches, bays, and even waters that are next to rivers and lakes.

The new WOTUS regulation has been built on a foundation of pseudoscience, deception, and lawlessness. This overreach is so extreme that 24 Members of the President's own party joined Members in the House in passing legislation in May calling for the formal withdrawal of the new WOTUS regulation.

For these reasons and more, I strongly oppose the gentlewoman's amendment and urge its defeat.

Mr. CALVERT. Madam Chair, I urge opposition to this amendment, and I yield back the balance of my time.

Mrs. LAWRENCE. Madam Chair, I would really urge my colleagues to support this amendment.

The rule does not create any new permitting requirements for the agriculture and maintains all previous exemptions and exclusions. The rule ensures that waters protected under the Clean Water Act are more precisely defined and particularly determine making permitting less costly, easier, and faster for business and industry.

I yield back the balance of my time.

Ms. EDWARDS. Madam Chair, I think the American public must be quite confused about what we are currently debating in this Chamber.

The amendment I rise in strong support of strikes section 422 which prevents funds from being used to "develop, adopt, implement, administer or enforce any change . . . pertaining to the definition of waters under the jurisdiction" of the Clean Water Act (CWA).

I would like to remind the other side that, thanks to the Clean Water Act, billions of pounds of pollution have been kept out of our rivers, and the number of waters that now meet clean water goals nationwide has actually doubled with direct benefits for drinking water, public health, recreation, and wildlife.

This is especially true for my home State of Maryland that is within the six-State Chesapeake Bay Watershed.

The Chesapeake Bay Watershed is fed by 110,000 miles of creeks, rivers, and streams; covers 64,000 square miles; includes over 11,500 miles of shorelines; contains 150 major rivers and streams; and is home to over 17 million people.

And this watershed's land-to-water ratio is 14–1, the largest of any coastal water body in the world.

Several of its tributaries, including the Anacostia, the Patuxent, Potomac, and Severn Rivers flow through the Fourth Congressional District. 70 percent of Marylanders get our drinking water from sources that rely on headwater or seasonal streams.

Nationwide, 117 million people, or over a third of the total population, get our water from these waters.

However, due to the two Supreme Court decisions, there is, in fact, widespread confusion as to what falls under the protection of the Clean Water Act.

That is precisely why the Obama administration finalized their rule clarifying the limits of Federal jurisdiction under the Act on May 27, 2015.

The agencies finalized the clean water protection rule after over a year of public outreach on their then proposed rule at a scale unprecedented in the history of the Clean Water Act, as well as countless congressional hearings.

Madam Chair, supporters of this provision have complained about the confusion in the litigation.

That is precisely why we needed to get through the final rulemaking, which has been years in the making.

That is what the Supreme Court instructed the Federal Government to do 14 years ago with the 2001 SWANCC decision and, subsequently, the 2006 Rapanos case.

Along with those Supreme Court decisions, the Bush administration followed the exact same process in issuing two guidance documents in 2003 and 2008.

Up until the final rule issued just over a month ago, they remained in force.

It is, in fact, these two Bush-era guidance documents that have compounded the confusion, uncertainty, and increased compliance costs faced by our constituents—opponents and proponents alike—who all just say they want clarity.

You don't actually have to take my word for it.

In fact, let me quote from the comments made by the American Farm Bureau Federation, something I don't do all that often: "With no clear regulatory definitions to guide their determinations, what has emerged is a hodgepodge of ad hoc and inconsistent jurisdictional theories."

Those are the words of the American Farm Bureau Federation.

We all agree that it is confusing.

That is why it was so important that this administration finish what the Bush administration started and failed to do, and that is publish a final rule that gives stakeholders the clarity they have been seeking for 14 years.

Madam Chair, despite nearly universal calls for increased clarity and certainty from certain stakeholders, my colleagues have made it a priority to prohibit the implementation of the final clean water rulemaking entirely.

It is really clear that what they want to do is stop these agencies from doing their jobs at all—no new rules and no clean water, what a shame for our natural resources, our public health, and our environment.

I urge my colleagues to support the Quigley-Edwards amendment to strike this harmful and shameful provision.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Michigan (Mrs. LAWRENCE).

The amendment was rejected.

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

STREAM BUFFER

SEC. 423. None of the funds made available by this Act may be used to develop, carry out, or implement (1) any guidance, policy, or directive to reinterpret or change the historic interpretation of 30 C.F.R. 816.57, which was promulgated on June 30, 1983 by the Office of Surface Mining Reclamation and Enforcement of the Department of the Interior (48 Fed. Reg. 30312); or (2) proposed regulations or supporting materials described in the Federal Register notice published on June 18, 2010 (75 Fed. Reg. 34667) by the Office of Surface Mining Reclamation and Enforcement of the Department of the Interior.

AMENDMENT OFFERED BY MR. GRIJALVA

Mr. GRIJALVA. Madam Chair, I rise to offer an amendment.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Beginning at page 122, line 23, strike section 423.

The Acting CHAIR. Pursuant to House Resolution 333, the gentleman from Arizona and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. GRIJALVA. Madam Chair, my amendment would allow the Office of Surface Mining Reclamation and Enforcement to continue to develop regulations designed to protect communities and the environment from the devastating effects of mountaintop removal mining.

If you have seen a picture of a mountaintop removal mining site, you get an idea of how destructive this process is. Companies literally blast the tops off of mountains, scoop out the coal, and dump what used to be the mountaintop into the valley below. The scars on the landscape are unmistakable, as are the piles of rock filling in what used to be mountain valleys and streams.

What you don't see in the picture is the health impacts on the people living nearby, although those are just as real and just as terrible. People who live near mountaintop mining sites have higher rates of lung cancer, heart disease, kidney disease, birth defects, hypertension, and other health related problems.

Despite some confusion in the Natural Resources Committee just last month, these results are statistically corrected for rates of smoking, obesity, and other factors.

A paper in the journal Science a few years ago, one of the preeminent scientific journals in the world, pointed

out that mountaintop removal mining with valley fills ''revealed serious environmental impacts that mitigation practices cannot successfully address,'' that ''water emerges from the base of valley fills containing a variety of solutes toxic and damaging to biota,'' and ''recovery of biodiversity in mining waste-impacted streams has not been documented.''

Under our laws governing surface coal mining, streams are supposed to be protected; but the existing regulations, which are over 30 years old, have done a poor job of doing just that. Over 2,000 miles of streams have been buried by mountaintop removal mining, and countless more have been polluted by toxic mine runoff. Wildlife habitat is destroyed; fish are killed, and the people in the area suffer.

That is why the administration has been working for years on a new rule that would do a better job of protecting streams. It has taken longer than I would like for them to propose this rule, and the process has certainly not gone as smoothly as it could have.

The majority uses the snags in the process to argue that there shouldn't be a rule at all. Never mind that their own partisan investigation delayed this rule for years without uncovering any evidence of political misconduct.

The majority also claims that this rule will cause huge job losses, but the draft rule hasn't even been published yet, so we can't possibly know the impacts, and the Director of the Office of Surface Mining says the job losses will be minor at best.

Even if the majority does not believe him—and I suspect they might not—they should wait until the draft rule comes out and there can be independent analysis of the impacts, not just wild exaggerations that the mining industry will produce, but real, independent analysis.

If they are still not happy with the rule at that point, we can hold hearings. We can try to pass constructive laws that protect the environment and human health and workers all at the same time.

A partisan rider in this bill that completely stops the ability of the administration to work on this stream buffer rule to provide badly needed protections to Appalachian communities is the wrong way to go.

It has nothing to do with managing spending. In fact, it would just result in the waste of all the money that was required to get to this very point.

The rider is bad policy; it is bad for the environment, and it is bad for public health and the health of the people living near these mines.

I urge my colleagues to support my amendment that would allow the stream protection rule to see the light of day.

Madam Chair, I yield back the balance of my time.

Mr. CALVERT. Madam Chair, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. CALVERT. Madam Chair, in 2008, the Office of Surface Mining finalized revisions to the stream zone buffer rule in an open and transparent manner. After taking office, the Obama administration put a hold on the rule and is currently writing a new rule.

The administration's approach under the new rule has been anything but collaborative and inclusive, and many States feel they have been shut out of the process. When Chairman ROGERS required advanced analysis on job impacts, his request was ignored.

The American people expect more openness and transparency from their government, and that is why this funding prohibition must remain in the base bill.

I strongly urge my colleagues to vote ''no'' and reject this amendment.

Madam Chair, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Arizona (Mr. GRIJALVA).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. GRIJALVA. Madam Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Arizona will be postponed.

The Clerk will read.

The Clerk read as follows:

HUNTING, FISHING, AND RECREATIONAL SHOOTING ON FEDERAL LAND

SEC. 424. (a) LIMITATION ON USE OF FUNDS.—None of the funds made available by this or any other Act for any fiscal year may be used to prohibit the use of or access to Federal land (as such term is defined in section 3 of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6502)) for hunting, fishing, or recreational shooting if such use or access—

(1) was not prohibited on such Federal land as of January 1, 2013; and

(2) was conducted in compliance with the resource management plan (as defined in section 101 of such Act (16 U.S.C. 6511)) applicable to such Federal land as of January 1, 2013.

(b) TEMPORARY CLOSURES ALLOWED.—Notwithstanding subsection (a), the Secretary of the Interior or the Secretary of Agriculture may temporarily close, for a period not to exceed 30 days, Federal land managed by the Secretary to hunting, fishing, or recreational shooting if the Secretary determines that the temporary closure is necessary to accommodate a special event or for public safety reasons. The Secretary may extend a temporary closure for one additional 90-day period only if the Secretary determines the extension is necessary because of extraordinary weather conditions or for public safety reasons.

(c) AUTHORITY OF STATES.—Nothing in this section shall be construed as affecting the authority, jurisdiction, or responsibility of the several States to manage, control, or regulate fish and resident wildlife under State law or regulations.

LIMITATION ON USE OF FUNDS FOR NATIONAL OCEAN POLICY

SEC. 425. None of the funds made available by this Act may be used to further implementation of the coastal and marine spatial planning and ecosystem-based management components of the National Ocean Policy developed under Executive Order 13547.

AMENDMENT OFFERED BY MS. TSONGAS

Ms. TSONGAS. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Beginning at page 124, line 17, strike section 425.

The Acting CHAIR. Pursuant to House Resolution 333, the gentlewoman from Massachusetts and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Massachusetts.

Ms. TSONGAS. Madam Chair, nearly 3 years ago, Superstorm Sandy caught millions of coastal residents by surprise and cost billions of dollars in economic damage. Unfortunately, the weather is not all that has become more extreme over the past several years.

I am disappointed that this misguided and misinformed language to block implementation of the National Ocean Policy keeps coming back, just like the recurrent coastal flooding being caused by sea level rise, and my amendment would strike that language.

□ 1530

It shows a lack of respect for science and a lack of appreciation for the magnitude and complexity of the governance challenges we face.

It seems some Members of Congress do not want to see government succeed even when government's failure to respond to a disaster, to predict a drought, or to properly manage a fishery can devastate the communities they represent.

When you disavow words like ''precaution,'' ''preparedness,'' and ''planning,'' you stop being conservative and start being reckless.

Conservatives always say they want to run government like a business. Well, would you invest in a business with different departments that don't talk to each other? Would you invest in a business that is not responsive to its shareholders? Would you invest in a business with no business plan?

That is essentially what the National Ocean Policy is, a business plan for the oceans that seeks to maximize the benefits for shareholders, all the American people.

The policy is a win-win-win for economic growth, public safety, and environmental protection. I urge you to vote ''yes'' on my amendment to protect the National Ocean Policy.

I reserve the balance of my time.

Mr. CALVERT. Madam Chair, I rise in opposition to the gentlewoman's amendment.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. CALVERT. Madam Chair, I have operated a business. Ever since this administration created the National Ocean Policy through executive order,

the subcommittee has asked the CEQ, the DOI, and the EPA to provide an estimate of the impact of the Policy on their budgets, and we have yet to receive a substantial answer.

The so-called report we were provided last year was fewer than three pages long. Clearly, this failed to outline expenditures supporting the administration's National Ocean Policy.

Our job here is to pay the bills. When we ask how much does the National Ocean Policy cost, we expect to get an answer. We need an answer so that proper congressional oversight can be conducted.

I want to point out that this language was included in the House fiscal year 2016 Energy and Water Appropriations bill. There are concerns about the costs and all of the unknowns related to this policy in multiple jurisdictions.

The bottom line is, if this administration wants the funds to implement the National Ocean Policy, then tell us how much it is going to cost the taxpayer. I urge my colleagues to join me in opposing this amendment.

Madam Chair, I reserve the balance of my time.

Ms. TSONGAS. Madam Chair, I yield 2 minutes to the gentlewoman from Minnesota (Ms. MCCOLLUM), my colleague.

Ms. MCCOLLUM. I thank the gentlewoman.

Madam Chair, Congress has enacted numerous laws that manage the ocean and coastal issues across 11 of the 15 Cabinet-level departments and four independent agencies across the Federal Government. As my colleague from Massachusetts pointed out, why wouldn't we want these folks to be working together?

Clearly, what the President is trying to do is to just have an action that lets the independent bipartisan commission move forward, including the U.S. Commission on Ocean Policy, which was appointed entirely by President George W. Bush.

The National Ocean Policy is a means by which the Federal agencies can sort through all of the tangles of uncoordinated governance and can bring some common sense to the chaos. Wouldn't we want that?

If my colleagues have a problem with what government can do on ocean management, then they have a problem with laws that are enacted by Congress, not with the National Ocean Policy or with the President's executive order, because what the President is doing through the National Ocean Policy is following a well-established Presidential tradition of using an executive order to supervise and guide agencies under the President's charge as they execute existing laws passed by Congress.

Let us let this agency get to work. Let us find out how we could be more effective with our agencies working together.

Mr. CALVERT. Madam Chair, I yield such time as he may consume to the gentleman from Texas (Mr. FLORES).

Mr. FLORES. I thank Chairman CALVERT for his work on this bill.

Madam Chair, I want to set the record straight. In the year 2000, Congress did pass a bill during the 106th Congress to create an ocean commission to review and to make recommendations.

Yes, President Bush did appoint persons to that commission. They did make those recommendations, and those recommendations were submitted to Congress.

Since then, those recommendations have been reviewed by the 108th, the 109th, the 110th, and the 111th Congresses, and each of those Congresses decided that no action should be taken.

What happened here is the President decided to go into the Article I powers, which are reserved for Congress, and to do what Congress does not intend to have done, which is to have an ocean zoning commission built from dozens of agencies.

They have never asked for an appropriations for this activity, and there is no lawful basis for the activity to exist. The President's executive order is basically violating the statutes that have been passed by Congress, and it is also violating the Constitution.

The language that is in the appropriations bill should remain as it is. Congress has voted seven times on this language, and it has passed all seven times on a bipartisan basis. The other side is that of basically trying to undo what Congress has said it wants to do seven times on a bipartisan basis.

Ms. TSONGAS. Madam Chair, I yield 1 minute to the gentleman from Virginia (Mr. BEYER), my colleague.

Mr. BEYER. Madam Chair, I rise in support of this amendment, which would allow for the implementation of the National Ocean Policy.

Plain and simple, coordinated ocean planning makes common sense and is a good economic policy for our coastal communities. It allows for a comprehensive mapping of existing ocean uses that helps to identify and resolve conflicts between stakeholders before they play out in specific permitting processes.

In Virginia, this process has been crucial to preserving public access to the ocean, to sustain economic growth, to address marine debris, to create migration corridors for marine mammals, and to support promising new ocean industries, such as wind power and marine aquaculture.

In fact, I am proud to note that Virginia was recently selected by BOEM to be the first State in the Nation to receive a wind energy research lease in Federal waters. This rider would eliminate language that would undermine regional collaborative efforts to manage existing and future ocean policy challenges.

Let's not roll back the valuable work and resources that many States, industries, and communities have already devoted to implementing this policy. I urge my colleagues to support this amendment.

Mr. CALVERT. Madam Chair, I yield such time as he may consume to the gentleman from Texas (Mr. FLORES).

Mr. FLORES. I thank Chairman CALVERT.

Madam Chair, again, I want to set the record straight. We are not against ocean planning, as it makes perfect sense, but only insofar as Congress has explicitly authorized those activities.

Congress has not allowed the President to do what he is trying to do by executive fiat. There are 67 groups, which include fishing, agricultural, farming, energy, and other industries, that are concerned about the impact of this Federal overreach. Again, it is an unconstitutional Federal overreach, and I would urge my colleagues to vote ''no'' on the amendment.

Ms. TSONGAS. Madam Chair, I do appreciate that my colleague across the aisle has said that it does make perfect sense to have an ocean policy. The ocean policy is a business plan for the oceans that seeks to maximize the benefits for all of its shareholders, the American people.

I certainly know that we in Massachusetts have a great appreciation for the complex task it seeks to undertake in order to protect that which we value most, the ocean off our coast.

I yield back the balance of my time.

Mr. CALVERT. Madam Chair, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Massachusetts (Ms. TSONGAS).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Ms. TSONGAS. Madam Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from Massachusetts will be postponed.

The Clerk will read.

The Clerk read as follows:

LEAD TEST KIT

SEC. 426. None of the funds made available by this Act may be used to implement or enforce regulations under subpart E of part 745 of title 40, Code of Federal Regulations (commonly referred to as the ''Lead; Renovation, Repair, and Painting Rule''), or any subsequent amendments to such regulations, until the Administrator of the Environmental Protection Agency publicizes Environmental Protection Agency recognition of a commercially available lead test kit that meets both criteria under section 745.88(c) of title 40, Code of Federal Regulations.

FINANCIAL ASSURANCE

SEC. 427. None of the funds made available by this Act may be used to develop, propose, finalize, implement, enforce, or administer any regulation that would establish new financial responsibility requirements pursuant to section 108(b) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9608(b)).

GHG NSPS

SEC. 428. None of the funds made available by this Act shall be used to propose, finalize, implement, or enforce—

(1) any standard of performance under section 111(b) of the Clean Air Act (42 U.S.C.

7411(b)) for any new fossil fuel-fired electricity utility generating unit if the Administrator of the Environmental Protection Agency's determination that a technology is adequately demonstrated includes consideration of one or more facilities for which assistance is provided (including any tax credit) under subtitle A of title IV of the Energy Policy Act of 2005 (42 U.S.C. 15961 et seq.) or section 48A of the Internal Revenue Code of 1986;

(2) any regulation or guidance under section 111(b) of the Clean Air Act (42 U.S.C. 7411(b)) establishing any standard of performance for emissions of any greenhouse gas from any modified or reconstructed source that is a fossil fuel-fired electric utility generating unit; or

(3) any regulation or guidance under section 111(d) of the Clean Air Act (42 U.S.C. 7411(d)) that applies to the emission of any greenhouse gas by an existing source that is a fossil fuel-fired electric utility generating unit.

DEFINITION OF FILL MATERIAL

SEC. 429. None of the funds made available in this Act or any other Act may be used by the Environmental Protection Agency to develop, adopt, implement, administer, or enforce any change to the regulations in effect on October 1, 2012, pertaining to the definitions of the terms ''fill material'' or ''discharge of fill material'' for the purposes of the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.).

AMENDMENT OFFERED BY MR. BEYER

Mr. BEYER. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Strike section 429.

The Acting CHAIR. Pursuant to House Resolution 333, the gentleman from Virginia and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Virginia.

Mr. BEYER. Madam Chair, I rise in support of this amendment.

The amendment strikes a rider that would prevent the Environmental Protection Agency from updating regulations pertaining to the definitions of the terms ''fill material'' or ''discharge of fill material'' for purposes of the Clean Water Act.

Presently, the Army Corps of Engineers issues a section 404 permit if the fill material discharged into a water body raises the bottom elevation of that water body or converts the area to dry land.

The current rule allows mining waste to be dumped into the rivers and streams without an appropriate environmental review process.

Given repeated instances of mining activities resulting in lakes and streams devoid of fish or aquatic life, downstream water users are rightly concerned that the section 404 process fails to protect them from the discharge of hazardous substances.

The Clean Water Act section 404 guidelines are not well suited for evaluating the environmental effects of discharging hazardous waste, such as mining refuse and similar materials, into a water body or a wetland.

The rider that this amendment strikes would block the EPA from making necessary modifications to these guidelines. This rider is a preemptive strike against protecting our drinking water, and it allows mining companies' interests to trump the protection of the health of our citizens.

We should not short-circuit regular order through the appropriations process. We should not preclude the Corps or the EPA from considering any regulatory changes to the current definition and permit process. I urge my colleagues to support the amendment to strike this language from the bill.

I reserve the balance of my time.

Mr. CALVERT. Madam Chair, I rise in opposition to this amendment.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. CALVERT. Madam Chair, this language simply maintains the status quo regarding the definition of ''fill material'' for the purposes of the Clean Water Act.

The existing definition was put in place through a rule-making initiated by the Clinton administration and finalized by the Bush administration. That rule harmonized the definitions on the books of the Corps and the EPA so that both agencies were working with the same definition.

Any attempts to redefine this important definition could significantly negatively impact the ability of all earth-moving industries, road and highway construction, and private and commercial enterprises to obtain vital Clean Water Act section 404 permits.

Changing the definition of ''fill material'' could result in the loss of up to 375,000 high-paying mining jobs and jeopardize over 1 million jobs that are dependent upon the economic output generated by these operations.

For these reasons, I support the underlying language and oppose this amendment.

I reserve the balance of my time.

Mr. BEYER. Madam Chair, I respect the chairman's objections to this, but I would like to point out that all that this amendment does in striking the section is allow the EPA to consider future changes to the ''fill'' definitions.

Clearly, the work begun in the Clinton administration and finalized in the George W. Bush administration were the best possible actions at the time.

In the meantime, we have discovered that, unfortunately, much mining waste and refuse are ending up in mining streams and rivers, and it has severely affected the health of those people.

We are not attempting to eliminate mining jobs or to even impact earth moving. It is only reasonable to make sure that our Environmental Protection Agency has the latitude and the freedom to evolve future definitions so as to best protect the health of our citizens.

I yield back the balance of my time.

□ 1545

Mr. CALVERT. I oppose this amendment. I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Virginia (Mr. BEYER).

The amendment was rejected.

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

CONTRACTING AUTHORITIES

SEC. 430. Section 412 of division E of Public Law 112–74 is amended by striking ''fiscal year 2015,'' and inserting ''fiscal year 2017,''.

CHESAPEAKE BAY INITIATIVE

SEC. 431. Section 502(c) of the Chesapeake Bay Initiative Act of 1998 (Public Law 105–312; 16 U.S.C. 461 note) is amended by striking ''2015'' and inserting ''2017''.

EXTENSION OF GRAZING PERMITS

SEC. 432. The terms and conditions of section 325 of Public Law 108–108 (117 Stat. 1307), regarding grazing permits issued by the Forest Service on any lands not subject to administration under section 402 of the Federal Lands Policy and Management Act (43 U.S.C. 1752), shall remain in effect for fiscal year 2016.

AVAILABILITY OF VACANT GRAZING ALLOTMENTS

SEC. 433. The Secretary of the Interior, with respect to public lands administered by the Bureau of Land Management, and the Secretary of Agriculture, with respect to the National Forest System lands, shall make vacant grazing allotments available to a holder of a grazing permit or lease issued by either Secretary if the lands covered by the permit or lease or other grazing lands used by the holder of the permit or lease are unusable because of drought or wildfire, as determined by the Secretary concerned. The terms and conditions contained in a permit or lease made available pursuant to this section shall be the same as the terms and conditions of the most recent permit or lease that was applicable to the vacant grazing allotment made available. Section 102 of the National Environmental Policy Act of 1969 (42 U.S.C. 4332) shall not apply with respect to any Federal agency action under this section.

AMENDMENT OFFERED BY MR. GRIJALVA

Mr. GRIJALVA. Madam Chair, I offer an amendment to strike section 433.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Strike section 433.

The Acting CHAIR. Pursuant to House Resolution 333, the gentleman from Arizona and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. GRIJALVA. Madam Chair, I offer my amendment to strike section 433 regarding the availability of vacant grazing allotments and waiving one of our key environmental laws.

While grazing on our public lands is an important part of our Nation's culture and economy, this section of the appropriations bill is redundant and unnecessary. The BLM and Forest Service already have the authority to transfer permits when grazing lands are deemed unusable.

Furthermore, this section would have the effect of waiving section 102 of the National Environmental Policy Act, or NEPA. NEPA is one of our Nation's bedrock environmental laws, serving to

establish policies to protect our air, water, and our natural resources. Section 102 of NEPA contains key provisions to make sure that Federal agencies act according to the spirit and letter of the law.

By stating that section 102 shall not apply to agency actions, this bill is, in essence, waiving NEPA and putting our public lands at risk. Our Federal agencies did not ask for a NEPA waiver, and Congress should not be in the business of dictating to professional land managers when they should or should not have the flexibility to use NEPA in making land management decisions.

Allowing section 433 to be included in the appropriations bill could have unintended consequences for our public lands and environment, particularly when conditions on the ground change. In this time of climate change, drought, and wildfire, it is vital that agencies have the tools and the flexibility to conduct adequate environmental reviews.

In the face of these challenges, why should grazers get to jump to the front of the line for new land? What about land for species and recovery and habitat that are displaced by climate change or recreational demands and interests?

Congress has tasked the BLM with managing our public lands for multiple uses. I welcome the belated recognition by my Republican colleagues that climate change is impacting these lands, but this provision would waive the balancing process found in NEPA and mandate that grazing gets to trump other uses when lands are destroyed by fire or drought.

Section 433 benefits one special interest above all others, and I urge my colleagues to join me in supporting to strike this section from the bill.

I reserve the balance of my time.

Mr. SIMPSON. Madam Chair, I claim time in opposition to the amendment.

The Acting CHAIR. The gentleman from Idaho is recognized for 5 minutes.

Mr. SIMPSON. Madam Chair, I rise in opposition to the gentleman's amendment. The amendment would strike a commonsense provision—repeat, commonsense provision—in this bill that allows the Bureau of Land Management and the Forest Service to make available vacant grazing allotments when a rancher is forced off his or her existing allotment due to drought or wildfire.

It is not that they jump to the front of the line and have special provisions because of this. The fact is, if you don't exclude the NEPA process, it can take 3 months, 6 months—guess what? Cows and sheep don't go on a diet for 3 months or 6 months. They actually need to put these cows and sheep somewhere, and vacant allotments is what they look for.

The gentleman says that this is redundant, that they can already do that. Well, if they can already do it, then what the heck? Why is he opposed to this provision?

Unfortunately, drought and catastrophic wildfires are all too common in the West. Ranchers shouldn't be further penalized when they lose their allotments due to natural disasters. The provision provides some flexibility to the Bureau of Land Management and Forest Service to help in these circumstances.

It doesn't say, ''You will provide these vacant allotments.'' It says, ''You may.'' It is not a must. We are trying to give the Bureau of Land Management and the Forest Service the flexibility to use vacant allotments when circumstances are required.

I urge my colleagues to reject this amendment.

I reserve the balance of my time.

Mr. GRIJALVA. Madam Chair, I yield 2 minutes to the gentlewoman from Minnesota (Ms. MCCOLLUM).

Ms. MCCOLLUM. Madam Chair, I rise in support of the Grijalva amendment. As has been pointed out, BLM already has the authority to make vacant grazing allotments available for permittees on a discretionary basis where the permittee is adversely impacted by wildfire or drought, but unlike the discretionary basis on which the BLM currently makes these allotments, this rider would exempt the National Environmental Policy Act, a NEPA review.

On page 127, line 25, it reads ''with respect to'' the National Forest System lands, ''shall''—not may—''shall make vacant,'' and so what the BLM currently can do is they can conduct a NEPA review in areas where they think they have concerns and they can ensure that the land, health standards, and resources are not going to be compromised because the BLM has a role to play in protecting these lands for grazing potential in the future so that they are not harmed or overgrazed.

To me, it makes common sense that the rider should not exempt the BLM from a regulatory requirement to issue a decision and conduct an administrative review, which they currently can choose to do or choose not to do based on the information that they have. Any grazing that is mandated by this rider is likely also to find itself caught up by hearings and delays and appeals and judicial review.

I urge my colleagues to support the amendment to strike the unnecessary rider and to leave the discretion in place so it continues to be the National Forest System lands may be made vacant.

Mr. SIMPSON. Madam Chair, I would ask my colleagues just one thing. If you are a rancher and you have had one of these catastrophic wildfires come through—and they come through frequently, unfortunately—and they have wiped out your grazing allotment, what do you tell your cows? What do you tell your sheep? What do they eat for the next several months as you go through the NEPA process? This is giving some flexibility to the Forest Service and to the BLM.

I know we can all say: Oh, gee, they can make arrangements and do it otherwise and so forth.

This is just a commonsense provision, frankly, and we haven't had any problem with it with the time that it has been in existence. I think it should stay in existence, and that is why the chairman has included it in this bill.

I reserve the balance of my time.

Mr. GRIJALVA. Madam Chair, the redundancy comes from the fact that that flexibility has existed in BLM and Forest Service; it has existed for years. The situations of wildfires have occurred, and they have been handled.

It is an unnecessary NEPA waiver. It is a redundant amendment, addition to it. The NEPA waiver in the writing says it is not optional. It says ''shall.''

I urge Members to support my amendment striking section 433.

I yield back the balance of my time.

Mr. SIMPSON. Madam Chair, this language has been in the bill since 2003. It hasn't caused any problems. It has fed a lot of cows. I think it is a good provision in the bill, and we should defeat this amendment. It is a bad amendment. Vote against it.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Arizona (Mr. GRIJALVA).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. GRIJALVA. Madam Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Arizona will be postponed.

The Clerk will read.

The Clerk read as follows:

PROTECTION OF WATER RIGHTS

SEC. 434. None of the funds made available in this or any other Act may be used to condition the issuance, renewal, amendment, or extension of any permit, approval, license, lease, allotment, easement, right-of-way, or other land use or occupancy agreement on the transfer of any water right, including sole and joint ownership, directly to the United States, or any impairment of title, in whole or in part, granted or otherwise recognized under State law, by Federal or State adjudication, decree, or other judgment, or pursuant to any interstate water compact. Additionally, none of the funds made available in this or any other Act may be used to require any water user to apply for or acquire a water right in the name of the United States under State law as a condition of the issuance, renewal, amendment, or extension of any permit, approval, license, lease, allotment, easement, right-of-way, or other land use or occupancy agreement.

LIMITATION ON STATUS CHANGES

SEC. 435. None of the funds made available by this Act shall be used to propose, finalize, implement, or enforce any regulation or guidance under Section 612 of the Clean Air Act (42 U.S.C. 7671k) that changes the status from acceptable to unacceptable for purposes of the Significant New Alternatives Policy (SNAP) program of any hydrofluorocarbon used as a refrigerant or in foam blowing agents, applications or uses. Nothing in this section shall prevent EPA from approving

new materials, applications or uses as acceptable under the SNAP program.

USE OF AMERICAN IRON AND STEEL

SEC. 436. (a)(1) None of the funds made available by a State water pollution control revolving fund as authorized by section 1452 of the Safe Drinking Water Act (42 U.S.C. 300j-12) shall be used for a project for the construction, alteration, maintenance, or repair of a public water system or treatment works unless all of the iron and steel products used in the project are produced in the United States.

(2) In this section, the term ''iron and steel'' products means the following products made primarily of iron or steel: lined or unlined pipes and fittings, manhole covers and other municipal castings, hydrants, tanks, flanges, pipe clamps and restraints, valves, structural steel, reinforced precast concrete, and construction materials.

(b) Subsection (a) shall not apply in any case or category of cases in which the Administrator of the Environmental Protection Agency (in this section referred to as the ''Administrator'') finds that—

(1) applying subsection (a) would be inconsistent with the public interest;

(2) iron and steel products are not produced in the United States in sufficient and reasonably available quantities and of a satisfactory quality; or

(3) inclusion of iron and steel products produced in the United States will increase the cost of the overall project by more than 25 percent.

(c) If the Administrator receives a request for a waiver under this section, the Administrator shall make available to the public on an informal basis a copy of the request and information available to the Administrator concerning the request, and shall allow for informal public input on the request for at least 15 days prior to making a finding based on the request. The Administrator shall make the request and accompanying information available by electronic means, including on the official public Internet Web site of the Environmental Protection Agency.

(d) This section shall be applied in a manner consistent with United States obligations under international agreements.

(e) The Administrator may retain up to 0.25 percent of the funds appropriated in this Act for the Clean and Drinking Water State Revolving Funds for carrying out the provisions described in subsection (a)(1) for management and oversight of the requirements of this section.

SOCIAL COST OF CARBON

SEC. 437. None of the funds made available by this or any other Act shall be used for the social cost of carbon (SCC) to be incorporated into any rulemaking or guidance document until a new Interagency Working Group (IWG) revises the estimates using the discount rates and the domestic-only limitation on benefits estimates in accordance with Executive Order 12866 and OMB Circular A-4 as of January 1, 2015: *Provided*, That such IWG shall provide to the public all documents, models, and assumptions used in developing the SCC and solicit public comment prior to finalizing any revised estimates.

AMENDMENT OFFERED BY MR. POLIS

Mr. POLIS. Madam Chair, I have an amendment at the desk to strike section 437.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Strike section 437.

The Acting CHAIR. Pursuant to House Resolution 333, the gentleman from Colorado and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Colorado.

Mr. POLIS. Madam Speaker, my amendment, which I offer along with Mr. LOWENTHAL and Mr. PETERS, would simply remove one of the so-called policy riders from this bill. It is a particularly dangerous policy rider.

What my amendment would do is it would strip the bill of a harmful and unrelated restriction that actually would prohibit Federal agencies from assessing the social cost of carbon, meaning Federal agencies would not be able to look at the monetized impact, the actual costs of climate change.

They would be forced to deliberately have a blindfold and not be allowed to consider climate change in their planning, just like American businesses do, like States do, like municipalities do, but the Federal Government would be prohibited from even looking at the costs of climate change.

According to a recent poll undertaken by Stanford University, 81 percent of American people have looked at the science and agree that climate change is at least in part caused by humans; 74 percent of Americans believe the Federal Government should be working hard to combat climate change, and 71 percent of the American people expect that they will be hurt personally or impacted by climate change.

Madam Speaker, climate change is not some fallacy. It is not some evil plot by leftwing or rightwing extremists. It is simply science. Climate change is what major corporations like Coca-Cola and Nike have called an economically disruptive force that needs to be addressed.

Acting on climate change is what the most high profile religious leader on the planet has called a moral imperative, an economic imperative, a moral imperative. It is what the Department of Defense has called an ''immediate risk to U.S. national security.''

I would ask my colleagues on the other side to adopt this amendment so that we don't ignore the calls of business, Defense, religious leaders—among thousands of others—to ensure that the Federal Government operates with its eyes wide open and not with ideological blinders, simply because we don't want to see the truth of what is occurring with regard to climate change.

I reserve the balance of my time.

Mr. CALVERT. Madam Chair, I rise in opposition to the gentleman's amendment.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. CALVERT. Madam Chair, I have long been concerned with how EPA conducts its cost-benefit analysis to justify its rulemaking. This is something that the committee has discussed with EPA on a number of occasions, and the Supreme Court recently ruled that EPA's approach to examining costs and their regulation was flawed.

The administration's revised estimates for the social cost of carbon help justify on paper larger benefits from reducing carbon emissions in any proposed rule. If the administration can inflate the price tag so that the benefits always exceed the costs, the administration can goldplate requirement regulations from any department or any agency.

Section 437 says that the administration should convene a working group to revise the estimates in a more transparent manner and to make that information available to the public.

I oppose the gentleman's amendment, and I urge my colleagues to vote ''no.''

I reserve the balance of my time.

□ 1600

Mr. POLIS. Mr. Chairman, what this amendment addresses is not simply the creation of some commission or a nuanced look into how cost-benefit analyses are done. It actually would ensure that the costs of climate change are able to be considered in decisionmaking.

The answer to the concerns that my colleague raised from the other side would be a surgical approach, not to remove the authority to look at the cost of climate change, which is what this language does and what my amendment would fix.

This rider is really about the deep ideologically driven agenda of climate deniers and is a terrible waste of both Federal and taxpayer money to allow its passage because it will lead to poor decisionmaking by the Federal Government.

Companies are planning for climate change. Municipalities and States are planning for climate change. We need to look at the monetized costs with regard to climate change of new rules and regulations.

Instead of spending our time here focusing on how to impact and better understand climate change, we have this opportunity to ensure that that is a factor in future decisionmaking, rather than prohibiting agencies from even considering it in the cost of climate change.

Blocking proposals and silencing discussion isn't indicative of leadership, Mr. Chair. It is indicative of fear of the truth.

I urge my colleagues to consider that and support my and my colleague's amendment.

I yield back the balance of my time.

Mr. CALVERT. Mr. Chairman, just in closing, I would rise in opposition to this amendment.

I would urge my colleagues to vote ''no.''

Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR (Mr. POE of Texas). The question is on the amendment offered by the gentleman from Colorado (Mr. POLIS).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. POLIS. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Colorado will be postponed.

The Clerk will read.

The Clerk read as follows:

LIMITATION ON USE OF FUNDS

SEC. 438. None of the funds made available by this Act may be used by the Administrator of the Environmental Protection Agency to propose, promulgate, implement, administer, or enforce a national primary or secondary ambient air quality standard for ozone that is lower than the standard established under section 50.15 of title 40, Code of Federal Regulations (as in effect on July 2, 2014), until at least 85 percent of the counties that were nonattainment areas under that standard as of July 2, 2014, achieve full compliance with that standard.

AMENDMENT OFFERED BY MR. YOHO

Mr. YOHO. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 132, beginning on line 9, strike '', until at least 85 percent of the counties that were nonattainment areas under that standard as of July 2, 2014, achieve full compliance with that standard''.

The Acting CHAIR. Pursuant to House Resolution 333, the gentleman from Florida and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Florida.

Mr. YOHO. Mr. Chairman, I would like to thank Chairman CALVERT, along with the ranking member, for the work he and the committee have done.

My amendment prevents the EPA from using any funds in the bill to change ozone regulations, regardless of whether or not all counties meet the 2008 standards.

As of 2012 and based on the 2008 ozone standards as designated by the EPA, 24 mainland States were in attainment, including my home State of Florida. An additional four States had either partial attainment or whole counties had marginal attainment.

What I find most interesting is the areas of our Nation that have consistently been designated as nonattainment by the EPA. This includes most of California, parts of Texas, and the mid-Atlantic States. These counties have had nearly 20 years to change their policies and abide by the ozone standards.

Under the newly proposed standards, a fair amount of the country would be designated as nonattainment areas. Why should the remainder of the country be subject to new standards when parts of the country have yet to meet the 2008 or even 2009 standards?

Making this change will have serious economic implications on the States and counties that have already proactively worked to reduce their emissions, all at a time when the Nation is still recovering from one of the worst economic recessions of our lifetime.

Furthermore, I would like to remind my colleagues of the recent Supreme Court decision, Michigan, et al., v. Environmental Protection Agency. At the heart of the case was whether or not the EPA took care to include the potential cost to power plants when proposing new regulations, and that estimated cost is $9.6 billion and a burden on the American taxpayers. The Supreme Court held that the EPA interpreted U.S. Code 7412 ''unreasonably when it deemed cost irrelevant to the decision.''

I would like to say that this is the exception and not the rule when it comes to the EPA, but that simply is not the truth. The EPA has made its de facto policy to implement unreasonable regulations with no regard to the larger impact it will have on the economy and taxpayers and the environment.

I reserve the balance of my time.

Ms. MCCOLLUM. Mr. Chairman, I claim the time in opposition to this amendment.

The Acting CHAIR. The gentlewoman from Minnesota is recognized for 5 minutes.

Ms. MCCOLLUM. This amendment would reverse section 438 to block the EPA from making critical updates to its ozone standard. The amendment makes an already bad policy rider in this bill even worse.

This amendment, however, would completely prohibit the EPA from updating the standard, short-circuiting both current law and the judicial process, while putting millions of Americans' health at risk.

Ozone is the main component in smog, and it has been scientifically proven to aggravate lung disease, increase frequency and severity of asthma attacks, and reduce lung function.

We hear about those opportunities all the time that we are given now when the ozone is too high in the air to stay inside. Young children shouldn't be out, and people with heart disease and lung disease should stay indoors.

The Clean Air Act requires the EPA to review its ozone standard every 5 years to reflect the most up-to-date science on ozone and its impacts on public health.

The EPA, in fact, is under a court order to issue its final rules by October of this year. The EPA's update to its ozone standard is based on strong scientific evidence, including over 1,000 scientific studies that show the harmful effect of ozone on human health and the need for higher standards.

The EPA estimates the benefit of updated standards of 70 parts per billion will yield the health benefits of $13 billion each year.

On its merits, this amendment is shortsighted and reactionary, and it is a backdoor amendment to completely gut the Clean Air Act.

Prohibiting the EPA's ability to update ozone standards is reckless, and it is out of touch with what Americans want, and that is clear air. The EPA's update is firmly rooted in science and ensures health and protections for the American people.

I reserve the balance of my time.

Mr. YOHO. Mr. Chairman, ozone comes from many different sources. Yes, it is true that it comes from hydrocarbons. When the UV light hits it, it does do that. It also comes from the oceans. It comes from the swamps. It comes from just nature itself.

Ozone by itself is not always bad because it is used industrially. It disinfects laundry. It disinfects water in place of chlorine. It deodorizes the air. It kills bacteria on food and contact surfaces. It sanitizes swimming pools. The list goes on and on and on.

Yes, there have been reports of it causing respiratory problems, but that is also associated with spores and molds and things like that.

I think ozone, at this time—especially when you look at the rulings from 1997 and 2008, those standards—I don't think we should move forward at this time, with our Nation in the economic recovery, to put new standards on all of the Nation when yet a large portion of the Nation is still not under compliance.

I reserve the balance of my time.

Ms. MCCOLLUM. Mr. Chairman, I yield to the gentleman from California (Mr. CALVERT).

Mr. CALVERT. Mr. Chairman, I probably live in the most regulated air quality area in the United States, southern California.

In southern California, our population continues to grow; yet we have been able to make significant air quality improvements within the South Coast Air Quality Management District.

The committee set a level at 85 percent of the communities so that the marginal nonattainment communities could have the opportunity to achieve compliance with the 2008 standards before further updates are considered.

This amendment would prevent EPA from lowering the ozone standard below the 2008 levels. This amendment would prevent further updates to the ozone standard for an indefinite and undetermined timeframe, and that is certainly not the committee's intent.

We need to make progress in clean air in areas that folks want to see cleaner air, but at the same time making sure that technology is there in order to do that. This was, I think, compromise language that the underlying bill has that works to move us forward, but at the same time not stopping us from obtaining cleaner air in the future.

I am in opposition to this amendment.

I thank the gentlewoman for yielding to me.

Ms. MCCOLLUM. Mr. Chairman, I reserve the balance of my time.

Mr. YOHO. Mr. Chairman, I would just like to reiterate that ozone is incriminated a lot of times when I think

we ought to look at particulate matter in dusty environments or in urban areas where airflow in apartment buildings may not be like it should be.

Ozone is used as an alternative to chlorine for bleaching wood, paper products, and things like that. Many hospitals around the world use large ozone generators to decontaminate operating rooms between surgeries. It is used in industry all the time.

I just ask people to support this amendment, so we don't have more overreaching regulations from the EPA.

I yield back the balance of my time.

Ms. MCCOLLUM. Mr. Chairman, the EPA's update is firmly rooted in science and ensures the health and protections for the American people. We have a responsibility to protect the millions of Americans affected by ozone pollution.

For that reason, I urge my colleagues to oppose this amendment.

Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Florida (Mr. YOHO).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. YOHO. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Florida will be postponed.

AMENDMENT OFFERED BY MS. EDWARDS

Ms. EDWARDS. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Strike section 438.

The Acting CHAIR. Pursuant to House Resolution 333, the gentlewoman from Maryland and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Maryland.

Ms. EDWARDS. Mr. Chairman, I rise to offer an amendment to strike section 438.

Section 438 would prohibit any funds in this Act from being used to even propose a national ozone standard that is less than that currently in law until at least 85 percent of the counties across the country that do not currently meet that standard achieve full compliance.

Now, the current ozone standard under title 40 is 75 parts per billion; but, Mr. Chair, we had a series of hearings in our House Science Committee earlier this year where we heard strong testimony from scientists at State pollution control agencies and physicians at hospitals all telling us that the current standard is not in line with the current science.

The Clean Air Scientific Advisory Committee declared as far back as 2008 that they believe that the current standard of 75 parts per billion is insufficient to protect public health. In fact, right now, the ozone standard can mislead people to believe that the air, in fact, is safe to breathe when it is not.

Studies conducted by the American Lung Association have shown more than 4 out of every 10 people in the United States live in places where ozone levels often make it dangerous to breathe.

The current standard rates, what we now know to be very dangerous air quality, as code yellow or moderate. This can lead those who are particularly at risk of ozone-related illness, such as children and senior citizens, to unwittingly be exposed to harmful levels of ozone. This has the potential to impact millions of people in every State across the Nation.

Just look at my own home State of Maryland. There are 145,000 children with pediatric asthma. Over 430,000 adults have asthma. Mr. Chairman, 246,000 people in my State have chronic obstructive pulmonary disease or COPD, and 367,000 people in our State have cardiovascular disease that is related to ozone.

The Clean Air Scientific Advisory Committee recommends that, in order to protect the public health, the EPA set the primary ozone standard between 60 and 70 parts per billion. In November of last year, the EPA did exactly what it is supposed to do.

It looked at the strong scientific evidence showing the health risks of ozone, and it issued a proposed rule to lower the ozone standard from 75 parts per billion to a standard within the range of 65 to 70 parts per billion.

□ 1615

Setting that standard begins a 2-year process designed to identify areas with too much ozone. Once those areas are identified, State and local governments can craft plans tailored to their areas using cost-effective approaches.

This new standard, based on the most current science, will help to provide a framework for these plans, which, in turn, will help our States continue along the path to clean air. And yet, here we are, and this provision that I am providing to strike would stop the EPA from even proposing a standard of 70 parts per billion.

This is the responsibility of the EPA. This new standard would protect Americans' health and our environment. In addition, an analysis conducted by the EPA shows that, though the annual cost of the proposed standard of 70 parts per billion might be around $3.9 billion, the health benefits are estimated to reach between $6.4 billion and $13 billion annually.

Mr. Chairman, ground level ozone is harmful to the public health. It contributes to asthma attacks, decreased lung function, respiratory infection, and even death. Breathing ozone is dangerous for everyone, but particularly for children, for the elderly and people of all ages who have lung diseases.

We need to allow the EPA—in fact, empower the EPA—to follow the science and create minimum standards necessary to protect public health. I urge my colleagues to protect these vulnerable populations as well as clean air for every American, and vote ''yes'' on this amendment.

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

Mr. JENKINS of West Virginia. Mr. Chairman, I claim time in opposition.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. JENKINS of West Virginia. Mr. Chairman, I rise in clear opposition to this amendment.

The language that was adopted in the full committee was carefully crafted. It simply allows a majority of nonattainment counties to achieve attainment status before the EPA moves the goalposts.

In nonattainment areas, the EPA's proposed ozone standards would stifle economic growth and cost jobs and revenue. Just last week, the Supreme Court admonished the EPA for ignoring the costs of its regulations. The costs involved would be devastating to our economy. Even the EPA admitted it would cost $15 billion a year. Other studies have estimated that costs could be as high as $140 billion a year.

In West Virginia, in my State, it would mean $2 billion in compliance costs, 10,000 lost jobs, and more fees for residents even to operate their vehicles.

It would have significant impacts on agriculture, manufacturing, and the energy industry. Federal highway funds could be frozen and permits for infrastructure could be held up.

I am hopeful that some of our colleagues across the aisle will recognize the impact this will have on each of our districts.

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

Ms. EDWARDS. Mr. Chairman, here we have heard again the exaggerated claims about implementation, so let's get to the facts.

The first fact, the scientists tell us that this is a standard that we need to protect the public health. The second fact, the EPA estimates that the cost might be around $3.9 billion.

But let's look at the health benefits, because those are costing us currently.

The health benefits are estimated to reach between $6.4 and $13 billion, and that means that there is a ripple effect when we invest in making sure that we implement a standard that protects the public health, and it has a benefit on the public health.

So, Mr. Chairman, there is an argument here for the EPA to simply do its job, the job that it was charged to do by taxpayers, and that is to protect the public health, to give us clean air, and to make sure that we have ozone standards that in fact meet our responsibility.

The EPA is doing its job. Let's stop Congress from keeping the EPA from keeping our air clean.

I yield back the balance of my time.

Mr. JENKINS of West Virginia. Mr. Chairman, I yield 1 minute to the gentleman from Texas (Mr. OLSON).

Mr. OLSON. Mr. Chairman, I thank the gentleman from West Virginia (Mr. JENKINS) for the time and for including commonsense language in the bill that is now being debated.

In 2008, EPA set a strict ozone rule that was stuck in legal limbo for years. From big cities to small towns, over 200 counties are still in nonattainment.

Yet, before we finish that job, EPA wants to move the goalposts. They have issued new ozone rules that are so strict they can't be achieved with our current technology. All of America will be hit hard with job losses.

This bill simply includes a pause button on new EPA rules until we can finish the job and reach our current mandates.

I urge my colleagues to oppose the Edwards amendment and strip this language from this bill.

Mr. JENKINS of West Virginia. Mr. Chairman, I yield 1½ minutes to the gentleman from California (Mr. CALVERT).

Mr. CALVERT. Mr. Chairman, I thank the gentleman for yielding.

As mentioned earlier, I live in one of the most, maybe the most, regulated air districts in the United States, and I am a strong advocate for clean air. My district has achieved some of the largest emission reductions in the country.

However, EPA continues to dig the hole deeper as my district continues to try to work its way out of nonattainment. So EPA and the States need to use the resources we provided in the bill to play catch-up on a statutory obligation to help communities implement the 2008 standard.

Remember, just last April, EPA finalized the rule for the 2008 standards. When 85 percent of the communities can achieve the latest standards, then EPA should consider whether or not revisions are necessary.

I will remind my colleagues that the Clean Air Act only directs EPA to review the standards every 5 years. It does not require that EPA revise the standard.

I urge my colleagues to oppose this amendment, and I thank the gentleman for yielding me time.

Mr. JENKINS of West Virginia. Mr. Chairman, once again, this is a sincere effort to try to set a benchmark and not have the EPA moving the goalposts that will have such economic devastation, billions of dollars in cost, and I encourage a ''no'' vote on this amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Maryland (Ms. EDWARDS).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Ms. EDWARDS. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from Maryland will be postponed.

AMENDMENT OFFERED BY MR. LOWENTHAL

Mr. LOWENTHAL. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 132, line 5, strike ''primary or''.

The Acting CHAIR. Pursuant to House Resolution 333, the gentleman from California and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. LOWENTHAL. Mr. Chair, according to the American Lung Association's 2015 State of the Air Report, the Los Angeles metropolitan area, which includes both my district and also the Appropriations Subcommittee chair's district, that metropolitan area is the number one in the country for ozone pollution.

But ozone pollution is not just a southern California problem. The report shows that more than 40 percent of the United States' population lives in areas with unhealthy levels of ozone. Large cities like Houston and less populated areas like northwest Ohio also make the list.

Power plants, motor vehicles, and chemical solvents contribute to the majority of nitrous oxides and volatile organic compounds, NO_X and VOCs, which react with each other on hot, sunny days to produce ground level ozone.

The American Lung Association has pointed out that because hot, sunny days produce the most ozone, climate change is increasing the number of unhealthy ozone level days. We are all familiar with those ''high ozone level'' warnings that happen on really hot, sunny days, and unfortunately, they are becoming more and more common due to global warming.

Ground level ozone interacts with lung tissue, can cause major problems for children, the elderly, and anyone with lung disease. Ozone is known to aggravate health problems such as asthma, and it is also linked to low birth rates, cardiovascular problems, and premature death.

Given the grave consequences and the widespread problem of ozone pollution, I am glad that EPA is moving forward with updates to its national standards for ozone pollution.

Members of the medical and health communities have been calling for a long time for updates of this standard in order to protect the public health. The current standard of 75 parts per billion is outdated and does not adequately protect public health, which is what the EPA is required to do under the Clean Air Act. Thousands of hospital visits and premature deaths and up to a million missed schooldays can be prevented just by strengthening this standard.

But instead of trusting health professionals, some in Congress have decided to protect the financial interests of the polluters. The reckless legislative rider in section 438 of this appropriations bill blocks the EPA from updating or even proposing scientifically-based standards for ozone to the detriment of the health of at least 40 percent of the U.S. population.

I urge my colleagues to vote to remove this polluter protecting section from the bill, to support the Edwards amendment, and allow the EPA to move forward with doing what they are required to do by law, and that is protect the public health.

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

Mr. CALVERT. Mr. Chairman, I rise in opposition to the gentleman's amendment.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. CALVERT. Mr. Chairman, Mr. JENKINS included the language in the full committee bill that, I think, came to a reasonable compromise. As the gentleman is aware, many communities cannot reach the old standard, the 2008 standard, that is now the law, and so this just gives the communities throughout the country that cannot get to attainment additional time to develop the technologies before we go to a new standard.

I would remind the gentleman that it was just last April that we came to a determination on the 2008 standard, and the administration already is talking about a new standard that most of the Nation cannot reach in the short term. So this gives a brief, little bit of time to allow these communities to improve their technologies and to be able to meet a new standard down the road.

So I would oppose the gentleman's amendment and support the underlying bill.

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

Mr. LOWENTHAL. Mr. Chairman, let's just talk about why we need to change the standard.

I understand and appreciate that reaching that standard is going to take some work, but remember, the air, by saying that we don't need to do this because the air is cleaner than it was 30 years ago, for example, does nothing to put current air quality in context. Just because the air is cleaner than it used to be doesn't mean that it is completely healthy.

My district is a great example of this. L.A. County has reduced its ground ozone by 5 days since 2009, and I am proud of that, but it doesn't mean our air is healthy. We still experienced 217 days of unhealthy ozone level days last year.

We need to take into account current pollution levels. We need to use the best science available to determine what standards are needed to get our ozone pollution below those unhealthy

levels. That is why we are doing this, to get the ozone below unhealthy levels. That is what EPA is doing, and we shouldn't block their efforts because we think that the air is cleaner or it is difficult to reach.

□ 1630

The savings in public health will far outweigh the costs to polluting industries. If the EPA would implement a standard of just 70 parts per billion, the cost of implementation is estimated to be about $3.9 billion, but the savings in public health costs are estimated to be anywhere from $6.4 to $13 billion. That is a net savings of $2.5 to $9 billion. If you reduce the standard even lower, to 65 parts per billion, the savings are even greater, from $4 to $23 billion in public health costs.

Ground ozone pollution costs billions of dollars in healthcare expenses around the country. We have a chance to save taxpayers a lot of money.

I yield back the balance of my time.

Mr. CALVERT. Mr. Chair, I appreciate the gentleman's efforts on trying to clean the ozone out of the South Coast Air Quality Management District. We have to suffer the ozone that is being blown from L.A./Long Beach over into the Inland Empire. Certainly the ports of L.A. and Long Beach, the trains emit a lot of ozone and a lot of pollutants that end up in the Inland Empire, so we want to clean that air up.

As you know, we can't meet the 2008 standards at this time. We are doing everything we can to meet those standards, but until these communities can get the technology to meet the existing standard, we shouldn't impose a new standard that could cause grave economic harm to the communities.

With that, I would say ''no'' to this amendment and move on.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from California (Mr. LOWENTHAL).

The amendment was rejected.

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

HYDRAULIC FRACTURING

SEC. 439. None of the funds made available by this or any other Act may be used to implement, administer, or enforce the final rule entitled ''Hydraulic Fracturing on Federal and Indian Lands'' as published in the Federal Register on March 26, 2015 and March 30, 2015 (80 Fed. Reg. 16127 and 16577, respectively).

AMENDMENT OFFERED BY MR. CARTWRIGHT

Mr. CARTWRIGHT. Mr. Chair, I rise to offer an amendment on behalf of myself and the gentleman from California (Mr. LOWENTHAL), which I do intend to withdraw.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 132, line 14, strike ''or any other''.

The Acting CHAIR. Pursuant to House Resolution 333, the gentleman from Pennsylvania and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Pennsylvania.

Mr. CARTWRIGHT. Mr. Chair, the Bureau of Land Management is currently working toward implementation of a rule that would modernize horribly outdated oil and gas regulations on Federal land. My amendment would strike a section of this bill that would halt this important work.

What we have to do is to allow the BLM to proceed with them implementing this rule to provide a national baseline to protect our environment, our water, and our Federal lands from hazardous contamination.

Since the 1980s, the scale and impacts associated with the oil and gas industry have grown dramatically, but BLM's fracking regulations have not kept pace. In March of 2015, the BLM finalized a modest, commonsense rule to update its 30-year-old fracking regulations.

With these updates, the BLM is taking responsible steps to improve well integrity, reduce the impact of toxic wastewater, and increase transparency around chemicals used in the fracking process.

Importantly, these new regulations will not impact States that already have robust fracking regulations and will simply offer a regulatory baseline for the States that do not have current fracking regulations.

Notably, in 2013, there were still 19 States with operating fracking wells that had absolutely no hydraulic fracturing regulations in place.

Right now over 90 percent of the more than 2,500 oil and gas wells drilled every year on federally managed lands use hydraulic fracturing.

Just this month the EPA released a draft report that concludes that there are above- and below-ground mechanisms by which hazardous hydraulic fracturing chemicals have the potential to impact drinking water resources.

Because of this, the Federal Government really has to take the necessary steps to ensure that toxic, cancer-causing fracking chemicals do not contaminate America's water supply, America's streams, America's rivers, and America's lakes.

As many of you know, the fracking fluids injected into oil and gas wells contain thousands of chemicals, many of which can harm humans and the environment.

In fact, the EPA identified over 1,000 different chemicals that have been used during the hydraulic fracturing process, with an estimated 9,100 gallons of chemicals used for each well.

Due in large part to fracking loopholes and outdated oil and gas regulations, fracking chemical spills and water contaminations have occurred.

In my home State of Pennsylvania, for example, there were nearly 600 documented cases of wastewater and chemical spills in 2013 alone.

In fact, the EPA estimates that there are as many as 12 chemical spills for every 100 oil and gas wells in the State of Pennsylvania. And I need to remind the House that there are almost 8,000 active gas wells operating in Pennsylvania right now. So that is a lot of spills.

Chemical and wastewater spills associated with fracking operations harm the environment, and it has been found to contaminate surface water. The EPA's draft study found that 8 percent of studied wastewater spills polluted surface or groundwater.

Thankfully, the BLM's rule will help prevent fracking chemicals and wastewater from contaminating water bodies.

It does so by validating the integrity of fracking wells and increasing the standards for storage and recovery of waste fluid. This rule will require companies publicly to disclose the chemicals being pumped into public lands.

While I am concerned that the BLM fracking rule does not go far enough in some areas, simply stopping the rule in its tracks is just irresponsible.

I am not opposed to fracking. I believe we have to utilize our natural resources, but we need to do so in a careful and responsible manner.

There are bad actors in the oil and gas business just like there are some bad actors in every area, actors that cut corners and don't drill and frack properly and safely.

The States, unfortunately, don't have all the expertise and resources to properly manage this exploding industry. The rule will set a relatively low bar but one that ensures a baseline across the country to protect our public lands.

I urge you to support my amendment to allow the BLM to implement a rule that will prevent fracking chemical contamination and keep our Nation's water supply pristine and something Americans can be proud of.

Mr. Chair, I ask unanimous consent to withdraw this amendment.

The Acting CHAIR. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

AMENDMENT NO. 13 OFFERED BY MRS. LAWRENCE

Mrs. LAWRENCE. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Strike section 439.

The Acting CHAIR. Pursuant to House Resolution 333, the gentlewoman from Michigan and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Michigan.

Mrs. LAWRENCE. Mr. Chairman, I rise today to offer an amendment that would strike section 439 from the underlying bill. In doing so, this amendment would allow the Bureau of Land Management to implement standards

to support safe and responsible fracking operations on public and Native American lands.

More than 1.5 million public comments were submitted in a transparent process to regulate fracking on 750 million acres of public and Indian lands. More than 100,000 oil and gas wells are situated on these lands.

This amendment will ensure that the BLM's rule is fully implemented so that fracking for oil and gas continues but with full regard to public health and the environment. I urge my colleagues to support this amendment.

And I reserve the balance of my time.

Mr. CALVERT. Mr. Chair, I rise in opposition to this amendment.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. CALVERT. I understand the BLM needed to update its regulation related to fracking on Federal and Indian lands. BLM regulations are 25, 30 years old.

However, the States have been doing the same thing over the last number of years. Unfortunately, BLM's rule is duplicative of existing State regulation.

It forces companies to drill into a double compliance scheme. It also costs them more time, and it significantly lengthens the time in which it takes time to get to a permit.

None of this is necessary, which is why we adopted this provision during the committee's markup of this bill.

I certainly urge my colleagues to oppose this amendment.

I yield such time as he may consume to the gentleman from Texas (Mr. FLORES).

Mr. FLORES. I thank Chairman CALVERT for his hard work on this section of the appropriations bill.

Mr. Chair, I rise in strong opposition to the amendment. American consumers have benefited from low energy prices, thanks to the American energy revolution and technological advancements in hydraulic fracturing and horizontal drilling.

For decades, hydraulic fracturing has been successfully regulated by the States. In 2013, the House passed on a bipartisan basis legislation which I coauthored with the gentleman from Texas (Mr. CUELLAR) from the other side of the aisle, and that legislation would stop the BLM from pursuing duplicative and burdensome hydraulic fracturing regulations.

Unfortunately, the BLM didn't listen to what Congress said, and it continued down a path to impose additional red tape on American energy development and to further drive down energy production on energy lands while State and private production continues to experience record growth in a safe and efficient manner.

This has always been a solution in search of a problem, particularly when the EPA and the Department of Energy have each agreed that hydraulic fracturing is being conducted safely right now.

Even the courts agree that there are problems with the BLM's rules, as evidenced by the recent stay granted by the U.S. District Court of Wyoming to stop the BLM from moving forward with their overreaching regulatory activity.

This amendment is bad for jobs. It would increase energy costs and would limit economic opportunity for hardworking families, particularly those at the bottom end of the income tables. So it hurts those that are struggling to get by today with higher energy costs.

I want to thank the gentleman from Oklahoma (Mr. COLE) for his work on including this provision during markup, as well as Chairman CALVERT for his support on stopping this regulatory overreach.

I strongly urge my colleagues to oppose this amendment.

Mrs. LAWRENCE. Mr. Chair, I yield such time as she may consume to the gentlewoman from Minnesota (Ms. MCCOLLUM).

Ms. MCCOLLUM. Mr. Chair, this amendment before us would strike the policy rider that prohibits the Bureau of Land Management from implementing a uniform national standard for hydraulic fracking on public lands, on Federal lands.

Such standards are necessary to ensure the operations on public and tribal lands are safe and that they are conducted in an environmentally responsible way. This only affects Federal lands and tribal lands.

Now, of the 32 States with the potential for oil and gas development on federally managed mineral resources, only slightly more than half of them have rules in place that even address hydraulic fracturing, and those that do have rules in place vary greatly in their requirements.

As you can see, there is no consistency in the rules. There is no guarantee that there are good quality rules put in place. And we are talking about making sure that, on Federal leases, on Federal lands, that we have a national standard.

The BLM continues to offer millions of public lands up for renewable energy production, and that is why it is absolutely critical that they have the confidence and the transparency and the safety and environmental protections that are put in place on these Federal lands.

Prior to the issuance of a hydraulic fracturing rule, the BLM rules on oil and gas operation were updated over 30 years ago, 30 years ago. They had not kept pace with the significant technology advancements in hydraulic fracturing techniques and the tremendous increase of its use.

As part of this implementation rule, the BLM office is in the process of meeting with their State counterparts—they are working with them—undertaking a State-by-State comparison of regulatory requirements in order to identify opportunities for variances and to establish memorandums of understanding between the States that will realize efficiencies and allow for successful implementation of the rule. So we should be allowing BLM to coordinate with the States and ensure that hydraulic fracturing activities are being carried out safely and effectively when Federal leases are involved.

I urge my colleagues to support the amendment.

□ 1645

Mr. CALVERT. Mr. Chairman, I yield such time as she may consume to the gentlewoman from Wyoming (Mrs. LUMMIS).

Mrs. LUMMIS. Mr. Chairman, my State of Wyoming is the largest onshore producer of oil and gas from Federal land. The reason our Wyoming court stayed the Federal BLM's rules is because Wyoming has been regulating fracking through its oil and gas commission from the beginning. There has never been one documented case of drinking water being contaminated. Furthermore, the way that BLM land lays with private land and State land is they are all interspersed; yet, underground, because of horizontal drilling, the drilling transcends from State land to private land to Federal land, and back and forth. Those wells are unitized so the production can be allocated among the various owners of private, State, and Federal land. You can't have two layers of surfaces State ownership regulation when the drilling is occurring going back and forth among State, private, and Federal lands.

Wyoming has handled its fracking regulations responsibly. It was the first in the Nation to do so. I strongly urge you leave it in the hands of States who do it best.

Mr. CALVERT. I yield the balance of my time to the gentleman from Texas (Mr. FLORES).

Mr. FLORES. Mr. Chairman, in response to some of the comments that were never made, I would like to offer five points.

Number one is BLM doesn't have the statutory authority to do the actions that they tried to. The Federal Court was right in granting an injunction. The EPA and the Department of Energy have both said that hydraulic fracturing is safe, and that is evidenced by the safe and efficient production of much more oil and gas on private and State lands while Federal production is going down.

Again, this is a solution in search of a problem. So I would urge all my colleagues to vote ''no.''

Mr. CALVERT. Mr. Chairman, I yield back the balance of my time.

Mrs. LAWRENCE. Mr. Chairman, I want to say congratulations to the State of Wyoming. That is exactly why we need this amendment. We want those same regulations on a national level. Mr. Chairman, 16 to 17 States have no regulation. Wyoming has gotten it right.

This amendment will ensure that the BLM rule is fully implemented so that

fracking for oil and gas continues, but with full regard to the public health and the environment.

Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Michigan (Mrs. LAWRENCE).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mrs. LAWRENCE. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from Michigan will be postponed.

The Clerk will read.

The Clerk read as follows:

SPENDING REDUCTION ACCOUNT

SEC. 440. The amount by which the applicable allocation of new budget authority made by the Committee on Appropriations of the House of Representatives under section 302(b) of the Congressional Budget Act of 1974 exceeds the amount of proposed new budget authority is $0.

AMENDMENT OFFERED BY MR. YOUNG OF ALASKA

Mr. YOUNG of Alaska. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

LIMITATION ON USE OF FUNDS TO IMPLEMENT THE REVISED COMPREHENSIVE CONSERVATION PLAN FOR THE ARCTIC NATIONAL WILDLIFE REFUGE, ALASKA

SEC. ____. None of the funds made available by this Act may be used to implement the Revised Comprehensive Conservation Plan for the Arctic National Wildlife Refuge, Alaska published in the Federal Register on January 27, 2015 (80 Fed Reg. 4303).

Mr. YOUNG of Alaska (during the reading). Mr. Chair, I ask unanimous consent that the amendment be considered as read.

The Acting CHAIR. Is there objection to the request of the gentleman from Alaska?

There was no objection.

The Acting CHAIR. Pursuant to House Resolution 333, the gentleman from Alaska and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Alaska.

Mr. YOUNG of Alaska. Mr. Chairman, I rise to offer an amendment.

I want to thank Mr. CALVERT and his committee for the work they have done on this legislation, and I support the underlying bill. The administration has left no alternative to the people of Alaska and to those with an interest in our national energy policy.

This spring, under this President, the Department of the Interior published the management plan for the Arctic National Wildlife Refuge to recommend the entirety of the area be designated as wilderness. This would include the 1002 area that was set aside by Congress for potential development in the future, an area that holds 10 billion barrels of oil, at the minimum, and probably 37 trillion cubic feet of natural gas.

My amendment would ensure that no funding can be spent implementing this recommendation. The impact of this recommendation should not be overlooked, as the recommendation requires immediate management of the entire area as wilderness—unilaterally undermining the role of Congress through a de facto wilderness designation.

This action violates the Statehood Compact, which was founded on ensuring the development of subsurface resources for the economic well-being of this Nation. This action also violates the Alaska National Interest Lands Conservation Act, which established more than 100 million acres of conservation areas. And in recognition of the enormity of the acreage being locked up, the act drew a line guaranteeing that no more conservation areas can be created without an act of Congress—our role.

There is no need for additional wilderness areas in ANWR, given 92 percent of the refuge is already closed to development.

Mr. Chairman, Alaska holds 53 percent of Federal wilderness areas in the Nation, and that is not enough for this administration. You think about that a moment. The administration's plan immediately raises another administrative, bureaucratic wall to oil and gas development. This is a betrayal to the Alaskan people and, I believe, to this Nation and to this Congress. This plan by the administration handcuffs my State from providing for itself and pushes us to be more dependent on Federal funds.

This is not just an assault on Alaska. This is another example of executive overreach by this administration undermining the role of Congress. This is our role, not this administration's. I don't care whose administration it is; when the President oversteps his bounds, we should take and accept our responsibility. And this is the law he cannot do, but he says ''I can do it.''

By the way, Mr. Chairman, this was an example, I think, of this whole Department of the Interior. Between EPA and the Department of the Interior, they are trying to cripple this Nation, trying to cripple my State, against the law. This is very specific in ANILCA. If you don't believe me, go back and read it.

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

Ms. MCCOLLUM. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentlewoman from Minnesota is recognized for 5 minutes.

Ms. MCCOLLUM. Mr. Chairman, this amendment offered by my friend from Alaska would prohibit any Federal funds from being used to implement the administration's revised comprehensive conservation plan to better sustain and manage the entire Arctic National Wildlife Refuge.

Mr. Chairman, attaching this rider to the Interior Appropriations bill would be a mistake. The coastal plain of the Arctic refuge is one of the few remaining places in our Nation that remains pristine and undisturbed. It provides critical protection for thousands of species—caribou, polar bear, and gray wolves, just to name a few—and they desperately need this important habitat. Roughly 20 million acres managed by U.S. Fish and Wildlife Service are some of the best and last undisturbed natural areas in this Nation.

I understand that the gentleman from Alaska feels strongly about this issue, and he has been a great advocate for his State for decades; but on this important issue, we deeply disagree.

Mr. Chairman, earlier this year, the Interior Department released an updated conservation plan to better manage the Arctic National Wildlife Refuge, and the President took that opportunity to call on Congress to pass legislation designating the coastal plain as a wilderness, an even greater level of protection for this incredible area. The protected area encompasses a wide range of Arctic and subarctic ecosystems. There are unadulterated landforms, and there are native flora and fauna. The refuge has an incredible biological integrity, natural diversity, and environmental health.

I understand that there are differences of opinion how to manage this land and that legislation designated in this area as wilderness may not get very far in this Congress. But I want to commend the President for his leadership on this issue, and I would hope that the legislative process could play out and that we not adopt this rider onto this bill because this issue is just far too important.

Lastly, Mr. Chairman, I would be remiss if I did not point out one more obvious truth: the President will not sign a bill loaded up with antienvironmental riders just like this one. So we only make the path for the bill harder by including it.

Mr. Chairman, I hope my colleagues will join me in opposing it, and I yield back the balance of my time.

Mr. YOUNG of Alaska. I appreciate the comments from the gentlewoman.

I would suggest, respectfully, we should follow the law. We have given up the responsibility in this Congress to the President—not just this President, other Presidents. It is clear in the law nothing more than 5,000 acres can be withdrawn and put in the wilderness, without the okay of the Congress, in Alaska. No more clause. It stands for no more.

Now, we have a President that says ''up yours'' to the Congress. That is not the way to run this business. We have a responsibility as Congressmen to do our job. And when he goes against the law through executive order, that is against this Constitution of America.

Mr. Chairman, I yield such time as he may consume to the gentleman from California (Mr. CALVERT).

Mr. CALVERT. I thank the gentleman for yielding.

Mr. Chairman, I certainly would urge the adoption of the gentleman's amendment, and I support his amendment.

Mr. YOUNG of Alaska. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Alaska (Mr. YOUNG).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. GRIJALVA

Mr. GRIJALVA. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill, before the short title, add the following new section:

SEC. ____. None of the funds made available by this Act may be used in contravention of Executive Order 13007, entitled ''Indian Sacred Sites''.

The Acting CHAIR. Pursuant to House Resolution 333, the gentleman from Arizona and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. GRIJALVA. Mr. Chairman, my amendment would ensure that cultural and sacred sites of Indian and Alaska Native tribes are protected by mandating that none of the funds in this bill can be used in contravention of Executive Order 13007.

Executive Order 13007, issued by President Clinton in 1996, requires Federal agencies to accommodate access to and ceremonial use of Indian sacred sites and, more importantly, to avoid adversely affecting the physical integrity of such sacred sites.

Far too often, Indian sacred sites are an afterthought during the Federal Government land management process. When negotiating land swaps and when constructing other management decisions, the voice of Indian Country with regard to sacred sites is ignored. But this is not just land to the Native people. These are cultural and spiritual areas that are part of the tribe's history and its living legacy. These are places where their ancestors lived, prayed, hunted, gathered, fought, and died. They are part and parcel of tribal identity, and it is our duty to ensure they are preserved and protected.

Mr. CALVERT. Will the gentleman yield?

Mr. GRIJALVA. I yield to the gentleman from California.

Mr. CALVERT. Mr. Chairman, I am happy to accept the gentleman's amendment.

The Department of the Interior tells me they are already in compliance with the executive order. There is no question that providing Indian tribes with access to their sacred sites is the right thing to do, so I would be more than happy to accept the gentleman's amendment.

Mr. GRIJALVA. Mr. Chairman, I yield such time as she may consume to the gentlewoman from Minnesota (Ms. MCCOLLUM).

Ms. MCCOLLUM. I thank the gentleman.

Mr. Chairman, I rise in support of the gentleman's amendment. The gentleman's amendment will ensure that this important executive order is respected in such a way that it has my wholehearted support in protecting the liberty and religious rights of Native American Indians.

Mr. GRIJALVA. Mr. Chairman, I thank the ranking member, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Arizona (Mr. GRIJALVA).

The amendment was agreed to.

AMENDMENT NO. 4 OFFERED BY MR. POLIQUIN

Mr. POLIQUIN. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill (before the short title), insert the following:

SEC. _____. None of the funds made available by this Act may be used to implement or enforce section 63.7570(b)(2) of title 40, Code of Federal Regulations (as in effect on the date of enactment of this Act).

The Acting CHAIR. Pursuant to House Resolution 333, the gentleman from Maine and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Maine.

Mr. POLIQUIN. Mr. Chairman, Maine is home to the most skilled paper makers in the world. Our hardworking men and women manufacture paper products that we use every day. Our paper makers are also some of the best stewards of the environment. They know that we need healthy forests to make the high quality wood products sold around the globe.

□ 1700

When trees are harvested to make paper, the branches and the bark can be left behind to be decomposed; or they can be burned to generate energy to run the machinery to make paper.

Either way, the carbon from this biomass is returned to the environment as part of the natural carbon cycle. What a great idea—instead of ending up in a landfill, this green, renewable energy fuels our economy and creates jobs.

Now, our Sappi paper mill in Skowhegan, Maine, burns biomass to make some of the finest quality paper in the world. In doing so, it directly employs 800 hard-working Mainers. In addition, loggers and truckers who produce and transport this biomass also earn paychecks for their families.

Unfortunately, the Environmental Protection Agency is attacking this renewable method to power our businesses and to create jobs. All of us who have sat around a campfire have seen that wet wood, branches, and grass emit a darker smoke. However, the same carbon is being recycled through the environment. It is just a slightly different color.

The EPA wants to impose stricter emission standards on companies that burn wet wood, branches, and bark instead of dumping them into a landfill. That just doesn't make sense.

Mr. Chairman, the EPA is trying to force our Skowhegan mill to spend millions of additional dollars on special smokestack equipment because wet biomass burns darker. The mill owners have worked diligently with the regional EPA office in Boston and the Maine Department of Environmental Protection to put in place a commonsense emissions monitoring system that reflects the burning of biomass. Sadly, the EPA headquarters right here in Washington rejected their sensible solution.

Mr. Chairman, this is not fair, and this is not right. Those 800 hard-working paper makers at the Sappi mill deserve an EPA that works for them, not against them.

Now, our paper mill in Maine could very well be a different mill in Michigan, Minnesota, or Georgia that also uses green American biomass energy.

America should keep her energy dollars and jobs here at home and not ship them to the Middle East. Our businesses need that energy to keep our manufacturing jobs right here in America and not send them to China. This is a national security issue, as well as a jobs issue, Mr. Chairman.

Mr. Chairman, I ask my House Republicans and Democrats today to support my simple, commonsense bill. Passing it will stop the EPA from unfairly penalizing employers who use green, renewable American biomass energy.

My amendment prohibits the EPA from reaching beyond some of the biomass emission rules already being enforced by the regional EPA offices and the State environmental authorities.

Let's show the American people today that Congress supports a domestic energy source that is good for the environment, creates jobs, and keeps us safer here at home

Mr. CALVERT. Will the gentleman yield?

Mr. POLIQUIN. I yield to the gentleman from California.

Mr. CALVERT. I suspect this issue is not just limited to your State, and I hope this language will help bring EPA to the table so that everyone can find a path forward for this issue that is important for the country.

Certainly, I have no objection to this amendment. In fact, I support it.

Mr. POLIQUIN. Thank you very much, Mr. Chairman. I appreciate it.

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

Ms. MCCOLLUM. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentlewoman from Minnesota is recognized for 5 minutes.

Ms. McCOLLUM. Mr. Chairman, it is a blanket block to the EPA from fully implementing and enforcing air toxic standards for boilers and incinerators.

Among other things, there are boilers that burn natural gas, coal, wood, oil, and other fuel to produce steam, and the steam does produce electricity or provide heat, and incinerators burn waste to dispose of it. These boilers and incinerators have the potential of releasing very toxic pollutants such as mercury, lead, dioxin, and other pollutants that are linked to health effects.

In 2011, after a robust public process, including three public hearings and responding to thousands of public comments, the EPA finalized standards to reduce toxic emissions for existing new boilers and commercial industrial solid waste incinerators and sewage sludge incinerators.

Now, among other things, the rule requires emissions to just meet certain standards. It is a measurement of air pollution based on the degree of which light is blocked by the pollutant from the smokestack.

The rule also allows the EPA to approve alternative opacity limits under certain circumstances, so there is flexibility within the rule.

Now, the local paper mills in the representative State are exceeding or they are expected to exceed the standard in the EPA's final rule, so to better fit their circumstances, they want an alternate opinion. That is the issue that the EPA is looking at right now. The EPA is looking at this right now. They heard the concerns; they are looking at it.

Strangely, this amendment would not really address that issue. Instead, it would block the EPA from ever approving an alternative limit or implementing or enforcing an alternative limit that had already been improved.

I rise because this amendment, unfortunately, just does not make any sense to me that we would not keep the dialogue moving forward. The EPA has the responsibility of making sure that standards of emissions with mercury and lead and other toxic pollutants are not dangerous to public health, especially to children. We know statistically now that up to 8,100 premature deaths, 5,100 heart attacks, and 52 asthma attacks are all worked into reducing the emissions, to lower those numbers.

We need to stand with the EPA air toxic standards and allow them to achieve their intended benefits and to work with industry where it makes sense, and we can have industry move forward but still protect the public health, just not scrap the parts that industry dislikes.

I urge my colleagues to oppose this amendment because it would keep the EPA from doing what it is doing right now, and that is to work with industry, oddly enough, to create a win-win for industry and a win-win for public health.

I yield back the balance of my time.

Mr. POLIQUIN. Mr. Chairman, I would strongly disagree with my colleague on the other side of the aisle.

Those of us or those who have visited our great State know that we have a pristine natural environment. It is part of our brand, Mr. Chairman. It is something that we protect and will continue to protect at all costs.

However, as a freshman legislator, I have been here for 6 months, and what I have learned in those 6 months is that we have almost a fourth branch of government, and that is these regulators that regulate every part of our life, whether we are trying to make paper or what have you and trying to provide work for our families.

Mr. Chairman, I support this amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Maine (Mr. POLIQUIN).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. POLIS

Mr. POLIS. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill, before the short title, insert the following:

SEC. 441. None of the funds made available by this Act may be used in contravention of section 102(a)(1) of Public Law 94–579 (43 U.S.C. 1701(a)(1)).

The Acting CHAIR. Pursuant to House Resolution 333, the gentleman from Colorado and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Colorado.

Mr. POLIS. Mr. Chairman, with this amendment, this body has the opportunity to say loudly and clearly: Let's keep our public lands public.

Public lands are a massive economic generator and are important to our health and welfare as Americans. They are beautiful, and they are healing. I recently got to hear from a veteran in Eagle County, and part of his recovery process is the time he spends outdoors on our public lands. They are also practical. They help ensure for water quality and maintain the critical aspects of rural life like farming, ranching, grazing, and logging.

Public lands are where our hunters and fishermen go to enjoy the outdoors. They are where skiers, hikers, bikers, and motorists experience activities that are impossible in other places and are invaluable to their quality of life.

Outdoor enthusiasts utilize those areas. It is a vast economic driver as well. In fact, over $646 billion is generated economically through our public lands, and visiting our public lands supports over 6 million jobs, including many in my district and many in our great State of Colorado.

When recently polled across six western States, the American people said with 96 percent support—with unheard of levels of support—that protecting public lands for future generations is one of their top priorities and that, above and apart from any other, they see the maintenance for access of outdoor activities on our public lands as a critical focus of our Federal Government.

States don't have the resources or expertise to suddenly take on the responsibilities for our Federal lands, nor do State governments even want that authority, Mr. Chairman.

Selling these lands outright to private owners or purveyors would undoubtedly lead to loss of access to these majestic, treasured spaces and, at the same time, would destroy jobs across the West and other areas that are blessed to have public lands; yet there has been attempt after attempt to transfer our most precious public spaces to the States or to private ownership or to sell them at wholesale.

Mr. Chairman, the sportsmen don't want this. The hikers, bikers, campers, skiers, and motorized activists that make up the areas surrounding those held by the Federal Government do not want their land taken away—our land taken away.

Those concerned with environmental well-being, water quality, and public health that depends on the stewardship of our public lands do not want our public lands taken away.

It is lost to me, Mr. Chairman—and perhaps my colleagues on the other side of the aisle can speak to this—exactly who is impacted by and who does touch and enjoy and rely on our public lands and actually does want to see them taken away.

I would pose this inquiry, and I reserve the balance of my time.

Mr. CALVERT. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. CALVERT. Mr. Chairman, this would just make it difficult and impossible for Federal agencies to dispose or willingly or equitably exchange or convey lands to States, local governments, private landowners, and others.

I just may point out the Federal Government currently can't manage its existing land, which is over 640 million acres or approximately 3 out of every 10 acres in the United States.

I urge my colleagues to vote against this amendment, and I yield back the balance of my time.

Mr. POLIS. Mr. Chairman, all my amendment does is ensure that none of the funds made available to this act can be used in contravention to the law of the land. My amendment wouldn't do anything to undermine current authority of congressionally and administratively driven land exchanges. In fact, I brought several before this body and have seen several signed into law.

My district is 62 percent Federal land, and we always have various exchanges, purchases, and sales. Of course, those are consistent with the law, which allows the funds to be used under this bill.

I am a strong believer in the ability of our Federal Government and Congress to make choices wisely in a thorough public and transparent process, which we do in this body.

What my amendment would do instead is prohibit the use of funds in this bill to pursue any additional extra legal ways to turn our Federal land over to private owners. It would prohibit Federal dollars from being used to support, for instance, a commission around finding avenues to turn all Federal lands over to private ownership.

These kinds of ventures are fiscally wasteful and counterproductive and wholly unwanted by the American people who rely and derive spiritual support, health, and jobs from our public lands.

I urge my colleagues to reflect upon who exactly we are working for and what our goal is with regard to our public lands.

I strongly support ensuring that all the provisions of this appropriations bill are limited to the full pursuit of section 102(a)(1) of Public Law 94–579 with regard to our public lands and that none of this money, which is what this amendment will do, can be diverted to privatize our public lands.

I yield back the balance of my time.

□ 1715

The Acting CHAIR. The question is on the amendment offered by the gentleman from Colorado (Mr. POLIS).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. POLIS. Mr. Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Colorado will be postponed.

AMENDMENT OFFERED BY MR. GOSAR

Mr. GOSAR. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

LIMITATION ON USE OF FUNDS TO TREAT THE SONORAN DESERT TORTOISE AS AN ENDANGERED SPECIES OR THREATENED SPECIES

SEC. ____. None of the funds made available by this Act may be used by the United States Fish and Wildlife Service to treat the Sonoran desert tortoise as an endangered species or threatened species under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.).

The Acting CHAIR. Pursuant to House Resolution 333, the gentleman from Arizona and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. GOSAR. Mr. Chairman, I rise to offer a commonsense amendment to the Interior, Environment, and Related Agencies Appropriations Act.

My amendment will protect education, grazing, agriculture, energy, housing interests, as well as assist with preventing dangerous wildfires by blocking the Fish and Wildlife Service from listing the Sonoran desert tortoise as an endangered or threatened species. A listing decision for the Sonoran desert tortoise is expected this fiscal year.

Of the potential 26.8 million acres that will likely be designated for critical habitat due to such a listing, 15 million acres are located in the United States, and nearly 4.5 million acres are State trust land.

State trust land revenues, which are currently enjoyed by 13 beneficiaries, of which K–12 education is the largest proportional share of those moneys, will be severely impacted.

If the Sonoran desert tortoise is listed, these acres of trust land will become less valuable for investment as they are burdened with a federal regulatory nexus. Without this amendment, schools that have already undergone significant budget cuts will see even less money flowing into their educational coffers.

The Sonoran desert tortoise is also of substantial concern to many different types of industry, as its habitat falls within urban development corridors as well as on rural and agricultural landscapes.

Listing the species as threatened or endangered will negatively impact commercial, housing and energy developers as well as the agriculture and grazing industries.

Specifically, a listing would be detrimental for 273 different grazing allotments and would jeopardize nearly 6 million acres used for livestock grazing.

Mining will also suffer, as the BLM listed 9,675 new mining claims from 1990 to 2002, 36 percent of which fall within the Sonoran desert tortoise's habitat.

Any ground and vegetation-disturbing activities, including fire suppression activities and restorative treatments, would also be negatively impacted by a listing decision for the species.

Solar energy would also likely be harmed, as large solar projects on desert floors are considered a potential threat to the Sonoran desert tortoise.

My amendment will also encourage significant voluntary efforts and financial contributions for the Sonoran desert tortoise to continue, many of which are already underway at the local level.

Important local conservation efforts began for the species in 2010, and a Candidate Conservation Agreement was recently signed by 15 different agencies in February.

Should the Sonoran desert tortoise become listed, these voluntary efforts and moneys will dissipate as local property owners, ranchers, and developers will no longer have any incentive to work with the Federal and State wildlife management agencies on conservation efforts for the species.

My amendment is supported by the Public Lands Council, the National Cattlemen's Beef Association, Americans for Limited Government, the Arizona Cattlemen's Association, the Arizona Farm Bureau, the Arizona Mining Association, the Home Builders Association of Central Arizona, and numerous other organizations that are strongly opposed to this listing.

I thank the chair and the ranking member for their tireless efforts to produce this bill.

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

Ms. MCCOLLUM. Mr. Chairman, I claim the time in opposition to this amendment.

The Acting CHAIR. The gentlewoman from Minnesota is recognized for 5 minutes.

Ms. MCCOLLUM. Mr. Chairman, this amendment would do two things. First, it would prohibit the Fish and Wildlife Service from treating the Sonoran desert tortoise as threatened or endangered under the Endangered Species Act. Secondly, it would restrict the Service from offering any of the critical protections to preserve the species.

The Sonoran desert tortoise is an iconic species. It has been part of the Sonoran Desert ecosystem for over 150,000 years. In 2010, the Fish and Wildlife Service found that the listing for the Sonoran desert tortoise was warranted, but it was precluded because it needed to address other higher priorities.

So last December the Service announced that it was working on a proposed listing determination that is expected to be published within the year.

This amendment, if it were to pass, would stop the Fish and Wildlife Service's efforts and block the Service from meeting a court-ordered deadline to make this listing determination. In other words, they would put the U.S. Fish and Wildlife Service at odds with what the court has requested them to do. This amendment has no place in the appropriations process, nor does it have any place in this legislative process.

Let's just think about the Endangered Species Act for a minute. It has been one of our most effective and important environmental laws, and it is supported by over 85 percent of Americans.

There has been no law that has been more important in preventing the extinction of wildlife, but some Members of this body seem determined to undermine the law by placing harmful policy riders on this bill.

From my count, as of right now, there are at least 10 species that are at risk of losing the Endangered Species Act protections in this bill.

What type of conservation legacy are we leaving for future generations? That is why I oppose the amendment, and I urge my colleagues to oppose it as well.

I yield back the balance of my time.

Mr. GOSAR. Mr. Chairman, the Sonoran desert tortoise is part of a

growing problem involving large settlements with the environmental groups who sue the Fish and Wildlife Service's regulatory protections with regard to a large number of different wildlife and plant species.

These multi-district litigation settlements, commonly known as ''sue and settle tactics,'' force the Fish and Wildlife Service to make listing decisions on several hundred species, often with little or no scientific data supporting these listings and without public input to this process.

This possible listing is a result of a lawsuit filed by a few special interest groups aimed at stifling development and has nothing to do with the tortoise.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Arizona (Mr. GOSAR).

The amendment was agreed to.

AMENDMENT OFFERED BY MS. TSONGAS

Ms. TSONGAS. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

LIMITATION ON USE OF FUNDS TO IMPLEMENT OR ENFORCE SPECIFIC SECTIONS

SEC. ____. None of the funds made available by this Act may be used to implement or enforce section 117, 121, or 122 of this Act.

The Acting CHAIR. Pursuant to House Resolution 333, the gentlewoman from Massachusetts and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Massachusetts.

Ms. TSONGAS. Mr. Chairman, my amendment, which I offer with Mr. BEYER of Virginia, would strike three policy riders related to the Endangered Species Act from the underlying bill, those concerning the greater sage-grouse, the northern long-eared bat, and the gray wolf. I want to focus my remarks on the greater sage-grouse.

The language in this bill that seeks to block an Endangered Species Act listing of the bird is unnecessary and is completely inappropriate, putting both the species and the historic quintessentially American sagebrush steppe landscape at risk.

In 1901, Mark Twain described the sagebrush steppe as a ''forest in exquisite miniature.'' At one point, as many as 16 million greater sage-grouse called the sagebrush sea home. Settlers traveling west said that flocks of sage-grouse ''blackened the sky.'' Today the population has been reduced to as few as 200,000 birds.

Right now there are unprecedented and proactive partnerships throughout the West which are working to conserve sagebrush habitat, to encourage predictability for economic development, and to prevent the listing of the greater sage-grouse as endangered or threatened under the Endangered Species Act.

Federal agencies, States, sportsmen, ranchers, farmers, and conservationists have all come together in this effort. In fact, the 10 land management plans released by the Interior Department last month are based on plans developed by the States, not one size fits all, but individual plans to suit each State's individual needs. This is all the result of a concerted collaboration.

The Fish and Wildlife Service and the States themselves agree that, as long as these partnerships continue, it is likely that the greater sage-grouse will not be listed as endangered or threatened under the Endangered Species Act.

Rather than helping communities, the rider in this bill creates uncertainty and only undermines the immense coordinated progress already underway. I urge my colleagues to vote ''yes'' on the amendment.

I reserve the balance of my time.

Mr. SIMPSON. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Idaho is recognized for 5 minutes.

Mr. SIMPSON. Mr. Chairman, I will talk about the three different provisions to this amendment. Let me first talk about the sage-grouse.

The sage-grouse provision in this bill is meant to give the Fish and Wildlife Service time to make a determination of whether there ought to be a listing or not. The court has ordered them to make a determination by, I think, September 30. We are trying to give them the time necessary.

This is going to affect 11 Western States. It is not going to affect Massachusetts, by the way, but it is going to affect 11 Western States substantially.

They have recently put out their resource management plans to the States. There is a period in which the States have a chance to interact with the Federal agency and raise their complaints and so forth about what the problems are with their resource management plans.

We are trying to give the Fish and Wildlife Service and the States—the 11 Western States, by the way, not Massachusetts—the time to come up with a plan so that we don't list this bird.

The Fish and Wildlife Service and the States—everybody, essentially—agree we don't want sage-grouse listed. The States have made incredible progress and have made incredible sacrifices.

The State of Wyoming has taken, I want to say, millions of acres which have potential resources off the table in order to protect the sage-grouse. So we have taken extraordinary efforts to make sure that we don't list this bird.

As far as the wolves are concerned, the fact is that the Fish and Wildlife Service delisted the wolves. It was not us. We didn't want to go against science. We are not going against science. We aren't trying to make any species become extinct.

It was the Fish and Wildlife Service in their use of science that delisted the wolves. But guess what. Some people weren't happy with that; so, they took them to court. And now we are in a court case. The same thing happened in Idaho and in Montana.

This language doesn't take a species off the endangered species list. Some people think we are trying to delist species, and we are not. We are going back to the decision made by the Fish and Wildlife Service to delist the wolves in the Great Lakes and in the State of Wyoming.

I think, if you want to talk about the cost and if you want to complain about what is going on here, you really ought to complain to the plaintiffs who are causing all of this hassle with wolves when the States have done exactly what they were supposed to do.

The wolf populations in the Great Lakes particularly have exploded. In Idaho and Montana, they have exploded. In Wyoming, they have exploded. That is why the Fish and Wildlife Service delisted them.

This amendment is contrary to every bit of science that there is that deals with endangered species. So I would urge my colleagues to reject this amendment even though it doesn't affect Massachusetts.

I reserve the balance of my time.

Ms. TSONGAS. Mr. Chairman, I would like to first comment that Massachusetts, at one time, was home to the Heath Hen, which is the greater sage-grouse's cousin.

Because at that time we did not have an Endangered Species Act, that Heath Hen is now, unfortunately, extinct. So we have learned an important lesson about the great role the Endangered Species Act does play to protect some of our remarkable species.

I yield 2 minutes to the gentleman from Virginia (Mr. BEYER), my colleague.

Mr. BEYER. I thank the gentlewoman.

Mr. Chairman, despite what you may hear from some Members of Congress, gray wolves have not recovered. In a test by the Fish and Wildlife Service to remove them from the Endangered Species Act, protections for wolves have failed time and again.

Why? It is because scientific experts have shown and the courts have confirmed that the best available science does not justify the removal of all ESA protections for gray wolves at this time.

In fact, the only instance in which wolves have been delisted has been through the unprecedented and unfortunate congressional action in 2011 to remove protections from wolves in the Northern Rocky Mountains.

These wolves are now endlessly persecuted by hunters and ranchers despite the positive effects they have on the ecosystem and the minimal toll they take on livestock.

□ 1730

Wolf-related tourism around Yellowstone generates more than $35 million annually for local economies, and recovery in the Pacific Northwest is only beginning.

This amendment would prevent Congress from directing the Fish and Wildlife Service to reissue the delisting of wolves in the western Great Lakes and Wyoming. Now is not the time for Congress to declare open season on one of America's most iconic wild animals. Science, not politics, should guide these delisting decisions.

By the way, wolves are not in Massachusetts, they are not in Virginia, and they never will be as long as we do not continue our efforts to protect wolves and allow them to occupy the old territories they did a few hundred years ago.

This amendment would also allow the Fish and Wildlife Service to move forward with steps to protect the northern long-eared bat. Over the past decade, populations of the bat have declined 98 percent, mostly because of the deadly effects of white-nose syndrome. As a result, Fish and Wildlife Service recently listed the bat as a threatened species. While scientists and wildlife managers work to fight the spread of white-nose syndrome, it is important to ensure that the remaining bat populations are safe from other threats.

The interim rule currently in effect governing taking of the bat is incredibly flexible and was developed in close coordination with industry stakeholders, particularly the timber industry, to ensure that economic activity is not negatively impacted.

The final rule is expected to be similarly flexible. The language in this bill will only serve as a delay tactic, causing additional uncertainty for businesses and property owners, and this amendment would effectively strike these unnecessary sections from the bill.

Mr. SIMPSON. Mr. Chair, how much time do I have remaining?

The Acting CHAIR. The gentleman from Idaho has 2 minutes remaining.

Mr. SIMPSON. Mr. Chair, I thank the gentleman. I appreciate the gentleman's comments. I do have some gray wolves in Idaho, Montana, Wyoming, and other places that we will be happy to ship to you if you like. In fact, we didn't have any in Idaho until Fish and Wildlife Service decided that they were going to reintroduce them in Idaho.

When you say the minimal take that it has on cattle, wildlife, and other types of things, there were gray wolves in Idaho that one sheep rancher lost over 300 head of sheep in one night to some wolves. That ends his business, essentially. So it is not a minimal take. If you look at the calf-to-cow ratio of elk and deer in Idaho, the numbers have been down substantially, particularly with elk because, guess what, they like elk, even though we were told that they will go after deer and not elk. Wolves, I guess, like elk better than they do deer.

The gentleman says we need to depend on science, not Congress. Congress never delisted a species. We didn't delist the gray wolves in Idaho and Montana. It was the Fish and Wildlife Service using science. When you say the gray wolves have not recovered, where is your science? Where do you get that? Where does that statement come from? Fish and Wildlife Service that has done the investigations said yes, they have. So do we just not trust them?

It is you people proposing this amendment that are going against science. We are just trying to make sure that the science is protected, and politics doesn't enter. We appreciate the people of Virginia and the people of Massachusetts trying to make sure that the wolves are healthy in Idaho. I can guarantee you they are. They are not persecuted, as you said. Yes, they are hunted, but anybody who believed we were going to introduce wolves into Idaho or Montana where they hadn't been for a number of years and you weren't going to have to maintain population controls of them was living in a fantasyland.

Yes, we do have hunting seasons for wolves, as we do almost all species, but we have to maintain a certain population, and if that population isn't maintained, guess what. Fish and Wildlife takes over, and they go back on the endangered list. So it is not Congress that is making these decisions. It is Fish and Wildlife Service.

I urge my colleagues to reject this amendment.

I yield back the balance of my time.

Ms. TSONGAS. Mr. Chairman, I just want to reiterate that the riders in the underlying bill will do nothing to help our native species but, instead, only serve to cause uncertainty and delay, undermining all the concerted effort by many stakeholders, all seeking to avoid a listing, particularly with the sage-grouse.

I urge my colleagues to support this amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Massachusetts (Ms. TSONGAS).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Ms. TSONGAS. Mr. Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from Massachusetts will be postponed.

AMENDMENT OFFERED BY MR. GOSAR

Mr. GOSAR. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available by this Act may be used for the United Nations Environment Programme.

The Acting CHAIR. Pursuant to House Resolution 333, the gentleman from Arizona and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. GOSAR. Mr. Chairman, I rise to offer one final amendment to the Department of the Interior, Environment, and Related Agencies Appropriations Act.

The amendment is simple. It prohibits the EPA from providing funding to the United Nations Environment Programme. The United Nations Environment Programme, or UNEP—I would call it inept—has a history of taking unusual and extreme policy positions, including advocating for population control.

The United Nations is typically funded in the State Department's budget under contributions to international organizations, or CIL. The funds appropriated by this act are meant to be used domestically, not as a slush fund to give to programs at the United Nations.

I will quickly highlight some of the names of the UNEP initiatives that the EPA spent millions of dollars on. One is to promote environmental sound management worldwide. Another one is UNEP Regional Program, Climate Benefits, Asia Pacific. There is even one called Russian Federation Support to the National Program of Action for the Protection of the Arctic. This last one is money that goes specifically to the Russian cause.

I will read from the EPA's own Web site the description of this program:

> This project centers on protection of the Arctic environment in Russia.
>
> This work will cover three broad areas:
>
> Number one, implementation of Russia's national plan of action for protection of the Arctic marine environment from anthropogenic pollution;
>
> Number two, hazardous chemical management;
>
> And, three, climate change mitigation adaptation and awareness.

So let me get this straight. In addition to the billions we contribute to the United Nations through the CIO account, the EPA is funneling millions of tax dollars to this United Nations program, which then gives the money to Russia, who then uses it to implement a Russian national plan and for climate change mitigation, adaptation, and awareness.

U.S. taxpayers, do I need to say anything further why we need to stop this? Let's keep the United States Environmental Protection Agency focused on issues within the United States. Our favorite out-of-control agency need not be concerned with the Asia-Pacific region or with Russia.

I urge my colleagues to adopt this commonsense amendment that is endorsed by the Americans for Limited Government, the Eagle Forum, the Taxpayers Protection Alliance, the Council for Citizens Against Government Waste, and the Yavapai County Board of Supervisors.

I thank the chairman and ranking member for their tireless efforts in producing this bill.

I reserve the balance of my time.

Ms. MCCOLLUM. Mr. Chair, I rise in opposition to the amendment.

The Acting CHAIR. The gentlewoman from Minnesota is recognized for 5 minutes.

Ms. MCCOLLUM. Mr. Chair, this amendment would prohibit any agency from using funds for the United Nations Environment Programme. Funds for the U.N. are primarily provided through the State, Foreign Operations, and Related Programs Subcommittee. The EPA administers about $500,000 of international grants, not the millions or the billions that were referred to in this particular bill. So I strongly oppose the amendment.

I understand, as I said earlier, there is a small amount of funding administered for the U.N. Environment Programme in this bill. The primary source of funding for the international programs, I want to stress again, is in the State, Foreign Operations, and Related Programs bill, not this bill.

So this amendment seeks to solve a problem that really doesn't exist in this bill, but jurisdictional questions aside, we must be an international partner with respect to the environment. Engagement with the international community allows us to share and learn best practices on how to manage toxic substances; international engagement helps set international standards to help our products compete globally; and, more importantly, pollution knows no boundaries. It does not respect international borders.

In the 1970s and 1980s, acid rain was a problem both in the United States and Canada, and through domestic legislation and international work with Canada, we have reduced the amount of acid rain that falls upon the United States and Canada. Now, right now in my home State of Minnesota, we are under a high pollution warning. The culprit is, sadly, a series of forest fires that are raging to the north border of us in Saskatchewan. Now, if we are going to be committed to clean air and clean water on the Canadian-U.S. border, we must be engaged both here at home and abroad.

So as a proud Minnesotan and a proud Member of the United States Congress, I urge my colleagues to reject this amendment and to work together in partnership.

I reserve the balance of my time.

Mr. GOSAR. Let's set the record straight. CRS, hardly a partisan effort, since 2003 reports they spent over $6 million in foreign agencies in this very fund. Imagine that. The facts are only convenient when they help us on our side.

If we are going to have a discussion about this, let's put it in the State Department budget and let's talk about it, but let's not hide it in the EPA. Let's keep the EPA's budget and dealings right here in the United States where they belong. They hardly have a track record of success here in the States.

I reserve the balance of my time.

Ms. MCCOLLUM. Mr. Chairman, I would like to stress again that, in this bill, there is $500,000. And I would also like to stress, when it comes to regulating waters in the Great Lakes, our tributary rivers and basins on the northern border—and I am sure the same thing, I can't speak with as much eloquence as to what is happening on our southern border—we need to have these international interlocutors. I would appreciate the opportunity for my State and for the Great Lakes States to be able to continue the strong partnership with our Canadian partners.

I yield back the balance of my time.

Mr. GOSAR. Mr. Chair, with an over $18 trillion debt, when is enough enough? If we are going to talk about foreign expenditures of dollars, let's put it in the State Department budget and make sure we have an open and honest conversation, but it does not belong here. We have to start concentrating on what is important to the United States, not Russia. I guess that is Putin's kind of game is that we clean up his messes for him.

I ask everybody to adopt this legislation.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Arizona (Mr. GOSAR).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. GRIJALVA

Mr. GRIJALVA. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

LIMITATION ON USE OF FUNDS WITH RESPECT TO IVORY

SEC. ____. None of the funds made available by this Act may be used to implement or enforce section 120 of this Act.

The Acting CHAIR. Pursuant to House Resolution 333, the gentleman from Arizona and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. GRIJALVA. Mr. Chairman, at the inception of the debate and discussion regarding this appropriations bill, I indicated I would offer an amendment to prevent language in the bill from driving the extinction of the African elephants.

I expect the administration to release its proposed ivory rule this month, and it deserves the support of every Member of this Chamber. This rider that is currently in the language of the bill is another unfounded attack on an endangered species that our Nation's top scientific experts have concluded will go extinct without the protection of the Endangered Species Act, under which this rule is being promulgated.

I mentioned in my previous statement the U.S. Fish and Wildlife Service recently destroyed a one-ton stockpile of illegal elephant ivory, most of it seized in Philadelphia from an antique dealer named Victor Gordon.

Gordon imported and sold ivory from freshly killed African elephants in violation of U.S. law and the laws of the countries where the elephants were poached, and the ivory was stolen. The ivory was doctored so that it looked old enough to pass through a loophole in the law. All of this ivory is illegal. All of it is nearly impossible to distinguish from antique ivory, and anyone who bought it from Gordon and resells it or buys it from a new owner is contributing to the ongoing slaughter of elephants and the criminal trafficking of ivory that supports organized crime and terrorism.

The only way to keep U.S. citizens from being involved in this elephant poaching and trafficking crisis is to eliminate the commercial import, export, and trade of African elephant ivory in our country. Ending the commercial ivory trade will set an example for China and other countries to follow, but they will not act until we do.

□ 1745

Ending the trade will not take away personal possessions, nor will it bar the movement of musical instruments or museum pieces; but to save elephants, we have to eliminate the value of ivory.

Sadly, this rider is just another example of House Republicans driving the extinction of wildlife one species at a time.

Please join me in voting ''yes'' on this amendment, and I reserve the balance of my time.

Mr. CALVERT. I rise in opposition to the gentleman's amendment.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. CALVERT. Mr. Chairman, I appreciate my colleague's thoughtful comments regarding crisis levels of poaching and wildlife trafficking and the need to do something about it. This is a deadly serious matter with national security implications. That is why this bill has increased funding by $15 million since fiscal year 2013 in order to fight wildlife poachers and traffickers.

Without question, Republicans do not want to see elephants go extinct; but when the Fish and Wildlife Service made the unilateral determination to ban the trade and transport of products containing ivory that have been in the United States legally for years, we heard from orchestra musicians, art museums, wildlife conservation organizations, collectors of fine antiques from chess pieces to pool cues to firearms, and nearly everyone in every organization in between.

They are united in support for elephants, but they are also united in their opposition to new Federal restrictions on products that contain ivory legally obtained. The reality is family heirlooms and rare musical instruments didn't cause the problem, and

the Fish and Wildlife Service should be acknowledging as much.

This bill keeps the status quo, allowing for continued legal trade and transport so that collectors, musicians, and others can get on with their lives until the Fish and Wildlife Service writes a rule that reflects the legitimate concerns of law-abiding U.S. citizens.

The administration is rumored to be just days away from publishing a revised rule to address most of these concerns. If that is the case and if the revised rule solves the problem, then there will be no need for this provision in the final conference report later in the year.

In any case, I remain fully committed to working with my colleagues on both sides of the aisle to find a reasonable solution moving forward. In the meantime, I must oppose this amendment, and I reserve the balance of my time.

Mr. GRIJALVA. Mr. Chairman, I yield 2 minutes to the gentleman from Virginia (Mr. BEYER).

Mr. BEYER. I thank the gentleman for yielding, and I also thank the chairman for his comments.

Mr. Chairman, I am proud to speak in support of Mr. GRIJALVA's amendment. The U.S. is the world's second largest market for ivory. Only China has a greater demand.

In February of last year, President Obama announced a ban on the commercial trade of elephant ivory. This ban is the best way to ensure that U.S. markets do not contribute to the further decline of African elephants in the wild.

The African elephant population has declined by an estimated 50 percent over the last 40 years, with approximately 35,000 elephants poached every year. That amounts to one elephant poached every 15 minutes.

The Fish and Wildlife Service has been undertaking a series of administrative actions, including a proposed rule in order to implement the ban. Section 120 would prevent the Fish and Wildlife Service from implementing this rule and other policies necessary to crack down on the domestic illegal ivory market.

I cannot understand why we would not do everything possible to stop the illegal slaughter of African elephants.

I urge my colleagues to support Mr. GRIJALVA's amendment, which would prevent section 120 from being enacted. We must allow the FWS to continue its efforts to prevent the extinction of the African elephant.

Mr. CALVERT. Mr. Chairman, I urge my colleagues to oppose this amendment, and I yield back the balance of my time.

Mr. GRIJALVA. Mr. Chairman, I yield the balance of my time to the gentlewoman from Minnesota (Ms. MCCOLLUM).

Ms. MCCOLLUM. Mr. Chairman, if we are going to stop the slaughter of African elephants, we need to stop the illegal trade in ivory.

This rider has nothing to do with the unprecedented poaching crisis, and it ignores the impact of the illegal ivory trade within the United States and the way that it is impacting the African elephants' survival.

The rider also undermines the United States' ability to push other countries with significant ivory markets—like China, Vietnam, and Thailand—to take stronger actions to restrict ivory trade.

In fact, according to a recent Washington Post article, China has signaled that its actions to further restrict ivory trade were contingent on what the United States does to regulate our domestic trade.

It is in the national interest of the United States to combat wildlife trafficking and to ensure that we don't contribute to the growing global demand for elephant ivory, which is also funding terrorism around the world.

We need to come up with a responsible set of regulations that protect elephants, while making accommodations to allow certain activities to continue that do not pose a threat to elephants.

I urge my colleagues to support the Grijalva amendment.

Mr. GRIJALVA. I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Arizona (Mr. GRIJALVA).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. GRIJALVA. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Arizona will be postponed.

AMENDMENT OFFERED BY MR. SMITH OF TEXAS

Mr. SMITH of Texas. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

ENVIRONMENTAL PROGRAMS AND MANAGEMENT

SEC. ____. Of the funds provided for ''Environmental Protection Agency—Environmental Programs and Management'', not more than $1,713,500 may be available for the Immediate Office of the Administrator and not more than $3,581,500 may be available for the Office of Congressional and Intergovernmental Relations and the aggregate amount otherwise provided under such heading is reduced by $2,735,000.

The Acting CHAIR. Pursuant to House Resolution 333, the gentleman from Texas and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. SMITH of Texas. Mr. Chairman, I offer this amendment together with my colleagues and fellow committee chairmen, Mr. CONAWAY from Texas and Mr. CHAFFETZ from Utah.

The amendment addresses the Environmental Protection Agency's continuing pattern of obstruction and delay in response to congressional oversight.

Since January 2014, the EPA has proposed or finalized new, far-reaching rules that impact almost every aspect of the American economy. These rules involve major expansions of Federal authority, massive costs to the economy, and are based on secret science that the EPA keeps hidden from external review or scrutiny.

Congress has a constitutional responsibility to perform rigorous oversight of the executive branch. However, as chairman of the Committee on Science, Space, and Technology, nearly every request for information I make to EPA is greeted with repeated delays, partial responses, or outright refusals to cooperate.

Earlier this year, the committee was forced to issue a subpoena to obtain information related to Administrator Gina McCarthy's deletion of almost 6,000 text messages sent and received on her official Agency mobile device. She claimed that all but one was personal.

Most recently, the committee requested information and documents related to the EPA's development of the waters of the U.S. rule and the Agency's inappropriate lobbying of and collaboration with outside organizations to generate grassroots support.

The EPA again failed to provide the requested documents. The committee was forced to notice its intention to issue a subpoena.

However, producing documents in bits and pieces after months or years of delay are not the actions of an open and transparent administration. They are the actions of an Agency and administration that has something to hide.

It is clear that the EPA does not see its job as facilitating transparency and oversight. It seems to believe its mission is to delay, obstruct, and otherwise attempt to stonewall any attempt by Congress to fulfill its constitutional oversight obligation on behalf of the American people.

Congress should not support such an agency. We are taking further action with this amendment to reduce funding for EPA's offices. The EPA must refocus its efforts on transparency and cooperation with Congress and the American people. At that point, we could consider restoring their funding.

I reserve the balance of my time.

Ms. MCCOLLUM. Mr. Chairman, I claim the time in opposition to the amendment.

The Acting CHAIR. The gentlewoman from Minnesota is recognized for 5 minutes.

Ms. MCCOLLUM. This amendment clearly is a Republican attempt to cut funding from the Environmental Protection Agency. As an agency that protects the air we all breathe, protects the water we drink, the fish we eat, it means that the EPA works every day to protect the health of every American.

This amendment is clearly an attack against the administration for work that they have been doing to enforce those protections.

It is entirely counterproductive to complain about a lack of timely response from the EPA and then turn around and slash the very funding that allows the EPA Administrator and Agency staff to respond to our concerns.

Crippling cuts to the office of congressional relations will not only make it more difficult for Members of Congress to get our questions answered—and those of our constituents—by slashing the office of intergovernmental agency affairs, this amendment would make it harder for State and local officials to gather the information they need to protect their communities.

I don't really believe we want to tell the EPA that they should cut back on meeting and getting recommendations from local government advisory committees or tell our elected officials at a State level that they are going to have even a harder time getting a hold of someone at the EPA to help them form agreements to address their priority needs.

Our States have a responsibility with the EPA for protecting public health and the environment, and this amendment would undermine those partnerships. This amendment would make it more difficult for the people's representatives at the Federal, State, and local level to reach out and get support and answers from the EPA in order to protect the health of their constituents.

I urge my colleagues to join me in opposing these cuts, and I yield back the balance of my time.

Mr. SMITH of Texas. Mr. Chairman, I yield the balance of my time to the gentleman from Utah (Mr. CHAFFETZ), the chairman of the Oversight and Government Reform Committee.

Mr. CHAFFETZ. Mr. Chairman, I thank Mr. SMITH of Texas and Mr. CONAWAY of Texas for their good work on this.

In the year 2015, five letters were sent to the EPA from the Oversight and Government Reform Committee regarding the waters of the United States rulemaking. All went unanswered until the Science Committee threatened to subpoena.

Probably what is the most egregious and most offensive to us is even when we do bipartisan work—in a bipartisan letter, we asked the EPA to provide a response to a request concerning collections of use of fees and fines—and even when we do it in a bipartisan way, those go unresponded to. They failed to even provide a staff briefing on the collection and use of fines and penalties, despite repeated requests.

We hear on the floor: Well, you can't take away their money, then they won't able to respond.

With the money, they don't respond, so they obviously don't need the money if they are not going to respond—even when we do so in a very professional, bipartisan way, asking legitimate questions about the use of these funds and how this Agency works.

In the year 2013, requests were filed for information regarding actions of a previous Administrator, among other document requests. Responses were inadequate, and a subpoena was filed.

The EPA only began searching for the documents 6 months after a subpoena was issued, 6 months after this happened. This is just not tolerable. There needs to be consequences for this. They obviously don't need these funds if they are going to be so unresponsive even when we do so in a bipartisan way.

I would urge the passage of the Smith amendment. I think it is a good amendment. It is a responsible way to move forward. I appreciate the good work the Appropriations Committee has done in their support and their work. I, again, thank Mr. SMITH for his leadership on this issue.

Mr. SMITH of Texas. I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Texas (Mr. SMITH).

The amendment was agreed to.

□ 1800

AMENDMENT OFFERED BY MR. HUFFMAN

Mr. HUFFMAN. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill, before the short title, insert the following:

SEC. ____. None of the funds made available by this Act may be used to enter into a new contract or agreement or to administer a portion of an existing contract or agreement with a concessioner, a cooperating association, or any other entity that provides for the sale in any facility within a unit of the National Park System of a non-educational item that depicts a Confederate flag on it.

Mr. HUFFMAN. Mr. Chair, that is not the revised amendment at the desk.

The Acting CHAIR. Does the gentleman ask unanimous consent to withdraw this amendment?

Mr. HUFFMAN. If it can be substituted with the proper amendment, yes.

Mr. CALVERT. Mr. Chair, I reserve a point of order on this amendment.

The Acting CHAIR. Without objection, the amendment is withdrawn.

There was no objection.

Mr. HUFFMAN. Mr. Chair, you should have the proper amendment now.

AMENDMENT OFFERED BY MR. HUFFMAN

Mr. HUFFMAN. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill, before the short title, insert the following:

SEC. ____. None of the funds made available by this Act may be used to enter into a new contract or agreement or to administer a portion of an existing contract or agreement with a concessioner, a cooperating association, or any other entity that provides for the sale in any facility within a unit of the National Park System of an item with a Confederate flag as a stand-alone feature.

The Acting CHAIR. Pursuant to House Resolution 333, the gentleman from California and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. HUFFMAN. Mr. Chairman, the tragic shooting in Charleston, South Carolina, has forced a national conversation about symbols like the Confederate battle flag that represent racism, slavery, and division.

Now, like you, I applaud leaders in South Carolina and other Southern States, both Democrat and Republican, who have called on their States to end the display of the Confederate flag on government property, including State houses and license plates. With the consideration of the Interior Appropriations bill, this House now has an opportunity to add its voice by ending the promotion of the cruel, racist legacy of the Confederacy.

The National Park Service has asked its gift shops, bookstores, and other concessionaires to voluntarily end the sale of standalone items, such as flags, pins, and belt buckles that contain imagery of the Confederate flag. While many concessionaires have agreed to do this, I am dismayed by reports that some will continue to sell items with Confederate flag imagery. This amendment to the Interior Appropriations bill would end these sales. It would prevent the National Park Service from allowing the continued promotion of the Confederacy through these symbols.

Major American retailers like Walmart, Amazon, and eBay are already taking their own steps to ban sales of this type of merchandise, and we now have an obligation to ensure that the Federal agencies that we oversee act with the same moral clarity.

Mr. Chairman, with that, I reserve the balance of my time.

Mr. CALVERT. Mr. Chair, I claim the time in opposition to the amendment, although I am not opposed to the amendment.

The Acting CHAIR (Mr. CARTER of Georgia). Without objection, the gentleman from California is recognized for 5 minutes.

There was no objection.

Mr. CALVERT. The language now in this amendment is consistent with the National Park Service policy, and I would support this language as you presently have it drafted. I would urge its adoption.

I yield back the balance of my time.

Mr. HUFFMAN. I yield 2 minutes to the gentlewoman from Minnesota (Ms. MCCOLLUM).

Ms. MCCOLLUM. Mr. Chairman, I rise in support of the gentleman's amendment.

This amendment, as Chairman CALVERT pointed out, is consistent with

the recent National Park Service actions to further limit the display of the Confederate flag in units of the National Park system.

Previous National Park Service policy had already provided that the Confederate flag would not be flown alone for many park flagpoles.

On June 25, Park Director Jon Jarvis further requested that the Confederate flag sale items be removed from the National Park bookstores and gift shops. This also follows a decision by several large national retailers, including Walmart, Amazon, and Sears, to stop selling items with Confederate flags on them.

I agree with these decisions and commend those involved for their prompt action.

While in certain and very limited instances it may be appropriate in national parks to display an image of the Confederate flag in its historical context, a general display or sale of Confederate flags is inappropriate and divisive.

I support limiting their use, and I rise in support of the amendment.

Mr. HUFFMAN. Mr. Chairman, I respectfully request an ''aye'' vote.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from California (Mr. HUFFMAN).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. COLLINS OF GEORGIA

Mr. COLLINS of Georgia. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available by this Act may be used to reduce or terminate any of the propagation programs listed in the March, 2013, National Fish Hatchery System Strategic Hatchery and Workforce Planning Report.

The Acting CHAIR. Pursuant to House Resolution 333, the gentleman from Georgia and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Georgia.

Mr. COLLINS of Georgia. Mr. Chairman, I rise today to offer an amendment that recognizes and supports the important role of fish hatcheries nationwide.

Before I get to the amendment, I want to thank you, Mr. CALVERT, for the hard work of the committee and your recognition of the importance of fish hatcheries already there. I also want to thank my friend from Arkansas (Mr. CRAWFORD) for cosponsoring this amendment.

My amendment prohibits funds in the bill from being used to reduce or terminate any of the existing propagation programs listed in the March 2013 National Fish Hatchery System Strategic Hatchery and Workforce Planning Report.

This report raised serious concerns that the Fish and Wildlife Service view hatcheries, and particularly mitigation hatcheries, as a low priority program. Personally, I believe that stocking the tailwaters, streams, lakes, and rivers of America should be a higher priority. Hatcheries provide an important service, including providing our Nation's anglers with the recreational enjoyment and opportunities to catch fish; and they can be particularly vital to economic growth in rural areas, including northeast Georgia.

The importance of our Nation's hatcheries is obvious when you look at the Chattahoochee National Forest Fish Hatchery. This hatchery is located back home in Georgia's Ninth Congressional District. It stocks the tailwaters of multiple projects for the Army Corps of Engineers and the Tennessee Valley Authority with rainbow trout for the enjoyment of 160,000 anglers per year. Without this facility, the tailwaters would be barren.

The Chattahoochee National Fish Hatchery is a critical economic driver in the quiet mountain town of Suches, Georgia, and the surrounding community. This rural town in Fannin County doesn't have any major stores or banks, but it does have the hatchery. The hatchery has generated over $30 million in total economic input on just $740,000 in investment. It has a $40 return on investment for every dollar spent and provides enjoyment to many, many people.

The Chattahoochee National Fish Hatchery plays an integral role in the sustainability of businesses and communities in northeast Georgia. From providing environmental education and public outreach opportunities to visitors, school groups, and various other organizations to facilitating recreational opportunities, northeast Georgia would not be the same without this facility.

The work at the hatchery in Suches is one example of the importance of propagation programs at national fish hatcheries nationwide. These hatcheries are job creators and economic growth engines. They provide critical services to rural America and play an important educational role. They support anglers with recreational services and responsibly stock the rivers to keep the habitats in order. Despite this, however, the Department of Fish and Wildlife places propagation programs, including those in the Chattahoochee National Fish Hatchery, among the lowest of their funding priorities.

My amendment simply ensures that funds to the Fish and Wildlife Service are consistent with the agency's mission and statutory responsibility.

Mr. CALVERT. Will the gentleman yield?

Mr. COLLINS of Georgia. I yield to the gentleman from California.

Mr. CALVERT. Mr. Chair, I want the gentleman from Georgia to know that I support his amendment and would urge its adoption.

Mr. COLLINS of Georgia. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Georgia (Mr. COLLINS).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. BEYER

Mr. BEYER. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

LIMITATION ON USE OF FUNDS IN CONTRAVENTION OF EXECUTIVE ORDERS REGARDING CLIMATE CHANGE

SEC. ____. None of the funds made available by this Act may be expended in contravention of Executive Order 13514 of October 5, 2009 or Executive Order 13653 of November 1, 2013.

The Acting CHAIR. Pursuant to House Resolution 333, the gentleman from Virginia and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Virginia.

Mr. BEYER. Mr. Chairman, I yield myself such time as I may consume.

The sum of the harmful consequences of global climate change is the existential crisis of our generation and, perhaps, of our century.

Global temperature changes are already causing prolonged droughts, extreme weather events, and rising sea levels. Tens of millions of people, especially the poorest and the most vulnerable among us, are at risk unless we act to reverse the disastrous effects of climate change.

Our best scientists and our Pope are warning us that unless carbon emissions are dramatically cut, we will see ever rising sea levels, ever more extreme weather, and ever worsening public health, poor air quality, the spread of tropical diseases, lung and heart and heat stress illnesses, and death.

Several weeks ago, the EPA issued a comprehensive report quantifying the economic costs of a changing climate across 20 sectors of the American economy. Among the findings, the report found that, by 2100, mitigating greenhouse global gas emissions could avoid 12,000 deaths per year that are associated with extreme temperatures in just 49 U.S. cities compared to a future with no emission reductions.

The estimated damages to coastal property from sea level rise and storm surge in the contiguous U.S. are $5 trillion through the year 2100 in a future without carbon emissions.

The Department of the Interior also recently released a report revealing that over $40 billion of National Park infrastructure and historic and cultural resources could be at risk due to sea level rise caused by climate change.

Taking acts to address climate change is particularly crucial in urban districts that border waterways, like

mine, where we are already seeing environmental effects. Now is the time when the U.S. should be deepening its commitment to reducing climate change pollution.

Federal agency actions, including those of the agencies named in this bill, have major impacts on our contributions and reactions to global warning. It is imperative, then, that these agencies maintain mindfulness of those impacts and that they seek to avoid actions that add significant amounts of carbon pollution to the atmosphere or actions that put people and property in the vulnerable position with respect to climate change.

For that reason, Mr. Chairman, I am offering an amendment to ensure that no funds are spent on activities that are not in compliance with the President's 2009 executive order on greenhouse gas emissions and energy efficiency and the 2013 executive order on climate change adaptation.

These orders require agencies to take global warming into account when making decisions and will save taxpayer dollars while making our communities safer and cleaner.

Our agencies need to be climate smart, because making our Federal investments and actions climate smart reduces our fiscal exposure to the impacts of climate change.

It is the right thing to do to run an efficient and effective government. It is the right thing to do to return the highest value to the American taxpayer.

It is simple: smarter investments up front mean we can reduce future costs. Communities across the Nation are thinking this way. We need to ensure that the same is true for the Federal Government.

I urge a ''yes'' vote on this amendment to ensure that Federal agencies are operating in the manner that accounts for climate change.

I urge my colleagues to vote ''yes'' on the amendment.

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

Mr. CALVERT. Mr. Chair, I rise in opposition to the gentleman's amendment.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. CALVERT. Mr. Chair, earlier, we debated whether or not to continue a bipartisan reporting requirement in the bill on climate change expenditures. My colleague on the other side of the aisle wanted to remove the requirements, which would have reduced transparency. Now he wants to ensure that funds are being expended on climate and efficiency executive orders issued by the President. So I am left to wonder whether my colleagues would prefer to know if funds are spent on these programs or not.

Regardless, this amendment is simply unnecessary. The President did not consult Congress on these executive orders, so, if anything, we should defund the programs until Congress can have an appropriate policy debate.

I see no reason to include this language, and I urge my colleagues to vote ''no.''

With that, I reserve the balance of my time.

Mr. BEYER. Mr. Chair, how much time do I have remaining?

The Acting CHAIR. The gentleman from Virginia has 2 minutes remaining.

Mr. BEYER. Mr. Chair, I yield 2 minutes to my colleague from California (Mr. HUFFMAN).

Mr. HUFFMAN. Mr. Chairman, I support this amendment which will ensure that no funds are spent on activities that are not in compliance with the President's executive order on greenhouse gas emissions and energy efficiency and the 2013 executive order on climate change adaptation.

These orders require agencies to simply take global warming into account when making decisions. This will save taxpayers lots of money while making our communities safer and cleaner.

Fighting climate change has to be regarded as the biggest imperative of our time.

□ 1815

My State of California has stepped up to this issue and taken important bold steps to confront it, including passing Assembly Bill 32, the world's most aggressive greenhouse gas reduction policy. At the Federal level, President Obama's efforts, through these orders, are critical steps toward reducing greenhouse gas emissions and addressing climate change.

Ensuring compliance with these measures is the least we can do on this critical issue; and, frankly, we should be doing much more. So I urge my colleagues to support the gentleman from Virginia's (Mr. BEYER) amendment and continue this effort to combat climate change.

Mr. BEYER. Mr. Chair, I yield back the balance of my time.

Mr. CALVERT. Mr. Chair, I ask my colleagues to oppose this amendment

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Virginia (Mr. BEYER).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. BEYER. Mr. Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Virginia will be postponed.

AMENDMENT NO. 6 OFFERED BY MRS. BLACKBURN

Mrs. BLACKBURN. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill (before the short title), insert the following:

ACROSS-THE-BOARD REDUCTION

SEC. ____. Each amount made available by this Act is hereby reduced by 1 percent.

The Acting CHAIR. Pursuant to House Resolution 333, the gentlewoman from Tennessee and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Tennessee.

Mrs. BLACKBURN. Mr. Chairman, I want to begin by thanking the committee for the excellent job that they have done under Chairman CALVERT's leadership with bringing this appropriations bill in under budget. It is $3 billion below the President's request. There is still $30.17 billion in proposed funding in this bill.

I come before you today to offer an amendment that I regularly offer to these appropriations bills, which is a 1 percent across-the-board spending cut. Let's go in and let's take one more penny out of every dollar and use that to bolster the good work that our committee has done.

You know, one of the things that I like about this bill is there is a 9 percent reduction in the EPA budget compared to last year. We all know we need to rein in the EPA. We are all for clean air, clean water, clean environment. We have different ways of getting there.

The burdensome regulations that are out there negatively impact—they negatively impact our communities. But we know there is more work that we have to do on this $30 billion budget.

My amendment would reduce the discretionary budget authority by $292 million and would reduce outlays by $193 million.

Now, I know that this is not a popular amendment with a lot of those who feel like we have cut, cut, cut and we can't cut any more.

I disagree with that. I think that you can look at the GAO reports and the inspector general reports and see there is plenty of room to cut. We just recently went into the last 4 years of inspector general reports. Guess what. We found $165 million of identified waste in the Department of the Interior.

It is time to engage our rank-and-file employees in our Federal Government, to make them a team and a partner with us as we work on this issue of getting our budget right-sized.

With that, Mr. Chairman, I reserve the balance of my time.

Mr. CALVERT. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. CALVERT. While I commend my colleague for her consistent work to protect taxpayer dollars, this is not an approach I can support.

While the President may have proposed a budget that exceeds this bill, the increases were paid for with proposals and gimmicks that would never be enacted. This bill makes tough choices within an allocation that adheres to current law.

While difficult trade-offs had to be made, the bill in its current form balances our needs. These trade-offs were carefully weighed for their respective impacts and are responsible.

We prioritize funding for fire suppression, PILT, and meeting our moral obligations in Indian Country, yet the gentlewoman's amendment proposes an across-the-board cut on every one of those programs.

This amendment makes no distinction between where we need to be spending to invest in energy independence and where we need to limit spending to meet our deficit reduction goals.

And, I may point out, the spending problem is not within these discretionary appropriation bills, which we are debating at the present time. It exists primarily in entitlement spending.

So I hope we can spend as much energy on the entitlement side of the budget as we are on the discretionary side of the budget. If so, we would fix our budget problems.

I urge my colleagues to vote ''no'' on this amendment.

I yield such time as she may consume to the gentlewoman from Minnesota (Ms. MCCOLLUM).

Ms. MCCOLLUM. I thank the chairman for yielding me the time.

Mr. Chair, this amendment I strongly oppose. It institutes a 1 percent across-the-board cut.

A few interesting things about the Interior bill. This bill before us today is $2 billion, $2 billion below 2010-enacted levels. And when you adjust this bill for inflation, it is at 2005 levels.

This amendment indiscriminately cuts programs without any thought to the merit of the program that is contained in this bill.

For instance, this would result in fewer patients being able to be seen at the Indian Health Service; fewer safety inspectors ensuring accidents do not occur; deferred maintenance on our Nation's drinking water and sanitation infrastructure, which is already underfunded in this bill.

More generally, investments in our environmental infrastructure and public lands will just be halted, and associated jobs would be lost with it.

As I said earlier, this bill is already underfunded, underfunded. When adjusted for inflation, it is at 2005 levels. This amendment would not encourage agencies to do more with less. It would simply force agencies and our constituents to do less with less.

So I urge Members to oppose this amendment.

Mrs. BLACKBURN. Mr. Chairman, just a couple of comments.

Underfunded? No. We are overspent in this town. We have $18 trillion worth of debt, and it is time to get a handle on that.

Moral obligations? How about the moral obligation to our children and grandchildren?

Admiral Mullen has said the greatest threat to our Nation's security is our Nation's debt.

Let's put the focus on our priorities: keeping our sovereignty and keeping our Nation safe and secure.

This is something we do for our children. It is something we can do for our national security. A penny on a dollar to get this spending under control.

Our approach? Guess what. State and local government use this all the time. They can't go print money and run up debt.

When I was in the State Senate in Tennessee, what did we do? We didn't go home until we balanced the budget because we had an obligation to get it done right the first time, before we walked out the door.

And I do hope that we will put attention on our entitlements. But that is no excuse for not addressing what is in front of us today. To not address what is in front of us today is to kick the can down the road.

I have a lot of constituents who aren't making and taking home as much as they were in 2005. They think we should reduce Federal spending even more, reduce the Federal workforce even more, because government is getting too expensive to afford.

Let's engage Federal employees in this process. It has worked for the States. It will work for the Federal Government. Let's get our fiscal house in order. A good place to start is right here with this amendment that would save another $193 million in outlays and $292 million in discretionary budget authority.

I yield back the balance of my time.

Mr. CALVERT. Mr. Chairman, the last point. I appreciate the gentlewoman's concern about the deficit that we have.

When I came here 24 years ago, 40 percent of our expenditures were on the entitlement side of the budget. Today it is over 60 percent, over 60 percent. So we need to attack that side of the budget line.

If we placed as much energy on entitlement spending as we have on discretionary, not only would the budget be balanced, but we would be moving toward paying off our national debt.

With that, I reluctantly oppose the gentlewoman's amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Tennessee (Mrs. BLACKBURN).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mrs. BLACKBURN. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from Tennessee will be postponed.

Mr. CALVERT. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. HECK of Nevada) having assumed the chair, Mr. CARTER of Georgia, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 2822) making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2016, and for other purposes, had come to no resolution thereon.

MOTION TO PERMIT CLOSED CONFERENCE MEETINGS ON H.R. 1735, NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2016

Mr. THORNBERRY. Mr. Speaker, pursuant to clause 12 of rule XXII, I move that meetings of the conference between the House and Senate on H.R. 1735 may be closed to the public at such times as classified national security information may be broached, provided that any sitting Member of Congress shall be entitled to attend any meeting of the conference.

The SPEAKER pro tempore. Pursuant to clause 12 of rule XXII, the motion is not debatable, and the yeas and nays are ordered.

Pursuant to clause 8 of rule XX, this 15-minute vote on the motion to authorize closure of conference meetings will be followed by a 5-minute vote on the motion to suspend the rules and concur in the Senate amendment to H.R. 91.

The vote was taken by electronic device, and there were—yeas 402, nays 12, not voting 19, as follows:

[Roll No. 390]

YEAS—402

Abraham
Adams
Aderholt
Aguilar
Allen
Amodei
Ashford
Babin
Barletta
Barr
Barton
Bass
Beatty
Becerra
Benishek
Bera
Beyer
Bilirakis
Bishop (GA)
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bonamici
Bost
Boustany
Boyle, Brendan F.
Brady (PA)
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Brownley (CA)
Buchanan
Buck
Burgess
Bustos
Butterfield
Byrne
Calvert
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Carter (GA)
Carter (TX)
Cartwright
Castor (FL)
Castro (TX)
Chabot
Chaffetz
Chu, Judy
Cicilline
Clark (MA)
Clawson (FL)
Clay
Cleaver
Clyburn
Coffman
Cohen
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Connolly
Conyers
Cook
Cooper
Costa
Costello (PA)
Courtney
Cramer
Crawford
Crenshaw
Crowley
Cuellar
Cummings
Curbelo (FL)
Davis (CA)
Davis, Rodney
DeGette
Delaney
DeLauro
DelBene
Denham
Dent
DeSantis
DeSaulnier
DesJarlais
Diaz-Balart
Dingell
Doggett
Dold
Donovan
Doyle, Michael F.
Duckworth
Duffy
Duncan (SC)
Duncan (TN)
Edwards
Ellmers (NC)
Emmer (MN)
Engel
Eshoo
Esty
Farenthold
Farr
Fattah
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foster
Foxx
Frankel (FL)
Franks (AZ)
Frelinghuysen
Fudge
Gabbard
Gallego
Garamendi
Garrett
Gibbs

Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Graham
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Grothman
Guinta
Guthrie
Hahn
Hanna
Hardy
Harper
Hartzler
Hastings
Heck (NV)
Heck (WA)
Hensarling
Hice, Jody B.
Hill
Himes
Holding
Honda
Hoyer
Hudson
Huelskamp
Huffman
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Israel
Issa
Jackson Lee
Jeffries
Jenkins (KS)
Jenkins (WV)
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jolly
Jordan
Joyce
Kaptur
Katko
Keating
Kelly (IL)
Kelly (MS)
Kelly (PA)
Kennedy
Kildee
Kilmer
Kind
King (IA)
King (NY)
Kinzinger (IL)
Kirkpatrick
Kline
Knight
Kuster
Labrador
LaMalfa
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latta
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
LoBiondo
Loebsack
Long
Loudermilk
Love
Lowenthal
Lowey
Lucas
Luetkemeyer
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
MacArthur
Maloney, Sean
Marchant
Marino
Matsui
McCarthy
McCaul
McClintock
McCollum
McDermott
McGovern
McHenry
McKinley
McMorris Rodgers
McNerney
McSally
Meadows
Meehan
Meeks
Meng
Messer
Mica
Miller (MI)
Moolenaar
Mooney (WV)
Moore
Moulton
Mullin
Mulvaney
Murphy (FL)
Murphy (PA)
Nadler
Napolitano
Neal
Neugebauer
Newhouse
Noem
Nolan
Norcross
Nugent
Nunes
O'Rourke
Olson
Palazzo
Pallone
Palmer
Pascrell
Paulsen
Payne
Pearce
Pelosi
Perlmutter
Perry
Peters
Pingree
Pittenger
Pitts
Pocan
Poe (TX)
Poliquin
Polis
Pompeo
Posey
Price (NC)
Price, Tom
Quigley
Rangel
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (NY)
Rice (SC)
Richmond
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Roybal-Allard
Royce
Ruiz
Ruppersberger
Russell
Ryan (OH)
Ryan (WI)
Salmon
Sánchez, Linda T.
Sarbanes
Scalise
Schiff
Schrader
Schweikert
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Sewell (AL)
Sherman
Shimkus
Shuster
Simpson
Sinema
Sires
Slaughter
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Speier
Stefanik
Stewart
Stivers
Stutzman
Swalwell (CA)
Takai
Takano
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tipton
Titus
Tonko
Torres
Trott
Tsongas
Turner
Upton
Valadao
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Walz
Wasserman Schultz
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (FL)
Wilson (SC)
Wittman
Womack
Woodall
Yarmuth
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zeldin
Zinke

NAYS—12

Amash
Blumenauer
DeFazio
Ellison
Harris
Herrera Beutler
Jones
Lummis
Massie
Sanford
Watson Coleman
Welch

NOT VOTING—19

Brown (FL)
Bucshon
Clarke (NY)
Culberson
Davis, Danny
Deutch
Gutiérrez
Higgins
Hinojosa
Lofgren
Maloney, Carolyn
Miller (FL)
Peterson
Rooney (FL)
Rush
Sanchez, Loretta
Schakowsky
Waters, Maxine
Weber (TX)

□ 1855

Mr. ELLISON, Mrs. WATSON COLEMAN, Messrs. BLUMENAUER and SANFORD, and Mrs. LUMMIS changed their vote from ''yea'' to ''nay.''

Messrs. REED and COLE, Ms. BASS, and Mr. SAM JOHNSON of Texas changed their vote from ''nay'' to ''yea.''

So the motion was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

VETERAN'S I.D. CARD ACT

The SPEAKER pro tempore (Mr. CARTER of Georgia). The unfinished business is the vote on the motion to suspend the rules and concur in the Senate amendment to the bill (H.R. 91) to amend title 38, United States Code, to direct the Secretary of Veterans Affairs to issue, upon request, veteran identification cards to certain veterans, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Louisiana (Mr. ABRAHAM) that the House suspend the rules and concur in the Senate amendment.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 411, nays 0, not voting 22, as follows:

[Roll No. 391]

YEAS—411

Abraham
Adams
Aderholt
Aguilar
Allen
Amash
Babin
Barletta
Barr
Barton
Bass
Beatty
Becerra
Benishek
Bera
Beyer
Bilirakis
Bishop (GA)
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Blumenauer
Bonamici
Bost
Boustany
Brady (PA)
Brady (TX)
Bridenstine
Brooks (AL)
Brooks (IN)
Brownley (CA)
Buchanan
Buck
Burgess
Bustos
Butterfield
Byrne
Calvert
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Carter (GA)
Carter (TX)
Cartwright
Castor (FL)
Castro (TX)
Chabot
Chaffetz
Chu, Judy
Cicilline
Clark (MA)
Clawson (FL)
Clay
Cleaver
Clyburn
Coffman
Cohen
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Connolly
Conyers
Cook
Cooper
Costa
Costello (PA)
Courtney
Cramer
Crawford
Crenshaw
Crowley
Cuellar
Cummings
Curbelo (FL)
Davis (CA)
Davis, Rodney
DeFazio
DeGette
Delaney
DeLauro
DelBene
Denham
Dent
DeSantis
DeSaulnier
DesJarlais
Diaz-Balart
Dingell
Doggett
Dold
Donovan
Doyle, Michael F.
Duckworth
Duffy
Duncan (SC)
Duncan (TN)
Edwards
Ellison
Ellmers (NC)
Emmer (MN)
Engel
Eshoo
Esty
Farenthold
Farr
Fattah
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foster
Foxx
Frankel (FL)
Franks (AZ)
Frelinghuysen
Fudge
Gabbard
Gallego
Garamendi
Garrett
Gibbs
Gibson
Gohmert
Goodlatte
Gosar
Gowdy
Graham
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Grayson
Green, Al
Green, Gene
Griffith
Grijalva
Grothman
Guinta
Guthrie
Hahn
Hanna
Hardy
Harper
Harris
Hartzler
Hastings
Heck (NV)
Heck (WA)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Himes
Holding
Honda
Hoyer
Hudson
Huelskamp
Huffman
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Israel
Issa
Jackson Lee
Jeffries
Jenkins (KS)
Jenkins (WV)
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Kaptur
Katko
Keating
Kelly (IL)
Kelly (MS)
Kelly (PA)
Kennedy
Kildee
Kilmer
Kind
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Kinzinger (IL)
Kirkpatrick
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Labrador
LaMalfa
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latta
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
LoBiondo
Loebsack
Long
Loudermilk
Love
Lowenthal
Lowey
Lucas
Luetkemeyer
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lummis
Lynch
MacArthur
Maloney, Sean
Marchant
Marino
Massie
Matsui
McCarthy
McCaul
McClintock
McCollum
McDermott
McGovern
McHenry
McKinley
McMorris Rodgers
McNerney
McSally
Meadows
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Miller (MI)
Moolenaar
Mooney (WV)
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Murphy (FL)
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Newhouse
Noem
Nolan
Norcross
Nugent
Nunes
O'Rourke
Olson
Palazzo
Pallone
Palmer
Pascrell
Paulsen
Payne
Pearce
Pelosi
Perlmutter
Perry
Peters
Pingree
Pittenger
Pitts
Pocan
Poe (TX)
Poliquin
Polis
Pompeo
Posey
Price (NC)
Price, Tom
Quigley
Rangel
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (NY)
Rice (SC)
Richmond
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Roybal-Allard
Royce
Ruiz
Ruppersberger
Russell
Ryan (OH)
Ryan (WI)
Salmon
Sánchez, Linda T.
Sanford
Sarbanes
Scalise
Schiff
Schrader
Schweikert
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Sewell (AL)
Sherman
Shimkus
Shuster
Simpson
Sinema
Sires
Slaughter
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Speier
Stefanik
Stewart
Stivers
Stutzman
Swalwell (CA)
Takai
Takano
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tipton
Titus
Tonko
Torres
Trott
Tsongas
Turner
Upton
Valadao
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Weber (TX)
Webster (FL)
Welch
Wenstrup
Westmoreland
Whitfield
Williams
Wilson (FL)

Wilson (SC)	Yarmuth	Young (IA)
Wittman	Yoder	Young (IN)
Womack	Yoho	Zeldin
Woodall	Young (AK)	Zinke

NOT VOTING—22

Amodei	Davis, Danny	Peterson
Ashford	Deutch	Rooney (FL)
Boyle, Brendan F.	Gutiérrez	Rush
Brat	Higgins	Sanchez, Loretta
Brown (FL)	Hinojosa	Schakowsky
Bucshon	Lofgren	Westerman
Clarke (NY)	Maloney, Carolyn	
Culberson	Miller (FL)	

□ 1906

So (two-thirds being in the affirmative) the rules were suspended and the Senate amendment was concurred in.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. WESTERMAN. Mr. Speaker, on rollcall No. 391, I was in the chamber and my vote did not register. Had I been present, I would have voted "yea."

PERSONAL EXPLANATION

Ms. SCHAKOWSKY. Mr. Speaker, I was unable to vote today on the motion to close portions of the conference report on H.R. 1735 and the Senate amendment to H.R. 91 because I was attending the funeral of a dear friend in Chicago. Had I been present, I would have voted "yea" on both.

PERSONAL EXPLANATION

Mr. GUTIÉRREZ. Mr. Speaker, I was unavoidably absent for the following votes on July 7, 2015. Had I been present, I would have voted "yea" on rollcall votes 390 and 391.

PERSONAL EXPLANATION

Mr. MILLER of Florida. Mr. Speaker, due to being unavoidably detained, I missed the following rollcall votes: No. 390 and No. 391 on July 7, 2015.

If present, I would have voted: rollcall vote No. 390—Authorizing conferees to close meetings for H.R. 1735, to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense and for military construction, to prescribe military personnel strengths for such fiscal year, and for other purposes, "aye," rollcall vote No. 391—on motion to suspend the rules and concur in the Senate amendment to H.R. 91—Veterans I.D. Card Act of 2015, "aye."

REPORT ON RESOLUTION PROVIDING FOR FURTHER CONSIDERATION OF H.R. 5, STUDENT SUCCESS ACT, AND PROVIDING FOR CONSIDERATION OF H.R. 2647, RESILIENT FEDERAL FORESTS ACT OF 2015

Mr. NEWHOUSE, from the Committee on Rules, submitted a privileged report (Rept. No. 114–192) on the resolution (H. Res. 347) providing for further consideration of the bill (H.R. 5) to support State and local accountability for public education, protect State and local authority, inform parents of the performance of their children's schools, and for other purposes, and providing for consideration of the bill (H.R. 2647) to expedite under the National Environmental Policy Act and improve forest management activities in units of the National Forest System derived from the public domain, on public lands under the jurisdiction of the Bureau of Land Management, and on tribal lands to return resilience to overgrown, fire-prone forested lands, and for other purposes, which was referred to the House Calendar and ordered to be printed.

DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2016

The SPEAKER pro tempore (Mr. ROUZER). Pursuant to House Resolution 333 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the bill, H.R. 2822.

Will the gentleman from Minnesota (Mr. EMMER) kindly take the chair.

□ 1910

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 2822) making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2016, and for other purposes, with Mr. EMMER of Minnesota (Acting Chair) in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. When the Committee of the Whole rose earlier today, a request for a recorded vote on amendment No. 6, printed in the CONGRESSIONAL RECORD, offered by the gentlewoman from Tennessee (Mrs. BLACKBURN), had been postponed, and the bill had been read through page 132, line 24.

AMENDMENT OFFERED BY MR. GALLEGO

Mr. GALLEGO. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill, before the short title, insert the following:

SEC. 441. None of the funds made available by this Act may be used to issue a grazing permit or lease in contravention of section 4110.1 or 4130.1-1(b) of title 43, Code of Federal Regulations.

The Acting CHAIR. Pursuant to House Resolution 333, the gentleman from Arizona and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. GALLEGO. Mr. Chairman, I rise to offer an amendment that will reaffirm Congress' support for the enforcement of grazing fees on public lands.

Grazing on public lands is a privilege, not a right, and it is critical that individual ranchers who use these lands abide by the law and pay their fair share.

My commonsense amendment simply confirms that grazing permits or leases should not be issued to anyone who does not comply with BLM regulations. My amendment does not penalize people for forgetting to repair a fence or for forgetting to make a payment once or twice.

Rather, this amendment ensures that egregious violations of grazing regulations are not going to be allowed to happen under the taxpayers' watch, as there are American taxpayers who work every day to ensure that all of their regulations are met.

Mr. Chairman, revenues from grazing fees go toward the management, maintenance, and improvement of public rangeland. The vast majority of ranchers understands how important these efforts are and pay their fees on time, but some ranchers are outright refusing to pay their grazing fees.

One particular rancher, who is well known to the media, has been more than $1 million in arrears since 1993. He has ignored the executive and judicial branches of our government, expanding his herds further onto our lands without permission.

Unauthorized grazing, such as in this case, has the potential to destroy habitat for protected species and to damage public property. In addition, he has instigated volatile situations that has put the lives of local and Federal Government officials at risk.

Unbelievably, some in this body have actually applauded these dangerous actions. That is simply irresponsible. Mr. Chairman, I strongly suspect that, if anyone in my congressional district in Phoenix forcibly resisted paying the Federal Government more than $1 million, he or she would be in handcuffs instead of on television or meeting with potential Presidential candidates.

□ 1915

Ultimately, however, this amendment is about more than one man. It is about upholding the basic principles that our laws should be applied fairly to everyone who lives in this country and uses its public lands.

Mr. Chairman, we must ensure that egregious violations of grazing regulations are not financed by the American taxpayer. To that end, I hope all Members will support this critical amendment.

Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Arizona (Mr. GALLEGO).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. PEARCE

Mr. PEARCE. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available by this Act may be used to increase the rate of any royalty required to be paid to the United States for oil and gas produced on Federal land, or to prepare or publish a proposed rule relating to such an increase.

The Acting CHAIR. Pursuant to House Resolution 333, the gentleman from New Mexico and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New Mexico.

Mr. PEARCE. Mr. Chair, Washington recently issued the advanced notice of rulemaking in which they declared they were going to consider raising the royalty rates on oil and gas production on Federal land. Now, there is several reasons that we would want to consider that before we implemented it, and so our amendment simply says let's stop the process.

First of all, what it does is it is going to drive the royalty rates up on Federal lands. It will be one more impediment to producing the oil and gas that fuels this Nation's economy.

Secondly, small businesses, small independent producers are already under pressure to try to just stay in business, and it would increase their operating costs. For a small State like ours, rural States, the small businesses, these local producers are sources of prosperity that are desperately missing from the rural parts of the country.

If we are going to have an economy that is healthy, if we are going to have an economy that provides jobs for the future, then we need energy that is both affordable and a predictable supply. Nothing is better than producing our own. When we have to import oil from other nations, some of those nations are unstable politically. Some just don't like us as a country; and so why not produce our own energy, providing our own jobs and providing revenues to the Federal Government?

Anytime you increase taxes on a given item, then you are going to see less of that item, and oil and gas is no exception. Let's let the department think about this just a bit more before we rush into a royalty rate which will decrease America's energy supply and make us more dependent on foreign oil.

I reserve the balance of my time.

Ms. PINGREE. Mr. Chair, I claim the time in opposition to this amendment.

The Acting CHAIR. The gentlewoman from Maine is recognized for 5 minutes.

Ms. PINGREE. Mr. Chair, the amendment would prohibit the Bureau of Land Management from using its legal authorities to modernize its royalty rate structure, which would result in less revenue to the Treasury.

The Department of the Interior's oil and gas royalties have been the subject of repeated study by the Government Accountability Office and other entities for many years. In 2008, the GAO said the United States could be forgoing billions of dollars in revenue from the production of Federal oil and gas resources due to the lack of price flexibility in royalty rates and the inability to change the fiscal terms on existing leases. In 2013, the GAO issued another report that noted concern that the Department of the Interior had not taken the steps to change the onshore royalty rate regulations.

Modernizing the Bureau of Land Management's rate structures can provide critical flexibility, especially given the dramatic growth of oil development on public and tribal lands, where production has increased in each of the past 6 years and combined production was up 81 percent in 2004 versus 2008.

It seems to me that it is critical that the Department of the Interior is ensuring that the public is receiving a fair return from the production of oil and gas from Federal leases. This amendment would guarantee a sweetheart deal for Big Oil companies at the expense of the American taxpayer.

I urge my colleagues to oppose this amendment.

I reserve the balance of my time.

Mr. PEARCE. Mr. Chair, I would like to thank my cosponsors on this amendment: Mr. TIPTON, Mr. CRAMER, Mr. LAMBORN, and Mr. ZINKE. I appreciate their presence here.

The gentlewoman raises a significant question whether or not revenues would increase or decrease. We have got a couple of charts here showing exactly what is happening.

First of all, the average number of leases that the BLM issued during each administration, we can see back in the Reagan administration the highest level. It decreases down to—you can see the relative position of the Obama administration. If the administration were really interested in revenues, it seems like they would be producing the permits at a little faster rate.

Then this chart shows the oil production; the increase in oil production in blue is shown here on private lands while the decrease in oil production on the public lands is being shown in the red.

Again, if the administration were very interested, it seems like they would modernize not the royalty rate, but the way in which they approve these wells. Sometimes, wells go for 6 months or a year without being permitted, where States can offer 30-day processing of the permits.

The same is happening with natural gas. Again, we just see the blue on private lands where natural gas production is increasing, dramatic decreases in production of natural gas on Federal lands. Again, it looks like, if the agency were worried about the revenues, they would seek to modernize and update their procedures first.

I yield to the chairman of the committee.

Mr. CALVERT. Mr. Chair, I thank the gentleman for yielding.

Mr. Chair, I thank the gentleman for this amendment. I think it is a good amendment. I certainly understand his concern.

I would urge my colleagues to support the gentleman's amendment.

Mr. PEARCE. I reserve the balance of my time.

Ms. PINGREE. Mr. Chair, I yield 2 minutes to the gentleman from California (Mr. LOWENTHAL).

Mr. LOWENTHAL. Mr. Chair, I rise in opposition to the amendment. The Bureau of Land Management has only just begun the process of examining whether royalty rates and rentals for oil and gas leases on public lands should be increased. That process should be allowed to continue.

GAO recently found that, based upon the results of a number of studies, the U.S. Government receives one of the lowest government takes, commonly understood to be the total revenue, as a percentage of the value of oil and natural gas produced in the entire world.

For example, royalty rates on public land are at 12.5 percent, considerably less than the royalty rates even on State lands, which range from a low of 16.67 percent to 25 percent-plus. These low royalty rates cheat the American taxpayers and keep them from receiving a fair return for the extraction of their oil and gas resources.

However, rental rates are even worse. To secure very valuable mineral rights, sometimes worth hundreds of millions of dollars, companies only have to bid a minimum, and I repeat, a minimum of $2 an acre upfront to win the lease and then $1.50 per acre each year to keep the lease. That is right, a rental of $1.50 per acre per year. This low price was last set by Congress in the 1980s and has not been adjusted since.

This can and should change. Oil companies, some of which generate billions of dollars per quarter in profits, should pay their fair share to the American people for the development of the Nation's public resources. Imagine if your rent had not increased since Ronald Reagan was President or if the local grocery store had not raised their prices since 1987.

The Acting CHAIR. The time of the gentleman has expired.

Ms. PINGREE. I yield the gentleman an additional 30 seconds.

Mr. LOWENTHAL. This scenario may sound too good to be true, but in fact, that is exactly the sweetheart deal that we are currently giving oil and gas industries, a sweetheart deal that should end. All Americans must deal with the unavoidable reality of inflation; so why shouldn't oil and gas companies?

It is long past time for the BLM to assess better ways for the public to receive their fair share. Blocking the BLM from doing that is fiscally irresponsible, a giveaway to the oil and gas companies.

Ms. PINGREE. I reserve the balance of my time.

Mr. PEARCE. Mr. Chair, may I inquire how much time I have remaining?

The Acting CHAIR. The gentleman from New Mexico has 1 minute remaining, and the gentlewoman from Maine has 1 minute remaining.

Mr. PEARCE. Mr. Chair, the assumption that the royalty rates are abnormally low in the United States simply ignores the fact that we have lease

sales on top of the royalties. Many countries fail to have those.

The United States has the most extreme environmental regulations, so the regulatory burden gladly borne by the oil companies is an additional cost that many nations do not have. In addition, we have got income taxes paid by the companies, and many countries don't charge that on top of the royalty.

What we are hearing from our friends on the other side of the aisle about the sweetheart deals, I think, take a look and see actually how much the oil and gas companies are paying. In our State, they have contributed to two of the largest permanent funds in the world held by our State. I think oil and gas companies are paying their fair share by a lot.

What other industry is paying truck drivers $100,000 a year to drive a truck for a contractor? I think that those sorts of computations are simply ignored by the GAO.

Again, I would urge Members to support this amendment.

Mr. Chairman, I yield back the balance of my time.

Ms. PINGREE. Mr. Chair, in spite of the arguments that my colleague from New Mexico has made, I still say this amendment, in my opinion, doesn't pass the straight face test.

I can't imagine my constituents thinking that we should make things any easier for the oil and gas companies or that we should be giving away the opportunity to earn taxpayer revenue on our Federal lands.

The Federal onshore royalty rate has not been increased since 1920. That is 95 years. The offshore royalty rate is 18.75 percent; yet the onshore rates have been stuck at 12.5 percent for 95 years. Where is the equity in that?

As far as I am concerned, I think it is time for the American taxpayers to get a fair return on the use of public resources, especially from some of the most profitable companies in the world. I urge my colleagues to oppose this amendment.

Mr. Chair, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from New Mexico (Mr. PEARCE).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Ms. PINGREE. Mr. Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from New Mexico will be postponed.

AMENDMENT OFFERED BY MR. HUFFMAN

Mr. HUFFMAN. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill, before the short title, insert the following:

SEC. ____. None of the funds made available by this Act may be used to implement National Park Service Director's Order 61 as it pertains to allowing a grave in any Federal cemetery to be decorated with a Confederate flag.

The Acting CHAIR. Pursuant to House Resolution 333, the gentleman from California and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

□ 1930

Mr. HUFFMAN. Mr. Chair, I yield myself such time as I may consume.

I appreciate very much the bipartisan support and passage of my earlier amendment, which would end the practice of concessionaires in our national parks selling Confederate flags and memorabilia of the Confederacy.

We now, with this Interior Appropriations bill, have a second opportunity to speak on this very important national debate that we are having regarding symbols of the Confederacy. This additional amendment will end the practice of allowing groups to display Confederate flags on federally managed cemeteries.

The American Civil War was fought, in Abraham Lincoln's words, to ''save the last best hope of Earth.'' We can honor that history without celebrating the Confederate flag and all of the dreadful things that it symbolizes.

I request an ''aye'' of my colleagues, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from California (Mr. HUFFMAN).

The amendment was agreed to.

AMENDMENT NO. 9 OFFERED BY MR. WALBERG

Mr. WALBERG. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill (before the short title), insert the following:

LIMITATION ON FUNDS

SEC. ____. None of the funds made available by this Act may be used by the Environmental Protection Agency to lobby in contravention of section 1913 of title 18, United States Code, on behalf of the proposed rule entitled ''Definition of 'Waters of the United States' Under the Clean Water Act'' (79 Fed. Reg. 22188; April 21, 2014).

The Acting CHAIR. Pursuant to House Resolution 333, the gentleman from Michigan and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Michigan.

Mr. WALBERG. Mr. Chairman, my amendment tells the Environmental Protection Agency to follow the law and clearly establishes the view of Congress that the EPA cannot lobby on behalf of the waters of the U.S. rule, in violation of the Anti-Lobbying Act.

Over the past few years, the EPA has been pushing the limits of its statutory authority to the issue of the waters of the U.S. rule. Now, we have learned that, as part of their efforts to regulate every pond, stream, and ditch in America, the EPA may have violated the Anti-Lobbying Act to garner public comments in support of the proposed rule, even though the Department of Justice has consistently stated that the act prohibits Federal agencies from engaging in substantial grassroots lobbying.

In fact, The New York Times recently reported:

In a campaign that tests the limits of Federal lobbying law, the Agency orchestrated a drive to counter political opposition from Republicans and enlist public support in concert with liberal environmental groups and a grassroots organization aligned with President Obama.

The New York Times went on to say as well:

The most contentious part of the EPA's campaign was deploying Thunderclap, a social media tool that spread the Agency's message to hundreds of thousands of people, a ''virtual flash mob,'' in the words of Travis Loop, the head of communications for EPA's water division.

Mr. Chairman, this is unseemly. The EPA Administrator later used the skewed results as evidence of public support before Congress.

For this reason, my amendment is needed to make clear that the EPA shall not violate the Anti-Lobbying Act while pursuing the completion of the waters of the U.S.

I respectfully urge all my colleagues to support my amendment.

Mr. CALVERT. Will the gentleman yield?

Mr. WALBERG. I yield to the gentleman from California.

Mr. CALVERT. I thank the gentleman for yielding.

I agree with the gentleman and with The New York Times that this is why the underlying bill reduces funding for certain offices within EPA that were responsible for these questionable actions.

Therefore, this language is complementary to the approach the committee has already taken in the bill, and I urge an ''aye'' vote on the amendment.

Mr. WALBERG. I reserve the balance of my time.

Ms. PINGREE. Mr. Chairman, I claim time in opposition to the amendment.

The Acting CHAIR. The gentlewoman from Maine is recognized for 5 minutes.

Ms. PINGREE. The gentleman's amendment would prohibit funds in the act from being used to lobby on the waters of the U.S. There is an existing prohibition on lobbying that applies to all Federal employees that has been in place since 1919, so this is an unnecessary and redundant amendment.

I would remind my colleagues that Federal employees are not prohibited from providing information to Congress on legislation, policies, or programs. There must be an open dialogue between the legislative and executive branches to ensure that laws are being implemented appropriately and programs achieve their intended goals.

We should not and cannot operate in an information vacuum. We don't need

to add extraneous, redundant provisions to a bill that is already overburdened with harmful legislative riders.

I urge my colleagues to oppose the amendment, and I reserve the balance of my time.

Mr. WALBERG. Mr. Chairman, I thank the gentlewoman for her comments.

It is the law, and that is all I am trying to substantiate, but I have read to you not from an organ of the conservative Republican Party side, but from The New York Times.

They also went on to say:

> The architect of the EPA's new public outreach strategy is Thomas Reynolds, a former Obama campaign aid who was appointed in 2013 as an associate administrator.

He said this in relationship to flash mob tactics and the lobbying efforts:

> We are just borrowing new methods that have proven themselves as being effective.

Mr. Chairman, it may be effective, but it is unseemly that EPA, an agency of the Federal Government, would violate the law in lobbying and trying then to show Congress through trumped up evidence that they have produced through lobbying the private sector that they have support for the waters of the U.S. rule.

Mr. Chairman, that is why I think we need to establish it here very clearly in this appropriations bill.

I reserve the balance of my time.

Ms. PINGREE. Mr. Chairman, I oppose this amendment, and I yield back the balance of my time.

Mr. WALBERG. Mr. Chairman, I urge support, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Michigan (Mr. WALBERG).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. PETERS

Mr. PETERS. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

> At the end of the bill (before the short title), insert the following:
>
> LIMITATION ON USE OF FUNDS
>
> SEC. ____. None of the funds made available by this Act may be used to enforce section 435 of this Act.

The Acting CHAIR. Pursuant to House Resolution 333, the gentleman from California and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. PETERS. Mr. Chairman, my amendment would not allow any funds to enforce section 435 of this bill, which is another harmful policy rider that limits the ability of our environmental agencies to take action to improve public health and fight the root causes of climate change.

This section blocks the EPA's ongoing efforts to regulate hydrofluorocarbons, or HFCs, which is the wrong approach. HFCs are factory-made gases used in air conditioning and refrigeration and are up to 10,000 times more potent than carbon dioxide. This potency has led to HFCs being referred to as a superpollutant. Unless we act now, United States emissions are expected to double by 2020 and triple by 2030.

While not as abundant as carbon dioxide, superpollutants, also known as short-lived climate pollutants—including HFCs, methane, and black carbon—have contributed up to 40 percent of observed global warming.

By limiting the EPA's authority under the Clean Water Act to propose, finalize, or enforce any regulation or guidance regarding HFCs, we undercut their ability to protect public health and demonstrate American leadership in emission reductions.

The EPA's Significant New Alternatives Policy Program, or SNAP, requires us to evaluate substitutes for superpollutants like HFCs that are harming public health and our environment. Through SNAP, we can ensure a more smooth transition to safer alternatives for our country's industrial sector.

Within the last week, EPA finalized a new rule on HFCs that the Environmental Investigation Agency estimates will avoid superpollutant emissions equal to the annual greenhouse gas emissions of more than 21 million cars by 2030. It will allow heavy users of HFCs, including supermarkets, which are the largest source of HFC emissions, to continue developing cleaner alternatives.

As we continue international negotiations to phase down HFCs, the United States should be a leader in reducing the use of HFCs and other superpollutants. The standard set by EPA will drive U.S. and international innovation and market development of low-emission and energy-efficient refrigeration, air conditioning, foam-blowing agents, and aerosol technologies.

These innovations will actually get at one of the root causes of climate change before we are forced to react to increasingly extreme weather and sea level rise.

American industry has already begun creating alternatives that both have a lower emissions profile and are more energy efficient than current HFCs, and last September, we saw major companies—including Coca-Cola, Carrier, DuPont, Honeywell, PepsiCo, and other industry leaders—commit to voluntarily reducing harmful HFC emissions.

My amendment simply bars funding to enforce section 435 of this bill so we can instead continue with existing rules and move our country's global leadership in finding innovative solutions to reducing emissions forward. We should not be handcuffing the important work being done at EPA to reduce superpollutants.

I ask my colleagues to support the amendment, and I reserve the balance of my time.

Mr. CALVERT. Mr. Chairman, I rise in opposition to the gentleman's amendment.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. CALVERT. The committee still has concerns about the costs, technology requirements, and compliance periods in the final rule. It is not clear why EPA divided some categories into subcategories and provided different deadlines for similar products.

The EPA clearly chose winners and losers. For the losers, the timetables remain unworkable. Manufacturers need time to implement engineering and technology changes and address new risk and safety challenges. Historic experience with the Montreal Protocol indicates that manufacturers need approximately 6-plus years to successfully transition between new materials.

This new rule will particularly be hard on small businesses. The large businesses that the gentleman mentioned have the resources and the technologies available to them to comply quicker. These smaller businesses will find it very difficult to comply with DOE's energy conservation standards.

EPA's proposal is not being driven by a statutory mandate, so the committee believes additional time is warranted. The EPA left critical decisions regarding energy, efficiency, and system performance up to the manufacturers; and they need time to get this right.

I urge my colleagues to vote ''no'' on this amendment, and I reserve the balance of my time.

Mr. PETERS. Mr. Chairman, I appreciate very much the constructive comments by my colleague, the gentleman from California. I would just suggest this is not the way to deal with these issues, but rather to address them via policy approach.

Section 435 of this bill will just take out the legs from all work we would do on HFCs and superpollutants, and it is just too broad a brush to paint with.

I urge a ''yes'' vote on this amendment, and I yield back the balance of my time.

Mr. CALVERT. I urge opposition to this amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from California (Mr. PETERS).

The amendment was rejected.

□ 1945

AMENDMENT NO. 30 OFFERED BY MR. WALDEN

Mr. WALDEN. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

> At the end of the bill (before the short title), insert the following new section:
>
> RESOURCE MANAGEMENT PLANS
>
> SEC. ____. None of the funds made available by this Act may be used to complete or implement the revision of the resource management plans for the Coos Bay, Eugene, Medford, Roseburg, or Salem Districts of the Bureau of Land Management or the Klamath

Falls Field Office of the Lakeview District of the Bureau of Land Management proposed in the Bureau of Land Management Notice of Availability of the Draft Resource Management Plan Revisions and Draft Environmental Impact Statement for Western Oregon published in the Federal Register on April 24, 2015 (80 Fed. Reg. 23046).

The Acting CHAIR. Pursuant to House Resolution 333, the gentleman from Oregon and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Oregon.

Mr. WALDEN. Mr. Chairman, the past several decades have been really hard on Oregon's forested communities as timber harvest from Federal lands dropped more than 90 percent because of, in part, litigation, lack of management, government regulation.

Across the State, we have lost more than 300 forest product mills. They have closed. We have lost more than 30,000 forest-related jobs. This has left our communities in really bad shape, nearing bankruptcy in some cases in our counties, high poverty rates in our communities. Unemployment rates are high in these forested areas and, of course, we face, without active management, these enormous forest fires that contribute massively to the carbon buildup.

Recently, the BLM released a proposed update to their two-decade, 20-year-old management plan in western Oregon. The vast majority of the forests covered by these plans are what are called O&C lands, which are managed by a very unique Federal statute called the O&C Act. That law calls for sustainable timber production and revenue to local counties. It is different than the other forest laws.

Now, despite that clear mandate in Federal law, the BLM's proposal would allow for harvesting on about 22 percent is all, 22 percent of the land base. It would lock up the remainder in various reserves.

Oregon's forested counties, some of which have more than 70 percent of their land controlled by the Federal Government, rely on receipts from Federal timber projects to fund basic needs like law enforcement, schools, and other essential services. Unfortunately, under BLM's proposal, these counties would receive an estimated 27 percent is all of their historical average receipt—27 percent.

Now, while the BLM's proposed plans fall far short of meeting these communities' needs, it seems the agency is determined to push forward anyway with these plans.

In a bipartisan effort, the entire Oregon Congressional Delegation requested a 120-day extension of the comment period so that the counties and other interested parties have time to thoroughly review the more than 1,500 pages of analysis and provide some useful input and comment.

Apparently, the BLM isn't interested in that input, since I understand they will be rejecting our request and moving forward with their plan under their current timeline. That is really disappointing. You see, these local communities are most affected by the management changes on the Federal land that surrounds them, and the BLM, I wish, would care more about their input than a self-imposed deadline likely out of some office back here.

This amendment would simply delay the BLM's implementation of these proposed plans. That would give more time for our counties and interested parties to thoroughly review the more than 1,500 pages of analysis. It would also give the agency time to consider additional alternatives that better incorporate the clear mandates of the O&C Act.

I want to quote, Mr. Chairman, from the Portland Oregonian. This is the statewide newspaper that probably leans a little more to the left. They said: ''Minimally, BLM needs to extend its comment period and develop more alternatives to be considered. But it is unlikely to develop any alternative that would be acceptable to the industry, counties and environmental advocates. Congress, not a government agency, needs to step up and help solve this long-festering problem.''

Mr. Chairman, with Oregon's wildfire season well off to a terrible start, we need time to review these plans, get active management on these forestlands, and by passing this amendment, we will give the taxpayers, the people who live there, a better opportunity to weigh in. So I urge support.

I yield such time as he may consume to the gentleman from California (Mr. CALVERT), the chairman of the committee.

Mr. CALVERT. Mr. Chairman, I thank the gentleman for offering the amendment and yielding me time.

I appreciate the concerns that he brings to us today. It is troubling that the Bureau of Land Management has proposed land use plans that appear to contradict its multiple-use mandate. So with that, I would happily accept his amendment.

Mr. WALDEN. Mr. Chairman, I reserve the balance of my time.

Ms. PINGREE. Mr. Chair, I claim the time in opposition to the amendment.

The Acting CHAIR. The Chair recognizes the gentlewoman from Maine for 5 minutes.

Ms. PINGREE. Mr. Chair, I appreciate the concerns raised by the gentleman from Oregon, but this amendment would prohibit the Bureau of Land Management from completing or implementing updates to certain resource management plans in western Oregon.

These updated plans cover 2.5 million acres of land that play an important role in the social, economic, and ecological well-being of western Oregon, as well as to the American public generally. The plans determine how BLM-administered lands will be managed to further the recovery of threatened and endangered species, provide for clean water, restore fire-adapted ecosystems, produce a sustained yield of timber products, and coordinate land management of surrounding tribal land.

The amendment would suspend the BLM's authority to implement a new resource management plan in western Oregon. As a result, the BLM would be forced to rely on a 20-year-old outdated plan that doesn't incorporate significant new information. For example, the old plan does not include important conservation activities, such as the northern spotted owl recovery plan. The amendment would block one of the most comprehensive and detailed landscape plans that the BLM has ever developed and would ignore significant public input. The public has a right to engage in the management decisions of their Federal lands.

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

Mr. WALDEN. Mr. Chairman, I would suggest that the spotted owl is covered by their planning process today in some measure because it certainly contributed to the downfall of our communities, absent this plan.

Look, all we are asking for is time for people to have a better chance to review what this Federal agency, after 20 years, has finally come up with—1,500 pages. I think they should have a chance, as do my colleagues, including Mr. SCHRADER, a member of your party, supporting this amendment. So it is a bipartisan Oregon approach that I would hope my colleague from Maine would share that we need to do better managing America's Federal forests.

Turn on the TV. They are going up in flames right now. I don't like that for the habitat. I don't like that for the communities. I don't like that for what the firefighters have to face.

I think we can do better. Most observers in the State think we can do better, and I would encourage my colleagues on both sides of the aisle to support this amendment.

Mr. Chairman, I yield back the balance of my time.

Ms. PINGREE. Mr. Chairman, again, I just want to say I appreciate the concerns that the gentleman from Oregon has raised, and other Members from Oregon who share those concerns. I thought it was important to address some of the considerations and concerns that we have with this amendment.

Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Oregon (Mr. WALDEN).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. LOWENTHAL

Mr. LOWENTHAL. Mr. Chairman, I rise to offer an amendment to require companies to follow the law if they want to export crude oil from the United States.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

LIMITATION ON USE OF FUNDS TO ISSUE ANY NEW FEDERAL OIL AND GAS LEASES AND DRILLING PERMITS

SEC. ____. None of the funds made available by this Act may be used to issue any new Federal oil and gas lease or drilling permit to any person that does not commit to following Department of Commerce regulations regarding the requirement of obtaining a license for exporting crude oil.

Mr. CALVERT. Mr. Chairman, I reserve a point of order.

The Acting CHAIR. A point of order is reserved.

Pursuant to House Resolution 333, the gentleman from California and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. LOWENTHAL. Mr. Chairman, as I mentioned, I offer this amendment to require companies to follow the law if they want to export crude oil from the United States.

I want to make it clear. This amendment is not about whether we should lift the crude oil export ban altogether. That is a debate for a different time and a different bill. This is about those narrow cases where companies are currently able to export crude oil in limited quantities but are also choosing not to follow the rules.

Last summer, the Commerce Department ruled that two companies could export very light crude oil, called condensate, after it had been lightly processed. That decision meant that those companies would not need to obtain a license to export crude oil even though licenses are required for all other crude oil exports.

Because of that ruling, which I believe was inappropriate, another company decided that they, too, would begin exporting their own light crude oil without even asking the Commerce Department for a decision first, let alone try to get a license.

Since then, exports have skyrocketed. From January 2010 until June 2014, when the Commerce Department made that ruling, we exported about 97,000 barrels of crude oil a day, mostly to Canada. Since that day in June of 2014, our oil exports have quadrupled to an average of over 400,000 barrels a day, hitting all-time record levels, with more and more of that crude oil going to Europe and to Asia.

I don't think we should be exporting so much of our domestic oil when we are still importing roughly 7 million barrels every day. We may be the world's number one oil producer, but we are still the world's number one oil importer.

If we want to change that, we shouldn't be letting oil companies simply ship American crude oil anywhere in the world that they want to. We should certainly also not let them ignore existing laws and regulations in order to do so. First and foremost, oil produced in America, particularly oil from America's public lands that belong to the American people, should remain in this country for the benefit of the American people.

If we are going to allow these companies to export oil, they must follow the law. They simply can't take matters into their own hands and decide whether they need or do not need a license before shipping this oil all over the world.

My amendment is a simple, commonsense solution to this problem. It simply states, if you are going to drill on public land, you must follow the legal process for getting an export license if you want to ship that oil elsewhere.

This is not an onerous restriction. It only applies to public land, only requires companies to commit to following the existing process for getting a license with the Department of Commerce. That way, the Commerce Department can evaluate these options on a case-by-case basis to determine if they are in the national interest.

The concept of exporting American crude oil is too important to let the companies make that call on their own.

Mr. Chair, I ask unanimous consent to withdraw this amendment.

The Acting CHAIR. Is there objection to the request of the gentleman from California?

There was no objection.

□ 2000

VACATING DEMAND FOR RECORDED VOTE ON AMENDMENT OFFERED BY MR. YOHO

Mr. YOHO. Mr. Chair, I ask unanimous consent that the request for a recorded vote on my amendment be withdrawn to the end that the amendment stand disposed of by the voice vote thereon.

The Acting CHAIR. The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

The Acting CHAIR. Without objection, the request for a recorded vote is withdrawn. Accordingly, the noes have it, and the amendment is not adopted.

There was no objection.

AMENDMENT OFFERED BY MR. HARDY

Mr. HARDY. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill, before the short title, insert the following:

SEC. 441. None of the funds made available by this Act may be used to make a Presidential declaration by public proclamation of a national monument under chapter 3203 of title 54, United States Code in the counties of Mohave and Coconino in the State of Arizona, in the counties of Modoc and Siskiyou in the State of California, in the counties of Chaffee, Moffat, and Park in the State of Colorado, in the counties of Lincoln, Clark, and Nye in the State of Nevada, in the county of Otero in the State of New Mexico, in the counties of Jackson, Josephine and, Malheur in the State of Oregon, or in the counties of Wayne, Garfield, and Kane in the State of Utah.

The Acting CHAIR. Pursuant to House Resolution 333, the gentleman from Nevada and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Nevada.

Mr. HARDY. Mr. Chairman, I rise today to offer an amendment with my good friends from Arizona, California, Colorado, New Mexico, Oregon, and Utah to prohibit public land management agencies in this bill from making declarations under the Antiquities Act in counties where there is significant local opposition.

Mr. Chairman, I would like to begin by stating my strong support for our Nation's public lands. As an active hunter and an outdoorsman, I marvel at the beauty of our landscapes, our unique flora, and the abundant animal species that roam our terrain.

With that being said, I also come from Nevada, a State where roughly 85 percent of the land is controlled by the Federal Government.

Addressing this concentration of land use decisionmaking power in the hands of Washington bureaucrats has been one of the strong motivating factors during my time in this body, as I am sure that it has been for many of my colleagues in the Western States.

While this concentration is certainly a topic that should be addressed by the authorizing committees, I believe that we can and should take an important step here today.

A recent prominent example demonstrating the need for this amendment is the administration's draft proclamation to establish the Basin and Range National Monument on more than 700,000 acres of land in Lincoln and Nye Counties in my district.

Not only is the sheer size of the proposed monument staggering, being nearly as large as many of the Eastern States, it also poses some significant risks, both local and national in scope.

Nevada's economy was one of the hardest hit by the Great Recession, and far too many in our State are still struggling to get by. Nevada's rural county economies are particularly sensitive, and any decision that restricts ranching, recreation, and types of land use activities should have much of the local input as possible.

Earlier this year I spoke on the floor of the House about the national security implications of designating the Basin and Range, given that most of the acreage in the proposed monument falls directly under the airspace of the Nevada Test and Training Range, one of the most heavily used military operating areas, or MOAs, in the United States. Establishing this monument could drastically impair vital ground-based training activities tied to the NTTR.

Mr. Chairman, I yield 1 minute to my colleague from Arizona (Mr. GOSAR).

Mr. GOSAR. Mr. Chairman, in my home State of Arizona, a few special interest groups have been pushing the President to unilaterally designate a massive new 1.7-million-acre national monument in the Grand Canyon watershed.

Twenty-six Members of Congress have joined me in opposing this misguided effort, and there is significant local opposition.

Here is a sample of those resolutions, and I would like to share a few of their comments here:

''The creation of a national monument by Presidential declaration does not allow for input from local communities . . . and could result in negative impacts for . . . grazing, hunting, water development and forest restoration . . . which would result in negative economic and public health impacts to the City of Williams.

''The Arizona Game and Fish Commission is concerned that the potential monument . . . 'will impede proactive and effective management of wildlife populations and habitats . . . and may result in reduced hunter opportunities and loss of revenues that directly support conservation and local communities.' ''

I could provide several more examples but will stop there.

I urge the adoption of the amendment.

Mr. HARDY. Mr. Chairman, I now ask how much time I have remaining.

The Acting CHAIR. The gentleman from Nevada has 1½ minutes remaining.

Mr. HARDY. I yield 1 minute to my distinguished colleague from Utah (Mr. BISHOP).

Mr. BISHOP of Utah. Mr. Chairman, this Antiquities Act was passed over a century ago in 1906, when four States weren't even in the Union at that time. They were still territories.

There are absolutely no environmental laws that we had at that particular time protecting anything. Yet, this act was not used by every President. In fact, most Presidents never used it. Ronald Reagan never used it. Most Presidents only used it one time.

It was changed, starting with the Jimmy Carter administration, so that no longer is this act that was supposed to protect antiquities—thus, the name the Antiquities Act—used to protect antiquities. It was used as a political weapon and abused as a political weapon. The saddest part is there is absolutely no input that has to be guaranteed by this act.

In fact, the vast majority of monuments that were created through this Antiquities Act, there was no public input whatsoever. Any public input that took place was purely by accident, purely by coincidence.

The people in the counties that are designated in this amendment need to have the right to have some input in how land decisions are used that area. That is what this amendment does.

Give them the chance to be heard because, under the present Antiquities Act, they are not heard.

Mr. GRIJALVA. Mr. Chair, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Arizona is recognized for 5 minutes.

Mr. GRIJALVA. Mr. Chairman, this amendment would place uncalled-for restrictions and undercut any President from using their authority under the Antiquities Act to establish a national monument, an authority, I should add, that has been available to Presidents for 100 years.

The Antiquities Act is an important tool that enables the President to protect and strengthen America's heritage. Since Theodore Roosevelt first designated the national monument Devil's Tower in Wyoming, 16 Presidents from both parties have used the Antiquities Act to protect more than 160 of America's best known and loved landscapes. Only three Presidents have not.

National monuments tell the story of the American people. Out of 460 national monuments and national parks, 113 reflect the diverse community that makes up our Nation. Nineteen recognize the achievements of the Latino community, twenty-six of the African American community, and eight for women.

It should be noted that an important factor in the designation process is the First Americans, the Native Americans, their legacy, their heritage, and their cultural and historic resources on the land.

But with the Antiquities Act, the lack of diversity reflected in our public units, whether it is parks or national monuments, is changing.

President Obama has been using the Antiquities Act to diversify the story of public lands with new designations such as the Cesar Chavez National Monument in Keene, California, which he recently designated.

Since the beginning of his administration, the President used this authority to create national monuments that recognize the contributions of Africa Americans and other diverse voices in this country.

The Center for American Progress published a report that found that 33 percent of presidential designations are inclusive of the American people, compared to only 20 percent of the designations done by Congress.

America's public places are becoming more inclusive, more representative of all Americans because of the Antiquities Act. This amendment would jeopardize that progress. I urge its defeat.

I reserve the balance of my time.

Mr. HARDY. How much time remains, Mr. Chairman?

The Acting CHAIR. The gentleman from Nevada has 30 seconds remaining. The gentleman from Arizona has 3 minutes remaining.

Mr. GRIJALVA. Mr. Chairman, let me point out some obvious points.

This amendment, as I said earlier, would undermine conservation of public lands and stall efforts to ensure that our public places tell the very important diverse story of America and be representative of all Americans.

Development and conservation—to say that this would deny jobs and opportunities to particular regions is not true.

Over 9 million acres are available right now under energy leases from the Obama administration compared to—those were added to it—only 4.1 million acres that are now land that is protected.

Since its enactment in 1906, 16 Presidents have used it. 160 of America's best known landscapes have been preserved. National monuments designated under the Antiquities Act are comprised of existing Federal lands only. No new lands are added to the Federal estate by these designations.

National monument designations have better reflected the complexity—and Presidents have used that—of our Nation, ensuring that the voices of a changing and diverse community, which is this country, is told as we change and as we go forward.

I would urge a ''no'' vote. Undercutting an authority that existed for 100 years that has brought benefit to the Nation, enhanced the cultural, historic, and conservation ethics of this Nation should be preserved.

With that, I urge a ''no'' vote amendment. It is unneeded, restrictive, and goes against a tradition and an authority that has existed in this country for 100 years.

I hope this effort is not about who is President at this time, but it is an authority that has been with us for 100 years.

I yield back the balance of my time.

Mr. HARDY. Mr. Chairman, in closing, I would just like to reiterate to my colleagues that voting for this amendment is a vote for empowering the communities and the local stakeholders most affected by the monument designations.

Doing so will increase transparency, allow local input, and provide improved management of our public lands. It will fulfill the responsibility to ensure these communities have a legitimate voice in the process.

I strongly urge a ''yes'' vote.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Nevada (Mr. HARDY).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Ms. MCCOLLUM. Mr. Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Nevada will be postponed.

AMENDMENT OFFERED BY MR. ENGEL

Mr. ENGEL. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available by this Act may be used by the Department of the Interior, the Environmental Protection Agency, or any other Federal agency to lease or purchase new light duty vehicles for

any executive fleet, or for an agency's fleet inventory, except in accordance with Presidential Memorandum—Federal Fleet Performance, dated May 24, 2011.

The Acting CHAIR. Pursuant to House Resolution 333, the gentleman from New York and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New York.

Mr. ENGEL. Mr. Chairman, on May 24, 2011, President Obama issued a memorandum on Federal fleet performance that required that all new light-duty vehicles in the Federal fleet to be alternative fuel vehicles, such as hybrid, electric, natural gas, or biofuel by December 31, 2015.

My amendment echoes the President's memorandum by prohibiting funds in this act from being used to lease or purchase new light-duty vehicles unless that purchase is made in accord with the President's memorandum.

I have submitted identical amendments to 18 different appropriations bills over the past few years, and every time they have been accepted by both the majority and the minority. I hope my amendment will receive similar support today.

Global oil prices are down. We no longer pay $147 per barrel. But despite increased production here in the United States, the global price of oil is still largely determined by OPEC.

Spikes in oil prices have profound repercussions for our economy. The primary reason is that our cars and trucks run only on petroleum.

□ 2015

We can change that with alternative technologies that exist today. The Federal Government operates the largest fleet of light-duty vehicles in America, over 633,000 vehicles. Almost 35,000 of these vehicles are within the jurisdiction of this bill.

Mr. Chairman, when I was in Brazil a few years ago, I saw how they diversified their fuel use. People there can drive to a gas station and choose whether to fill their vehicle with gasoline or with ethanol. They make their choice based on cost or whatever criteria they deem important.

I want the same choice for American consumers. That is why I am also proposing a bill this Congress, a bipartisan bill, as I have done many times in the past, which will provide for cars built in America to be able to run on a fuel instead of or in addition to gasoline. It is virtually very inexpensive, under $100 per car; and if they do it in Brazil, we can do it here.

In conclusion, Mr. Chairman, expanding the role these alternative technologies play in our transportation economy will help break the leverage that foreign government controlled oil companies hold over Americans. It will increase our Nation's domestic security and protect consumers.

Mr. Chairman, I ask that my colleagues support the Engel amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from New York (Mr. ENGEL).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. BYRNE

Mr. BYRNE. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available by this Act may be used to propose or develop legislation to redirect funds allocated under section 105(a)(2)(A) of the Gulf of Mexico Energy Security Act of 2006 (43 U.S.C. 1331 note).

The Acting CHAIR. Pursuant to House Resolution 333, the gentleman from Alabama and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Alabama.

Mr. BYRNE. Mr. Chairman, my straightforward amendment would prohibit any effort to redirect funds allocated under the Gulf of Mexico Energy Security Act, also referred to as GOMESA.

GOMESA was passed in 2006 and created a revenue sharing agreement for offshore oil revenue between the Federal Government and four States in the Gulf of Mexico: Texas, Louisiana, Mississippi, and my home State of Alabama.

Under GOMESA, 37.5 percent of the revenues generated from selected oil and gas lease sales in the Outer Continental Shelf of the Gulf of Mexico is returned to these Gulf States. There is a reason the law was structured this way.

These Gulf States not only provide the lion's share of the infrastructure and workforce for the industry in the Gulf of Mexico; we also have inherent environmental and economic risks. The BP oil spill 5 years ago should tell us all what that means.

Unfortunately, Mr. Chairman, in his budget proposal this year, President Obama has recommended that the Bureau of Ocean Energy Management, under the Department of the Interior, redirect the distribution of expanded revenue payments expected to start in 2018 for the Gulf of Mexico oil and gas leases away from the Gulf Coast and instead be spent all around the country.

Not only does this proposal directly contradict the current Federal statute, it vastly undermines the purpose of the law, to keep revenues from these lease sales in the States that supply the workforce and have the inherent risk of a potential environmental and economic disaster.

My amendment today is simple, to protect the clearly defined statute and prevent the President from using these revenue sharing agreements as a slush fund for politically driven environmental projects across the country.

Regardless of whether you are from a Gulf Coast State or not, I would urge my colleagues to vote in favor of this important amendment to protect the rule of law to support our coastal communities.

Mr. Chairman, I yield such time as he may consume to the gentleman from California (Mr. CALVERT), the chairman.

Mr. CALVERT. Mr. Chairman, I thank the gentleman for yielding, and I would urge adoption of the gentleman's amendment.

Mr. BYRNE. Mr. Chairman, I reserve the balance of my time.

Ms. McCOLLUM. Mr. Chair, I claim the time in opposition to express a few concerns.

The Acting CHAIR. The gentlewoman from Minnesota is recognized for 5 minutes.

Ms. McCOLLUM. Mr. Chair, this amendment is an overreaction to a policy proposal in the administration's—in the administration's—2016 budget request.

The President's budget requested to propose to direct funds currently allocated to payments to States and shift them more towards Federal programs that serve the Nation more broadly.

Now, this is a proposal that the President suggested in his budget, and it wasn't included in this bill because the Appropriations Committee just flat out rejected it. This is an appropriations process. That is what it is. It is a process.

The administration submitted a proposal. The committee evaluated it. It had the power to accept it or reject it. The proposal lay with the committee as to what to do. As I said, the committee rejected it.

This amendment would unnecessarily stifle any proposals to amend current formula, which is unnecessary because Congress would need to enact legislation before any changes could be made to the formula.

The Department of the Interior doesn't have the authority to change the formula through rulemaking or other administrative action. Basically, this amendment would prohibit the Department from even suggesting an idea for Congress to consider.

I just wanted to claim the time in opposition, Mr. Chair, just to say I really think this amendment—although it appears that the majority is going to take it and I am not going to ask for a vote or anything on it—is just really, in my opinion, political overreach.

Mr. Chair, I yield back the balance of my time.

Mr. BYRNE. Mr. Chairman, I wish that these sorts of amendments were unnecessary, but the way this administration plays fast and loose with its interpretation of the law, particularly through these administrative agencies, I am afraid it is necessary to protect a law passed by this Congress in 2006 in recognition of the inherent risk that these four Gulf States have produced so much energy for this country have, and

without it, we will have an agency that will take the laws that exist—even this appropriations bill—and interpret it the way they want to, and this amendment makes it very clear they can't do that, that these four coastal States will retain control over these moneys as it was enacted by this Congress in 2006.

Mr. Chairman, I respect the gentlewoman's point of view. I wish it were unnecessary, but given the behavior of this administration through these administrative agencies, I am afraid it is necessary.

Mr. Chairman, I ask for the Members to support this amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Alabama (Mr. BYRNE).

The amendment was agreed to.

AMENDMENT NO. 34 OFFERED BY MR. GRAYSON

Mr. GRAYSON. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available by this Act may be used to enter into a contract with any offeror or any of its principals if the offeror certifies, pursuant to the Federal Acquisition Regulation, that the offeror or any of its principals—

(1) within a three-year period preceding this offer has been convicted of or had a civil judgment rendered against it for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local) contract or subcontract; violation of Federal or State antitrust statutes relating to the submission of offers; or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, tax evasion, violating Federal criminal tax laws, or receiving stolen property; or

(2) are presently indicted for, or otherwise criminally or civilly charged by a governmental entity with, commission of any of the offenses enumerated in paragraph (1); or

(3) within a three-year period preceding this offer, has been notified of any delinquent Federal taxes in an amount that exceeds $3,000 for which the liability remains unsatisfied.

The Acting CHAIR. Pursuant to House Resolution 333, the gentleman from Florida and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Florida.

Mr. GRAYSON. Mr. Chair, this amendment is identical to other amendments that have been inserted by voice vote into every appropriations bill considered under an open rule during the 113th and 114th Congresses.

My amendment expands the list of parties with whom the Federal Government is prohibited from contracting due to serious misconduct on the part of the contractor.

Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Florida (Mr. GRAYSON).

The amendment was agreed to.

AMENDMENT NO. 39 OFFERED BY MR. ZINKE

Mr. ZINKE. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill (before the short title), insert the following:

LIMITATION ON USE OF FUNDS WITH RESPECT TO VALUATION OF COAL

SEC. ____. None of the funds made available by this Act may be used to finalize, implement, or enforce subparts F and J of part 1206 of the proposed rule by the Department of the Interior entitled ''Consolidated Federal Oil & Gas and Federal & Indian Coal Valuation Reform'' and dated January 6, 2015 (80 Fed. Reg. 608).

The Acting CHAIR. Pursuant to House Resolution 333, the gentleman from Montana and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Montana.

Mr. ZINKE. Mr. Chairman, I rise today in support of economic opportunity for local communities across the Nation.

In my home State of Montana, the Crow Nation suffers from unemployment rates as high as 50 percent, despite having over $1 billion in coal reserves. Similar situations play out in communities across America. This administration has waged a war against coal. In the words of Crow Chairman Old Coyote: ''A war on coal is a war on the Crow people.''

Republicans and Democrats agree; we all want clean air and water and affordable power. Thankfully, advances in technology have made it possible to have both, making it possible to use our vast resources of clean coal to power American homes and manufacturers and put Americans back to work. We can't power the American economy on pixie dust and hope; it takes innovation and investment in areas like clean coal.

Unfortunately, Mr. Chairman, this administration is fighting a more aggressive war against American coal than they are against ISIS. We all know of countless attempts to kill coal with regulations, cap-and-trade, and carbon taxes.

Now, the most recent attempt is by the Department of the Interior. The DOI is planning to change how coal on Federal lands and reservations is valued, creating an unpredictable and unstable market that threatens the livelihoods of our local communities and tribes.

When oil, gas, and coal resources are sold, local communities receive tax revenues and royalties to help fund everything from education to infrastructure. However, this administration's one-size-fits-all plan puts funding in jeopardy; places heavier burdens on States and local governments; and also stifles innovation, investment, and job creation.

The national labor participation is the lowest it has been in the past 30 years. Wages are stagnant; the cost of living is going up, and energy prices for home heating and manufacturing are skyrocketing. Our communities simply can't afford another Federal assault on our economy.

These jobs are real, Mr. Chairman. I have been to the Rosebud Mine in Colstrip where union jobs earn their paychecks to provide for their families. This is not just a couple hundred jobs in Montana. There are thousands more like them in Kentucky, West Virginia, Utah, and beyond.

Whether the coal is mined in Montana or turned into electricity to build cars in Michigan, coal is a critical part of our American economy. Again, I am reminded of the words of Chairman Old Coyote: ''For the Crow people, there are no jobs that compare to a coal job—the wages and benefits exceed anything else that is available.''

Mr. Chairman, I urge my colleagues to join me in fighting for American workers and American jobs by supporting my amendment to block funding for the Obama administration to continue their war on coal.

I yield such time as he may consume to the gentleman from California (Mr. CALVERT).

Mr. CALVERT. Mr. Chairman, I thank the gentleman for yielding, and I urge the adoption of the gentleman's amendment.

It is a good amendment.

Mr. ZINKE. Mr. Chairman, I reserve the balance of my time.

Ms. MCCOLLUM. Mr. Chair, I claim the time in opposition to the amendment.

The Acting CHAIR. The gentlewoman from Minnesota is recognized for 5 minutes.

Ms. MCCOLLUM. Mr. Chair, I rise in strong opposition to this amendment which would deny the American public, especially Native Americans, a fair return for the use of their coal resources.

The current coal valuation regulations have been in effect since 1989. A lot has happened in the intervening 26 years since these regulations were last updated. It has now been nearly 3 years since it was first reported that coal companies were skirting Federal royalty payments by selling coal to sister companies in order to value exported coal at low domestic prices rather than the much higher prices these sister companies were selling the exported coal for in overseas markets.

Now, while there has been a boom for Western coal companies, it has meant the Federal Government and Western States—where we share 50–50 of the royalties—have forgone hundreds of millions of dollars that are rightly due the American people.

These coal royalty valuations especially hurt Native Americans who depend on these royalties for their income. The proposed regulations were a response to States such as Wyoming pleading with the Department of the Interior: Do not allow coal producers to create affiliates to reduce the royalties paid.

This amendment offers Members a stark contrast. Do they want to side with the coal industry which has been gaming the existing royalty system? Or do they stand with the American public, especially Native Americans, in seeing that coal is fairly priced and that the royalties due Western States, tribes, and the Federal Government are paid?

I, for one, will stand with the American people and especially my Native American brothers and sisters to make sure that they are treated fairly.

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

Mr. ZINKE. Mr. Chairman, how much time is remaining?

The Acting CHAIR. The gentleman from Montana has 2 minutes remaining.

Mr. ZINKE. Mr. Chairman, I yield 1¾ minutes to the gentleman from Colorado (Mr. LAMBORN).

□ 2030

Mr. LAMBORN. Mr. Chairman, I thank the gentleman from Montana for yielding.

Mr. Chairman, current Federal coal valuation rules have provided stable and significant royalty revenue to State, tribal, and Federal governments. Despite this tract record, the Department of the Interior has carelessly proposed to modify the valuation of Federal and Indian coal by granting the Office of Natural Resources Revenue new authority to deem sales, potentially disallow costs, and use the default rule to assert arbitrary values for royalty purposes.

These broad new authorities come without clear or transparent guidelines for regulators and regulated parties alike, setting the stage for inconsistent valuation and protracted litigation. Furthermore, the arbitrary regulatory environment created by this rule could jeopardize affordable and reliable energy production, American jobs, and crucial revenue for State, Federal, and tribal governments.

For these reasons, I encourage my colleagues to support this amendment and to stop funding for this new rule until the Department of the Interior can demonstrate the need, if there is any—and I am skeptical—to radically alter the way royalties are accessed on Federal coal.

Mr. ZINKE. Mr. Chairman, as the sole Representative of the great State of Montana, I do represent, and am proud to represent, the Crows, the Northern Cheyenne, the Assiniboine Sioux, and our American Indian tribes and great nations and understand the value of having a prosperous economy.

With that, Mr. Chairman, I would like the support of all Members.

The Acting CHAIR. The time of the gentleman has expired.

Ms. McCOLLUM. Mr. Chairman, I want to repeat, it has now been nearly 3 years since it was first reported. Coal companies were skirting Federal royalty payments by selling coal to sister companies in order to value exported coal at low domestic prices rather than the much higher prices these sister companies were selling the exported coal for in overseas markets.

It is our job—it is our job—to see that coal is fairly priced and that the royalties due to Western States, tribes, and the Federal Government are paid.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Montana (Mr. ZINKE).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Ms. McCOLLUM. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Montana will be postponed.

AMENDMENT OFFERED BY MR. NORCROSS

Mr. NORCROSS. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

REVISION OF DOLLAR AMOUNTS

SEC. ____. The amounts otherwise provided by this Act are revised by reducing the amount made available for ''Department of the Interior—Office of the Secretary—Departmental Operations'' for payments in lieu of taxes under chapter 69 of title 31, United States Code, and increasing the aggregate amount made available for ''Environmental Protection Agency—Hazardous Substance Superfund'', by $22,884,840.

Mr. CALVERT. Mr. Chairman, I reserve a point of order on the gentleman's amendment.

The Acting CHAIR. A point of order is reserved.

Pursuant to House Resolution 333, the gentleman from New Jersey and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New Jersey.

Mr. NORCROSS. Mr. Chairman, I yield myself such time as I may consume.

This is a very simple amendment that would increase funding for the Superfund with the intention the money go specifically to the cleanup program account. Superfund cleanup is right for the environment and certainly right for the U.S. economy, which is right for the U.S.

I come from New Jersey, the Garden State. We have great tomatoes, corn, and it is blueberry season. But what we also have, particularly in the southern half of the State, is a history of heavy industry.

New Jersey found out the hard way that you just can't take those resources after they are finished and dump them into the backyard. We have more than 200 sites in New Jersey listed as being in serious violation of at least one of four Federal environmental laws. The company offenders, they are gone, and left the constituents, my constituents, holding the bags.

My predecessor, Representative Jim Florio, back in the early eighties, was the author of the Superfund bill. He had the vision of what we have to do to protect our citizens.

I just want to tell a quick story, two of them.

The first one is one site, $1 billion, and it is about a quarter of a mile from where I live. It is the Welsbach & General Gas Mantle in Gloucester City, New Jersey. As part of that process of making gas mantles almost a half century ago, radium, the substance that was used to make it glow brighter, was dumped throughout the city. This material is now sitting there. Radium has a half-life of 1,600 years—1,600 years. The process started in 1996, and it is about two-thirds finished. There is no company to go back to.

The second story is Sherwin Williams in Gibbsboro, which was a gorgeous spot. But as we all know, years ago, that lead paint is now in the water system and impacting that area horribly. The site includes Kirkwood Lake. The soil under the lake is contaminated. They can't use the lake.

These are two very simple stories. I have 15 Superfund sites in my district—15.

It is our responsibility to protect our citizens. There are no companies to go back to. That is why I offer this simple amendment. The damage is already done, and we must continue to protect our citizens by funding this amendment correctly.

I want to thank the chairman, with the understanding that this amendment will be ruled out of order.

Mr. Chairman, I ask unanimous consent to withdraw my amendment with the hope that we continue to work on this important issue in a very bipartisan way to protect our citizens.

The Acting CHAIR. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

AMENDMENT OFFERED BY MR. JOLLY

Mr. JOLLY. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available by this Act may be used to research, investigate, or study offshore drilling in the Eastern Gulf of Mexico Planning Area.

The Acting CHAIR. Pursuant to House Resolution 333, the gentleman from Florida and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Florida.

Mr. JOLLY. Mr. Chairman, I yield myself such time as I may consume.

As a nation, we continually strive to achieve both energy independence, as well as protect the environment, our critical habitats, and the quality of life

in communities like Pinellas County, Florida, that I have the opportunity to represent.

One way we strike that balance is represented in how we currently manage the Gulf of Mexico when it comes to oil drilling. Under a 2006 act, we allow for drilling exploration in the central and western Gulf off the coast of Texas and Louisiana and other States, but we have a ban that protects the State of Florida. That ban currently protects the State of Florida with a drilling ban of about 125 miles or, in some cases, 235 miles.

This ban has been in place for 32 years through the operations of the Appropriations Committee. And while the current statute allows for the ban through 2022, year after year, those on the other side of this debate, very respectfully, attempt to erode that ban.

The truth is we don't need any additional drilling in the eastern Gulf of Florida to achieve energy independence. There are nearly 1,000 active leaseholds in the central and western Gulf. There are probably nearly 3,000 more available. And to change the ban is just something that we don't need.

This amendment is very simple. It says none of the funds may be used to study, prepare for, research, investigate any increased offshore oil drilling in the eastern Gulf contemplating the expiration of a ban in 2022.

I am pleased to be joined in offering this amendment by my colleague from Bonita Springs, Mr. CLAWSON; my colleague from Tallahassee, Ms. GRAHAM; and my colleague from Jupiter, Mr. MURPHY.

With that, Mr. Chairman, I reserve the balance of my time.

Mr. CALVERT. Mr. Chairman, I rise in reluctant opposition to the amendment.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. CALVERT. Mr. Chairman, as in the case of a number of offshore-related amendments that we will deal with today, the Interior Appropriations bill is not the appropriate venue, though I do understand it has been used in the past.

I understand this amendment dovetails with the current congressional moratorium, and the Department of the Interior has no intention of acting in a manner that is contrary to congressional intent. The Department is focused on the next 5-year oil and gas leasing plan, which is limited to 2017–2022, so many departmental activities in fiscal year 2016 are already limited in scope through 2022. If my colleagues wish to see the moratorium extended beyond 2022, then they should work with the appropriate authorizing committees.

With that, I would oppose the amendment, and urge a ''no'' vote.

I reserve the balance of my time.

Mr. JOLLY. Mr. Chairman, I appreciate the chairman's understanding of the interest of those in the State of Florida and the current debate currently from those on the other side that wish to actually lift the ban. It is important that, as a delegation, we have the opportunity to have this debate.

I yield 2 minutes to the gentleman from Florida (Mr. CLAWSON), my colleague from Bonita Springs.

Mr. CLAWSON of Florida. Mr. Chairman, I start by thanking Representative JOLLY for his leadership and persistence on this issue—it is so important to my district—and to the chairman for allowing disagreement. Disagreement allows learning, and we appreciate your leadership in this regard.

I speak in full support of Representative JOLLY's amendment. I base my support on the enormous all-time high, proven reserves elsewhere in our country and a conviction that we can focus in areas other than the Gulf.

The private sector definitely needs cheap oil, and our businesses, our manufacturing companies, cannot be successful without low energy prices. I know it, because I lived it.

But let's drill where drilling makes sense. And to us, it doesn't make sense to drill in the eastern Gulf of Mexico. The recent BP settlement, the highest such settlement ever, is evidence that the economic and environmental risk of drilling in the Gulf greatly offset any potential returns.

For those of us who live, work, or have business in the Gulf, we were told that an oil disaster could never happen, and then it happened. Fool me once, shame on you; fool me twice, shame on me.

I say it is not worth the risk. I say let's do everything we can to never have more drilling in the eastern Gulf.

Mr. JOLLY. Mr. Chairman, I reserve the balance of my time.

Mr. CALVERT. Mr. Chairman, I would just say that, again, I am in reluctant opposition to this amendment. This should be dealt with in the authorizing committees.

I yield back the balance of my time.

Mr. JOLLY. Mr. Chairman, I would close by offering my colleagues there is authorizing legislation that would extend the ban past the year 2022.

This language simply says a ban is a ban is a ban. And while there is a ban on activities on drilling and the like, this simply says that no planning may occur for post-2022 drilling.

With that, I would urge a ''yea'' vote, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Florida (Mr. JOLLY).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. GARAMENDI

Mr. GARAMENDI. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

None of the funds made available by this Act may be used in contravention of Executive Order 13693.

The Acting CHAIR. Pursuant to House Resolution 333, the gentleman from California and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

□ 2045

Mr. GARAMENDI. Mr. Chairman, I think I will start this discussion with the words of a rather influential individual: Pope Francis. In his recent encyclical, he wrote: ''If present trends continue, this century may well witness extraordinary climate change and an unprecedented destruction of ecosystems, with serious consequences for all of us.'' That is Pope Francis.

In this legislation, the appropriation bill, there are numerous efforts to deny the reality of climate change. And, specifically, what I want to deal with on this amendment is Executive Order No. 13693: Planning for Federal Sustainability in the Next Decade.

The intention of this amendment is to support the Federal Government's efforts to reduce greenhouse gas emissions by 40 percent over the next decade relative to 2008.

This bill will save taxpayers money—about $18 billion—in avoided energy costs, and it will increase the share of electricity the Federal Government consumes from renewable resources by up to 30 percent. Twenty-six million metric tons of greenhouse gases would be eliminated.

So why in the face of all of the scientific evidence and why in the face of the reality that the climate is, indeed, changing, when we have throughout the State of California and around the Nation local governments planning for the eventually, not the reality, of higher sea levels, would we put forth a bill that would prohibit the Federal Government from planning for climate change?

Let me just cite some of the ways in which the current legislation, this proposal, deals with it:

It prohibits Federal funds for any rulemaking or guidance with regard to the social cost of climate change.

It prohibits the EPA from limiting carbon pollution from new and renovated power plants, and there has been much discussion about that on the floor today.

It prohibits the funding to update and revise the EPA's ozone standards.

It prohibits the funding for any change to the status of HFCs. These are fluorocarbons.

It also prohibits the reporting detailing the Federal funding for domestic and international climate change programs. This is denial, denial, denial about what is really happening.

My amendment would simply say that there is no money to carry out these provisions in the current bill. It is really time for all of us here to recognize that there is a serious challenge, and it is one that Pope Francis points out so clearly.

I reserve the balance of my time.

Mr. CALVERT. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. CALVERT. Mr. Chairman, climate change is winning the amendment contest tonight. We have had a number of amendments on that subject.

Earlier we debated whether or not to continue a bipartisan reporting requirement in the bill on climate change expenditures.

My colleagues on the other side of the aisle wanted to remove that requirement, which would have reduced transparency. Now my friend wants to ensure that funds are being expended on climate and efficiency executive orders issued by the President.

So I am left to wonder whether my colleagues would prefer to know if the funds are spent on these programs or not.

Regardless, this amendment is certainly unnecessary. The President did not consult Congress on these executive orders. If anything, we should defund these programs until Congress can have an appropriate policy debate. I see no reason to include this language, and I urge my colleagues to vote ''no.''

I reserve the balance of my time.

Mr. GARAMENDI. Mr. Chairman, the executive order by the President is very straightforward. It basically says that the Federal Government shall reduce greenhouse gases, and he is using his appropriate authority as the administrative agent of our government to find ways to do that.

Certain goals are set in the executive order, for example, reducing greenhouse gases by 40 percent over the next decade. What could be wrong with that when you save $18 billion in the process and create more opportunities for renewable energy by up to 30 percent?

Why would we pass a bill in this appropriation bill that would go in exactly the opposite direction, one that would actually create greater greenhouse gases and lead more directly and more imminently to the climate crisis?

I fail to understand why we would want to take up a piece of legislation that has so many provisions in it that deny the reality of climate change, that puts this government on the course to spend more money on programs that actually create a crisis that will be extraordinarily expensive.

I ask for an ''aye'' vote on this amendment, which would maintain the President's executive order and keep America on a path that all the world should carry out.

Pay attention to what Pope Francis said: ''If present trends continue, this century may well witness extraordinary climate change and an unprecedented destruction of ecosystems, with serious consequences for all of us.''

This is not something we should deny. This is something we should, in fact, pay attention to, and we ought to be able to maintain the President's executive order.

I yield back the balance of my time.

Mr. CALVERT. Mr. Chairman, the President did make his unilateral determination in an executive order. We have an opportunity to vote ''no'' on this amendment, and I urge a ''no'' vote.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from California (Mr. GARAMENDI).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. GARAMENDI. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from California will be postponed.

AMENDMENT OFFERED BY MR. CRAWFORD

Mr. CRAWFORD. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. _____. None of the funds made available by this Act may be used by the Administrator of the Environmental Protection Agency to enforce the requirements of part 112 of title 40, Code of Federal Regulations, with respect to any farm (as that term is defined in section 112.2 of such title).

The Acting CHAIR. Pursuant to House Resolution 333, the gentleman from Arkansas and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arkansas.

Mr. CRAWFORD. Mr. Chairman, I offer this amendment in defense of agricultural producers across our Nation who are facing the heavy hand of EPA regulations.

The EPA's Spill Prevention, Control, and Countermeasure rule for on-farm fuel storage requires farmers and ranchers to make costly infrastructure improvements to their oil storage facilities to reduce the possibility of an oil spill.

These regulations fail to take into account the relative risk of oil spills on farms, and they do not factor in the simple fact that family farmers are already careful stewards of our land and water. No one has more at stake in the health of their land than those who work on the ground from which they derive their livelihoods.

The USDA itself discovered little evidence of oil spills on farms and determined in a recent study that more than 99 percent of farmers have never experienced a spill.

To require that all of our producers make a significant investment to prevent such an unlikely event seems out of touch with reality and disregards the already overwhelming number of safeguards our farmers already employ.

My amendment would restrict the EPA's ability to enforce SPCC regulations on farms so that farmers and ranchers can go about their business of producing food and fiber without having to worry about unnecessary compliance costs and red tape.

On three separate occasions, the House unanimously passed my bipartisan legislation, the FUELS Act, which rolled back these same SPCC regulations on farms. I urge my colleagues to again support our farmers and ranchers by supporting this amendment.

Mr. CALVERT. Will the gentleman yield?

Mr. CRAWFORD. I yield to the gentleman from California.

Mr. CALVERT. Mr. Chairman, I would urge the adoption of the gentleman's amendment.

Mr. CRAWFORD. Mr. Chairman, I yield back the balance of my time.

Ms. MCCOLLUM. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentlewoman from Minnesota is recognized for 5 minutes.

Ms. MCCOLLUM. Mr. Chairman, this amendment would stop the EPA from requiring farms to submit a plan on how they will prevent oil from entering navigable waters.

I come from Minnesota; so, this seems like a pretty commonsense requirement to me. If a facility has large amounts of oil, it should tell the agency responsible for an inland oil spill cleanup how it will prevent an environmental disaster.

Why shouldn't the holder of gallons of oil have a plan even if it is an agriculture business? It should have a plan. And there are criteria to make sure that a facility truly should be subject to the Spill Prevention, Control, and Countermeasure rule.

It has to meet three criteria. It must be nontransported. It must have an aggregate aboveground storage capacity greater than 1,320 gallons or a completely buried storage capacity greater than 42,000 gallons. We are talking about a lot of oil.

The third point is that there must be a reasonable expectation that, if something were to go wrong and if there were a discharge, it would go into navigable waters of the United States or of adjoining shorelines.

In other words, if there is an accident and if there is water nearby, you would need to have a plan in place so that not only would oil not seep in and ruin your land, but that it would not flow into waters past the boundaries of your water and just keep polluting.

The preparation of the SPCC plan is the responsibility of a facility owner or operator or it can be prepared by an engineer or a consultant, but it must be certified by a registered professional engineer.

Let's just think about it. You have 42,000 gallons of oil stored underground, and you have 1,320 gallons of oil above. All this does is say you need to have an emergency plan if, when that accident would occur—and it can

occur—there would be the possibility of having that oil go into navigable waters and spread onto other property owners' land or State land or Federal land.

I think these sound like reasonable requirements. It is a small step to help work with the farmer to prevent an environmental disaster that would most likely end up being cleaned up with taxpayers' funds.

I always think you should hope for the best, but you always need to have a plan just in case something goes wrong. This rule requirement makes sure that these facilities that meet these criteria have a plan in place.

I yield back the balance of my time.

The Acting CHAIR (Mr. RODNEY DAVIS of Illinois). The question is on the amendment offered by the gentleman from Arkansas (Mr. CRAWFORD).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. JEFFRIES

Mr. JEFFRIES. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

LIMITATION ON USE OF FUNDS

SEC. ____. None of the funds made available to the National Park Service by this Act may be used for the purchase or display of a confederate flag with the exception of specific circumstances where the flags provide historical context as described in the National Park Service memorandum entitled ''Immediate Action Required, No Reply Needed: Confederate Flags'' and dated June 24, 2015.

The Acting CHAIR. Pursuant to House Resolution 333, the gentleman from New York and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New York.

Mr. JEFFRIES. Mr. Chairman, this amendment would prohibit the use of funds made available to the National Park Service by this Act for the purchase or display of a Confederate flag with the exception of specific circumstances when such flags provide historical context as set forth by the National Park Service in their memo to all park superintendents, dated June 24, 2015.

□ 2100

The National Park Service has jurisdiction over operation of the National Park System, associated sites such as national heritage areas, and various State grant accounts.

In light of recent events, the display of the Confederate flag has been at the forefront of discussion throughout our Nation. This amendment is consistent with a bipartisan effort across the country to promote harmony and not division in this great Nation.

On June 17, we were all shocked by the heinous massacre that took the lives of nine God-fearing African American churchgoers in Charleston, South Carolina. This act of domestic terror was carried out by an individual who idolized the Confederate flag and harbored racist beliefs, calling for a return to the human subjugation of others on the basis of race.

Unfortunately, that same Confederate flag flew on the grounds of the State capitol amidst the funeral of a State senator and dedicated pastor who taught that we are all God's children at the historic Emanuel AME Church.

We have come a long way in America, but we still have a long way to go in our march toward a more perfect Union. The cancer of racial hatred continues to adversely impact our society, and people of good will must unite to eradicate it. Limiting the use of Federal funds connected to the purchase or display of the Confederate flag is an important step in that direction.

Earlier today, lawmakers in South Carolina from both sides of the aisle came together to support removing the Confederate battle flag from their State capitol grounds. This evening, the United States House of Representatives has the opportunity to further limit the public display of this divisive symbol that is so closely associated with defense of the institution of slavery.

I thank the chairman and the ranking member for their consideration. For the aforementioned reasons, I urge my colleagues to support the amendment.

I yield to the distinguished gentlewoman from Minnesota.

Ms. MCCOLLUM. Mr. Chairman, I am very happy that this opportunity has been presented for us to have a discussion on the House floor and the National Park Service doing the right thing about the removal of this symbol of what has become racist hate speech.

I thank the gentleman for bringing forward the amendment, and I rise in support of it.

Mr. JEFFRIES. I thank the distinguished gentlewoman for her support.

Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from New York (Mr. JEFFRIES).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. SMITH OF TEXAS

Mr. SMITH of Texas. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill, before the short title, insert the following:

SEC. ____. None of the funds made available by this Act may be used by the Environmental Protection Agency to propose, finalize, implement, or revise any regulation in which the research data relied on to support such action is subject to OMB Circular A-110 and is withheld in contravention of the Freedom of Information Act as prescribed under OMB Circular A-110 or if the Science Advisory Board of the Environmental Protection Agency fails to provide scientific advice as may be requested on such regulation to the Congress in contravention of section 4365 of title 42, United States Code.

The Acting CHAIR. Pursuant to House Resolution 333, the gentleman from Texas and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. SMITH of Texas. Mr. Chairman, this amendment reflects the core principles of two bills passed by the House earlier this year with bipartisan support. They are H.R. 1029, the EPA Science Advisory Board Reform Act, and H.R. 1030, the Secret Science Reform Act.

I am pleased to be joined by the Committee on Science, Space, and Technology's former Subcommittee on Environment chairman, Representative DAVID SCHWEIKERT, who sponsored the original version of the Secret Science bill in 2014.

The amendment simply requires the Environmental Protection Agency to base its regulations on publicly available data that can be verified. Why would the administration want to hide this information from the American people? We must make sure that Federal regulations are based on science that is available for independent review.

Many Americans are unaware that some of the EPA's most expensive and burdensome regulations, such as its proposed climate and ozone rules, are based on underlying data that not even the EPA has seen.

This amendment ensures that the decisions that affect every American are based on independently verified, unbiased, scientific research instead of on secret data that is hidden from the American people. That is called the scientific method.

This amendment also ensures that the EPA Science Advisory Board is able to provide meaningful, balanced, and independent assessments of the science behind the EPA regulations. The EPA frequently undermines the SAB's independence and prevents it from being able to provide advice to Congress. As a result, the valuable advice these experts can provide is often ignored or silenced.

The public's right to know must be protected in a democracy. This amendment ensures that happens. The EPA has a responsibility to be open and transparent with the people it serves and whose money it uses.

Anyone who supports government transparency and accountability should be able to support this amendment. It helps EPA and the Obama administration keep their promise to be open and honest with the American people.

Mr. Chairman, I yield such time as he may consume to the gentleman from California (Mr. CALVERT), the Appropriations subcommittee chairman.

Mr. CALVERT. Mr. Chair, I thank the gentleman. I certainly rise in support of this amendment. Having chaired that subcommittee for 6 years and knowing the good work of that subcommittee, I think the intent of the

language aligns with the two authorizing bills passed by the House Committee on Science, Space, and Technology earlier this year. I certainly voted for them both times.

I think it is a good amendment, so I urge an ''aye'' vote.

Mr. SMITH of Texas. Mr. Chairman, I thank the chairman for his comments. I very much appreciate his support.

I reserve the balance of my time.

Ms. MCCOLLUM. Mr. Chairman, I claim time in opposition.

The Acting CHAIR. The gentlewoman from Minnesota is recognized for 5 minutes.

Ms. MCCOLLUM. Mr. Chairman, the gentleman's amendment seeks to stop the Environmental Protection Agency from issuing regulations through two different mechanisms.

The first one would prevent the EPA from issuing regulations if supporting research data is withheld under the Freedom of Information Act.

Second, it would withhold regulations if the Agency's Science Advisory Board does not provide the requested advice and information to Congress.

I would just like to take a moment to address each one of these issues fully. Last year, for example, the EPA received 10,500 FOIA requests—Freedom of Information requests—or an average of 40 per workday.

These requests required nearly $11 million—$11 million—in personnel costs to process; yet the EPA receives less than $1 million to collect fees for these requests. They get $11 million in personnel costs to process; yet they get less than $1 million to collect the fees for these requests. You can simply do the math.

There are only nine allowable exemptions under the law that would prevent the EPA from complying with FOIA requests in the first place. These exemptions range from classified national defense, foreign relations information, to confidential business information and matters of personal privacy, things which we discuss in this room all the time.

The amendment is simply another attempt to stop the EPA from issuing regulations, many of which are required by law and are designed to improve human health and the environment.

Now, that was in regards to the first point about EPA issuing regulations on the Freedom of Information Act, lack of funding available to do it, and then they are following the laws with the nine exemptions.

Now, with regard to the Science Advisory Board, let me remind my colleagues that these boards are comprised of nearly four dozen experts from academia. For example, there are academics from the University of Texas Health Science Center in Houston, Texas; the Environmental Systems and Research Institute in Redlands, California; and from the University of Minnesota, my home State.

Now, in my opinion, it is very disingenuous to suggest that this Advisory Board's subject matter of experts would withhold information to Congress. I urge my colleagues to oppose this amendment, which simply puts two more roadblocks in the EPA regulations.

I reserve the balance of my time.

Mr. SMITH of Texas. Mr. Chairman, I yield myself 15 seconds simply to point out that this amendment does not prevent the EPA from issuing any regulations.

In fact, it doesn't take a position on regulations. It simply says that the underlying data that the EPA is using to justify regulations needs to be made public. I don't know who could oppose transparency and honesty by this administration.

I reserve the balance of my time.

Ms. MCCOLLUM. I reserve the balance of my time.

Mr. SMITH of Texas. Mr. Chairman, I yield the balance of my time to the gentleman from Arizona (Mr. SCHWEIKERT), who as I mentioned a while ago is a former chairman of the Subcommittee on Energy of the Committee on Science, Space, and Technology and is now a member of the Committee on Financial Services.

Mr. SCHWEIKERT. Mr. Chairman, may I inquire into the remaining time on our side?

The Acting CHAIR. The gentleman from Texas has 45 seconds remaining.

Mr. SCHWEIKERT. Mr. Chair, in this 45 seconds, I want to walk through a couple mechanical things really quickly. First off, this amendment is based on the OMB's circular that actually said this data is supposed to be public.

Number two, the release of data, if you are making rules, does not pre-assume that the reg is too tough, too little, too soft. What it means is, if you are going to be doing public policy—public policy—doesn't the public deserve access to public data because there is lots of smart people out there on the left and the right or just academia that should have this information, this raw data, to decide are we doing it the most rational, the most powerful way?

Mr. SMITH of Texas. Mr. Chairman, I yield back the balance of my time.

Ms. MCCOLLUM. Mr. Chairman, I would like to once again reiterate there are only nine allowable exemptions under this law that would prevent the EPA from complying with FOIA requests.

These exemptions range from classified national defense, foreign relations information, confidential business information, and matters of personal privacy.

Once again, Mr. Chair, I urge my colleagues to oppose this amendment, which simply works to put roadblocks in front of the EPA ever being able to issue a regulation.

Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Texas (Mr. SMITH).

The amendment was agreed to.

AMENDMENT OFFERED BY MS. SPEIER

Ms. SPEIER. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

LIMITATION ON USE OF FUNDS

SEC. ____. None of the funds made available by this Act may be used to implement, administer, or enforce the final rule following the Supplemental Environmental Impact Statement for the Dog Management Plan (Plan/SEIS), Golden Gate National Recreation Area (GGNRA), California (78 Fed. Reg. 55094; September 9, 2013).

Mr. CALVERT. Mr. Chairman, I reserve a point of order on the gentlewoman's amendment.

The Acting CHAIR. A point of order is reserved.

Pursuant to House Resolution 333, the gentlewoman from California and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from California.

□ 2115

Ms. SPEIER. Mr. Chairman, ''Ruff.'' That is what my dog Buddy says when he wants to go out for a walk, and that is what dogs throughout the bay area have been accustomed to doing in the Golden Gate National Recreation Area for decades.

I, like them, believe that the GGNRA should be able to afford the opportunity for people to recreate, whether one wants to watch a bird, ride a horse, walk a path, or climb a hill. Some of these uses are incompatible, but that doesn't mean we should ban them. That means that we should create opportunity for all.

In San Mateo County, in my district, the GGNRA is proposing zero off-leash dog areas, closing down one site that has been in operation for over many decades.

For 40 years, people and their dogs have been welcome at the beaches and trails of the GGNRA, which compromises 80,000 acres across San Francisco, Marin, and San Mateo Counties. This public land provides much-needed recreational space in the densely populated bay area.

Today, that access is at risk. The National Park Service is trying to dramatically change how it manages recreational areas in the bay area by turning the majority of open space in the GGNRA into what are called controlled zones, where visitor access and activities could be highly restricted. Public use could be denied for longstanding activities in the GGNRA, like hiking, surfing, bike riding, horseback riding, and dog walking.

The bay area is densely populated, and open space is precious. For many, the GGNRA is the only option for time outdoors.

My amendment would slow the National Park Service's regulatory overreach and ensure that people in the bay

area continue to have recreational access to these urban parks.

People and nature aren't incompatible. We can be good stewards and also allow those in the GGNRA to have access to this very beautiful area.

I ask for an ''aye'' vote, Mr. Chairman, and I reserve the balance of my time.

POINT OF ORDER

Mr. CALVERT. Mr. Chairman, I insist on my point of order.

The Acting CHAIR. The gentleman will state his point of order.

Mr. CALVERT. Mr. Chairman, I make a point of order against the amendment because it proposes to change existing law and constitutes legislation in an appropriation bill and, therefore, violates clause 2 of rule XXI.

The rule states in pertinent part:

''An amendment to a general appropriations bill shall not be in order if changing existing law.''

The amendment requires a new determination.

I ask for a ruling from the Chair.

The Acting CHAIR. Does any other Member wish to be heard on the point of order?

If not, the Chair will rule.

The Chair finds that this amendment includes language requiring a new determination as to whether a rule ''follows'' a specified Environmental Impact Statement.

The amendment, therefore, constitutes legislation in violation of clause 2 of rule XXI.

The point of order is sustained, and the amendment is not in order.

AMENDMENT OFFERED BY MR. RICE OF SOUTH CAROLINA

Mr. RICE of South Carolina. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

LIMITATION ON USE OF FUNDS FOR OFFSHORE OIL AND GAS LEASING

SEC. ____. None of the funds made available by this Act may be used to issue any oil and gas lease under the 2017–2022 Outer Continental Shelf Oil and Gas Leasing Program unless the Secretary of the Interior has entered into revenue sharing agreement with each affected State.

Mr. CALVERT. Mr. Chairman, I reserve a point of order.

The Acting CHAIR. A point of order is reserved.

Pursuant to House Resolution 333, the gentleman from South Carolina and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from South Carolina.

Mr. RICE of South Carolina. Mr. Chairman, my amendment withholds funding for permitting of offshore oil exploration until the Secretary of the Interior reaches revenue-sharing agreements with coastal States.

The Bureau of Ocean Energy Management's 2017–2022 Outer Continental Shelf Oil and Gas Leasing Program opens the mid- and south Atlantic regions to oil and gas development after several decades of being off-limits.

While advanced drilling techniques and spill response have made environmentally safe access to oil and gas reserves in the Atlantic possible, coastal States should consider and prepare for impacts that offshore energy development present.

Sharing of revenues with coastal States will help address the risk and responsibilities that States and coastal counties assume with offshore energy development. These revenues would help State governments expand coastal management and conservation, build necessary infrastructure, fund emergency preparation and response, and expand public service to support the influx of new industry and workforce.

Involving the coastal infrastructure and management will add to the overall economic well-being of the coastal communities. Before our coastal States agree to share in the burden of offshore drilling, we ought to ensure that our coastal States are able to share in the economic blessings of such drilling.

My amendment would prohibit funding for implementation of BOEM's plan until the Secretary of the Interior enters into a revenue sharing agreement with the States affected.

While it may not be possible this evening to adopt my amendment for coastal States, as we move forward with energy exploration off our coastlines, please be mindful of revenue sharing.

Because I understand my amendment is subject to a point of order, I plan to withdraw this amendment. But before I withdraw my amendment, I ask for the chairman's consideration to assist in development of revenue sharing agreements to compensate the coastal States and help them to mitigate risk.

Mr. CALVERT. Will the gentleman yield?

Mr. RICE of South Carolina. I yield to the gentleman from California.

Mr. CALVERT. I would be happy to work with the gentleman in the future to see if there is a methodology where we can move your idea forward and see if we can't get the Federal Government and States to cooperate to their mutual, I think, benefit on this issue.

Mr. RICE of South Carolina. Reclaiming my time, I appreciate the chairman's consideration.

I ask unanimous consent to withdraw my amendment.

The Acting CHAIR. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

AMENDMENT NO. 23 OFFERED BY MR. GARAMENDI

Mr. GARAMENDI. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill (before the short title), insert the following new section:

PROHIBITION ON TRANSFER OF FIRE PREPAREDNESS FUNDS

SEC. ____. None of the funds made available by this Act may be used to transfer funds made available by this Act for fire preparedness activities to the Wildland Fire Management appropriation for fire suppression activities.

The Acting CHAIR. Pursuant to House Resolution 333, the gentleman from California and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. GARAMENDI. Mr. Chairman, I am trying to figure out where to start with this, because we are making progress. I guess the purpose of this amendment is to give this whole process a swift kick so we can actually do something that is absolutely necessary.

The chairman of the Appropriations Subcommittee really has it correct. And I want to read the language of the appropriations bill, which I happen to agree with this evening, but not the result.

In 7 of the last 10 years, the Forest Service and the Department of the Interior have exceeded their wildland fire suppression budgets despite being fully funded at the 10-year suppression average for such costs.

Fire seasons have grown longer and more destructive, putting people, communities, and ecosystems at greater risk. Fire borrowing has now become routine rather than extraordinary. Borrowing from nonfire accounts to pay suppression costs results in the Forest Service and Department of the Interior having fewer resources for forest management activities, including hazardous fuels management and other proven efforts, to improve overall forest health and reduce the risk of catastrophic wildland fires.

Mr. Chairman of the subcommittee, you have it right. You and your committee staff have done the right analysis but haven't completed the follow-through to achieve that goal.

I see our good friend from Idaho standing nearby, and he has a very, very fine bill to deal with this. It would basically create two separate accounts. Now, understanding the necessity of proper order and being out of order, which sometimes I am, I am not proposing that we adopt the good gentleman from Idaho's bill in this bill, but I have got a different idea. I am going to take this idea from my Republican colleagues who have created so many fiscal crises, otherwise known as cliffs, to create one.

Basically, what I am doing here with this amendment is saying you can't borrow from other accounts, and when you run out of money, my goodness, we have a crisis. We will have to then adopt my good friend from Idaho's legislation and solve the problem once and for all.

So that is what this amendment does. It says you can't borrow from other accounts to fight wildfires, which means that we are going to have to come to grips with the reality of our funding crisis—where we cannot get ahead of the wildland fires, where there is a necessity for us to spend money on

protecting the forests and forest health, thinning and other kinds of things, firebreaks and the like, so we don't just burn down all the forests to get around with the proper management. This is what you call kicking the issue into gear.

I reserve the balance of my time.

Mr. SIMPSON. Mr. Chairman, I claim time in opposition to the amendment.

The Acting CHAIR. The gentleman from Idaho is recognized for 5 minutes.

Mr. SIMPSON. I understand what the gentleman is trying to do, and we are on the same page, actually, in ultimately what we want to accomplish with this.

The fact is that we appropriate money—the Interior Subcommittee has done it for several years now, and Chairman CALVERT has done it in this bill—where, under the FLAME Act, we fund the 10-year average of what it costs to fight wildfires. Unfortunately, I think it is in 8 of the last 10 years we have exceeded that 10-year average. Consequently, when money runs out for fighting wildfires, what the Forest Service does is borrow that money from other accounts.

We sometimes complain that the Forest Service doesn't go out and do the thinning that is necessary or do the restoration that is necessary or do the trail maintenance that is necessary. The reason they can't do it is because we have borrowed all the money to fight wildfires, and we are trying to prevent that wildfire borrowing.

It is one thing to try to prevent it in a manner that will address the problem and another to just say you just can't borrow, because I would hate to be in the situation where we run up against a fire year where we are going to exceed the 10-year average, we run out of firefighting money, and there is no way to get the resources in order to fund the fires that are occurring in the latter part of the year. This would put pressure on for Congress to probably do something.

As you know, there is a challenge with the Budget Committee that we have been working with in trying to address this issue.

There is some language, as I understand it, in the Senate Interior bill dealing with the wildfire-fighting costs and how we handle that. There is some language in a bill that will be before us I think this week, the Healthy Forest bill out of the Resources Committee.

I think more and more people are starting to realize that we have got to address this problem. There is absolutely no reason that wildfires should not be treated as other natural disasters are—hurricanes, tornadoes, earthquakes, and other things. But for some reason, we treat wildfires differently, and that doesn't make a lot of sense to me.

So we have had various proposals. I have talked with the administration, with the Department of the Interior, with the Forest Service, and with many other people, trying to come to a resolution on this, and there are many people on both the Republican and the Democratic side of the aisle that are trying to address this.

I am hopeful that we are inching ever closer, because you know things don't move as quickly as we like oftentimes in Congress. We are moving, inching closer, I would hope, to finding the solution to this. There are different ideas out there about how to go about doing exactly what the gentleman from California, myself, and the chairman all want to do, and that is quit the fire borrowing so that the Forest Service can do the job that we appropriate the money for them to do.

Given that this could create some real problems, I appreciate what the gentleman is trying to do, but I would have to oppose the amendment.

I reserve the balance of my time.

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. The Chair would remind Members not to traffic the well.

Mr. GARAMENDI. My good friend from Idaho has it right. His bill ought to become law. And you did find a way to fund it: the same way we fund hurricanes, tornadoes, earthquakes, and the like—out of FEMA.

□ 2130

Good bill—by the way, I am a coauthor of it. Thank you very much. Only you can prevent forest fires. How many times have we seen Smokey the Bear? Congress can help.

I want to congratulate and I really want to thank my colleagues on the other side of the aisle because you are in a position to lead on this. This amendment is in a position to cause action. That is all it is.

Would we have a disaster? We are going to have a fire disaster; there is no doubt about it.

Would we have a financing disaster? Probably, but we can solve it—we can solve it both with legislation, and then we can solve it with a piece of legislation moving through this House that would reach back to the FEMA money, where we always stack a huge stash of money for the eventuality of a disaster. We would reach back and say: Okay. That is how we are going to do it going forward.

I think it is about time for me to yield. I probably don't have much more time, but I am kind of stirring the pot here. I am trying to kick this into gear, and I am delighted to work with the good language that the chairman of the committee has put into the bill.

Had I the time, I would read, once again, your analysis of the problem and also your analysis of the solution. That is found in, this year, H.R. 167, a fine piece of legislation by an outstanding gentleman from Idaho.

Mr. Chairman, I yield back the balance of my time.

Mr. SIMPSON. I thank the gentleman for his comments and his help on trying to get us to a resolution on this. I am sure, working together, we can solve this problem eventually.

Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from California (Mr. GARAMENDI).

The amendment was rejected.

AMENDMENT OFFERED BY MR. NEWHOUSE

Mr. NEWHOUSE. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

LIMITATION ON USE OF FUNDS TO TREAT GRAY WOLVES IN WASHINGTON, OREGON, AND UTAH AS ENDANGERED SPECIES OR THREATENED SPECIES

SEC. ____. None of the funds made available by this Act may be used by the Department of Interior or the United States Fish and Wildlife Service to treat any gray wolf (*Canis lupus*) in Washington, Oregon, or Utah as an endangered species or threatened species under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.).

The Acting CHAIR. Pursuant to House Resolution 333, the gentleman from Washington and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Washington.

Mr. NEWHOUSE. Mr. Chairman, I rise today to offer an amendment that would prohibit the Department of the Interior and the U.S. Fish and Wildlife Service from using funds to continue listing the gray wolf under the Endangered Species Act in the States of Washington, Oregon, and Utah.

Mr. Chairman, this is a very serious issue of extreme importance to my home State of Washington, where the gray wolf is listed in the western two-thirds of the State, but is delisted in the eastern third. This fragmented listing means that there are no geographic barriers to prevent the wolves from traveling between listed and delisted areas, posing a risk to people living, farming, and ranching in the region.

Unfortunately, this issue should already have been settled. In June of 2013, the U.S. Fish and Wildlife Service published a proposed rule to remove the gray wolf from the list of endangered and threatened wildlife under the Endangered Species Act.

The Fish and Wildlife Service made this determination after evaluating this ''classification status of gray wolves currently listed in the contiguous United States'' and found the ''best available science and commercial information indicates that the currently listed entity is not a valid species under the Act.''

On June 30 of this year, the Service released its response to a petition seeking to reclassify all gray wolves in the U.S. as a threatened species under ESA. In its response, the Fish and Wildlife Service states that it determined there was not substantial information to indicate that such a reclassification was warranted, and as a result, the Fish and Wildlife Service will take no further action on the petition.

Furthermore, the statutory purpose of ESA is to recover a species to the point where it is no longer considered endangered or threatened. The gray wolf is currently found in nearly 50 countries around the world, and the wolf specialist group of the International Union for Conservation of Nature has placed the species in the category of ''least concern globally'' for risk of extinction.

Mr. Chairman, the proposed rule and other examples I have cited clearly show that a full delisting of the gray wolf is long overdue. Since wolves were first placed under ESA, uncontrolled and unmanaged growth of gray wolf populations has resulted in devastating impacts on hunting and ranching, as well as tragic losses to historically strong and healthy livestock and wildlife populations.

Mr. Chairman, the gray wolf population has grown substantially across its range and is now considered to be recovered; therefore, it does not merit protection under the Endangered Species Act.

The Pacific Northwest States are fully qualified to responsibly manage their gray wolf populations and are better suited than the Federal Government to meet the needs of local communities, ranchers, livestock, and wildlife populations.

My amendment today is simple. It would take steps that the Fish and Wildlife Service has already said are necessary and are supported by the best available scientific evidence and data. I urge my colleagues to support this commonsense amendment, and I urge its adoption.

Mr. Chairman, I yield 1½ minutes to my colleague from eastern Washington, Congresswoman CATHY MCMORRIS RODGERS.

Mrs. MCMORRIS RODGERS. Mr. Chairman, I thank my colleague, Representative NEWHOUSE, for yielding and for his leadership on this important issue.

Four years ago, when the Federal Government delisted wolves in a portion of the Western United States, what was left behind was a growing wolf population and a confusing checkerboard of regulations.

Wolves do not know regulatory boundaries. When a single forest is divided between two different management plans, local leaders', farmers', and other stakeholders' hands are tied when protecting themselves from a wolf threat and often face unnecessary repercussions.

Washington State proposed a wolf conservation and management plan, but is unable to fully implement it with Federal protections lingering in the western two-thirds of the State.

Our local leaders can manage the resources and wildlife in our State more effectively and efficiently than the Federal Government; but if we want to empower them to protect herds of livestock, people, and lands from other possible threats of wolves, we need a consistent framework for the entire State, not just sections.

For this reason, I strongly support this amendment and urge my colleagues to do the same.

Mr. NEWHOUSE. Mr. Chairman, I reserve the balance of my time.

Ms. MCCOLLUM. Mr. Chairman, I claim time in opposition to this amendment.

The Acting CHAIR. The gentlewoman from Minnesota is recognized for 5 minutes.

Ms. MCCOLLUM. This amendment is yet another attack on a vulnerable icon American species, the gray wolf. The gray wolf is a keystone species that plays a vital role in keeping our ecosystems healthy.

It is also an animal that many Native American cultures feel a kinship bond with. I heard from many tribal leaders that the protections afforded under the Endangered Species Act for gray wolves are the only way that they have been able to keep wolf hunts out of their tribal reservation boundaries.

Now, I understand many of my colleagues have very strong views about listings and delistings affecting their States, but the Endangered Species Act exists to offer necessary protections and ensure a species' survival, which the majority of our constituents strongly support. This is the same law that successfully restored another iconic American species, the bald eagle.

This amendment restricts the Department of the Interior's ability to implement the Endangered Species Act. However, it does not alter the protections for the endangered wolves in these States.

Regardless of one's position on species protection, the amendment is very problematic. The restrictions will ultimately hurt farmers, ranchers, landowners and businessowners.

Here is why: under this amendment, the Fish and Wildlife Service would not be able to offer exemptions or permits for incidental killings of wolves to landowners, ranchers, and other parties who might be in need of them; however, the prohibition against accidental kills or takes would still remain and would still be legally enforceable.

Thus, this constitutes that States would either have to stop any activity—any activity—that led to the taking of a wolf, or they would be vulnerable to a lawsuit or heavy penalties. Simply put, this amendment is bad for wolves; it is bad for our ecosystem; it is bad for business, and it is bad for our constituents.

Mr. SIMPSON. Will the gentlewoman yield?

Ms. MCCOLLUM. I yield to the gentleman from Idaho.

Mr. SIMPSON. I just wanted to explain the situation that we find ourselves in.

I am sympathetic with what the gentleman is doing, and when we actually passed language 4 years ago on the wolves in Idaho and Montana, we thought about what happened to the wolves that go into Washington and Oregon and Nevada and Utah and so forth; and we thought about including those in the general delisting. Well, we didn't delist them; the Fish and Wildlife Service did.

We found it created several problems. One, those States didn't have State management plans, which is the case today with most of them because we discussed this, or I discussed this issue earlier with the Fish and Wildlife Service.

What their plan is and what they would like to do is, currently, they support the language that is in the bill that reinstates their delisting in Wyoming and the Great Lakes. Those States have State management plans that have been approved by Fish and Wildlife Service.

If you include the other States that are included in this that don't have the State management plans, then Fish and Wildlife has to oppose what we are doing.

I believe that what their goal is, is to get this language passed dealing with Wyoming, the Great Lakes, and then do a wider, rangewide delisting once those States have State management plans that have been adopted by the Fish and Wildlife Service, and this amendment may undermine that.

This is something that we need to discuss, I think. I am not opposing the gentleman's amendment, but it is something that I think we need to discuss between now and conference so that we get a plan and to make sure that we are not undermining what I think we all want, and that is the ultimate delisting of the gray wolves that have met the standard.

Ms. MCCOLLUM. Reclaiming my time, Mr. Chairman, as I said earlier, I understand that my colleagues have strong views about this, pro and con, about the listing and delisting; but this amendment is very, very problematic. For that reason, I can't support it.

The gentleman from Idaho is correct. This has so many unintended consequences that I feel very strongly—very strongly—about not supporting this amendment for that reason.

Mr. Chairman, I yield back the balance of my time.

Mr. NEWHOUSE. Mr. Chairman, with the few seconds I have left, I would certainly thank the gentleman from Idaho, as well as the lady from Minnesota, for sharing their concerns.

I certainly look forward to working with my colleagues. I would urge support and look forward to a continuing effort to move this to a conclusion that we can all accept.

Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Washington (Mr. NEWHOUSE).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Ms. MCCOLLUM. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Washington will be postponed.

□ 2145

AMENDMENT OFFERED BY MR. GARAMENDI

Mr. GARAMENDI. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

LIMITATION ON USE OF FUNDS

None of the funds made available by this Act for California drought response or relief may be used by the Administrator of the Environmental Protection Agency or the Secretary of the Interior in contravention of implementation of Division 26.7 of the California Water Code (the Water Quality, Supply, and Infrastructure Improvement Act of 2014), as approved by the voters of California in California Proposition 1 (2014).

Mr. SIMPSON. Mr. Chairman, I reserve a point of order on the gentleman's amendment.

The Acting CHAIR. A point of order is reserved.

Pursuant to House Resolution 333, the gentleman from California and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. GARAMENDI. Mr. Chairman, despite the potential for a point of order and the amendment being out of order, it really, really is a good policy. While it may not come to a vote on this House floor, it certainly ought to come to the attention of the appropriators and the administration that we have got a pretty serious drought in the West. It does affect California, Arizona, Oregon, probably parts of Idaho, and on into New Mexico.

California voters last November passed a $7 billion water bond that deals with the long-term issues of the water supply in California and some of the immediate challenges that the California drought has brought to the 30-plus million citizens of the State.

This amendment would direct the Department of the interior, the EPA, the Department of Agriculture, and the Department of Defense to focus the money that it would be spending in California under any circumstance, to focus that money on assisting, augmenting, advancing, and supplementing those programs that the State of California is undertaking to address the drought using the bond act money.

That is a great idea, that instead of spending the money on things that are not immediately relevant, that are not immediately necessary and do not immediately help those citizens of California, those communities, those agencies in the State that are suffering from the drought, rather to spend the money on those programs. That is it.

It doesn't call for any additional money. It doesn't really cause long-term problems to our appropriation processes, but, rather, it says, hey, we have got a problem. Let's focus on the problem, and let's coordinate with the State of California in solving the problem. That is it, pretty simple stuff.

Unfortunately, I guess we may have a point of order, and this rather important concept won't be in the legislation.

However, I do think that the administration is aware, and they are beginning to focus appropriately on the drought in California. And I would hope in other States, just as we are suggesting they do here, that they, the administration and the Federal Government, focus the money that it would otherwise be spending in the State of California and in these other States on projects that the local governments, the State governments in those States are undertaking to address the drought—pretty basic.

So that I might challenge the point of order, I will reserve the balance of my time.

POINT OF ORDER

Mr. SIMPSON. Mr. Chairman, I insist on my point of order and make a point of order against the amendment because it proposes to change existing law and constitutes legislation in an appropriation bill and, therefore, violates clause 2 of rule XXI.

The rule states in pertinent part:

''An amendment to a general appropriations bill shall not be in order if changing existing law.''

The amendment requires a new determination, and I ask for a ruling from the Chair.

The Acting CHAIR. Does any other Member wish to be heard on the point of order?

Mr. GARAMENDI. Mr. Chairman, my good friend from Idaho was so right and is now so wrong. But that is the way it is. When you have got the votes, you have got the votes.

Nevertheless, this is really a very, very good program. I would encourage all of us—and particularly the administration—to follow along the policies here; and I would point out that they are.

So I challenge the point of order and would ask for a ruling of the Chair.

The Acting CHAIR. The Chair will rule.

The Chair finds that this amendment includes language requiring a new determination of whether certain actions will contravene a specified State law.

The amendment, therefore, constitutes legislation in violation of clause 2 of rule XXI.

The point of order is sustained, and the amendment is not in order.

AMENDMENT OFFERED BY MR. NEWHOUSE

Mr. NEWHOUSE. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. _____. None of the funds made available by this Act may be used by the Administrator of the Environmental Protection Agency to issue any regulation under the Solid Waste Disposal Act (42 U.S.C. 6901 et seq.) that applies to an animal feeding operation, including a concentrated animal feeding operation and a large concentrated animal feeding operation, as such terms are defined in section 122.23 of title 40, Code of Federal Regulations.

The Acting CHAIR. Pursuant to House Resolution 333, the gentleman from Washington and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Washington.

Mr. NEWHOUSE. Mr. Chair, I rise today to offer an amendment on an issue that is critical to livestock producers not just in my State and in my district, but across the whole country.

Last year, a group of folks in my area, environmental activists, sued several dairies in the Yakima Valley in Washington State, claiming that the dairies were responsible for ''open dumping'' under the Resources Conservation and Recovery Act of 1976—or, as it is most commonly referred to, RCRA—because of manure storage and management issues on their farms.

The big issue is what law the activists were suing the dairies under. There are many laws and regulations, both at the State and Federal level, which are appropriate mechanisms for protecting and ensuring our Nation's waters are kept clean, but the problem I see is that RCRA is not one of them.

RCRA was a law designed to govern solid wastes and prevent open dumping. The major application of this law is regulating landfills. It was never intended to regulate animal waste. In fact, the EPA, in its initial 1979 regulations for RCRA, expressed that the law ''does not apply to agricultural waste, including manure and crop residue, returned to the soil as fertilizers or soil conditioners.''

I don't know how much clearer we can get that manure storage and handling were not intended to be governed under this law. Unfortunately, though, a Federal judge in Spokane, Washington, agreed with the group and stretched the definition of ''solid waste'' to apply to manure nitrates, contrary to the law and Federal regulatory code, and held the dairies responsible for open dumping because of how they stored and handled animal waste.

Mr. Chair, my amendment does nothing to prevent EPA from enforcing the current regulations under RCRA. It does nothing to change the Clean Water Act rulemakings, nor does it prevent EPA from issuing or enforcing Clean Water Act regulations. All my amendment does is prevent EPA from issuing and expanding new regulations under RCRA that would reflect the interpretation of this current law.

Mr. Chair, no one is saying that livestock producers—like every American—don't share in the responsibility of good stewardship of our environment

and our resources. They certainly do. But there are appropriate laws and regulations intended to govern this, and there are ones that are not appropriate for this purpose.

Simply piling additional layers of regulation on producers and giving activists new litigation tools to target our Nation's farmers and ranchers is not what Congress had in mind when passing the Resources Conservation and Recovery Act. We, as Congress, have a responsibility to make that clarification, and that is what I am seeking to do with this amendment.

I reserve the balance of my time.

Ms. McCOLLUM. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentlewoman from Minnesota is recognized for 5 minutes.

Ms. McCOLLUM. Mr. Chairman, I would be better able to comment on this amendment if the gentleman had shared a copy. In this day and age, I am glad we are allowed to bring an iPad on the floor.

Mr. Chairman, I would ask the gentleman from Washington when he decided upon this amendment. Has it been in the last 20 minutes, or was it 2 hours ago?

I yield to the gentleman from Washington.

Mr. NEWHOUSE. It was, let's see, more like 6 hours ago that it was in the hopper.

Ms. McCOLLUM. Reclaiming my time, Mr. Chairman, I thank the gentleman.

The headlines are, groundbreaking rule in Washington State on this dairy case. And it is, ''Dairy Pollution Threatens Washington Valley's Water.'' This was a big enough story, in fact, that it was even reprinted by the Minneapolis Star Tribune. It was the first time that the Federal Resources Conservation Recovery Act was used to consider ways in which land and water had to be protected.

So, Mr. Chairman, just because I didn't have an opportunity to really delve into this and find out more about it—and what the amendment does is it just totally stops funds to be issued under this regulation to animal feeding operations—I am going to oppose it because it also includes large concentrated animal feeding operations. And I do come from a farming State, so I do know the difference between a small farm, a small hog farmer, and a lagoon, and large dairy farms and small dairy farms. So with that, I oppose this amendment.

I reserve the balance of my time.

Mr. NEWHOUSE. Mr. Chairman, I am not questioning the good lady's credentials from the farming State of Minnesota. But certainly given time, as this process moves forward, she will become intimately familiar with this law as it is being interpreted. It is already happening in other parts of the country, and I would offer this amendment to help preclude the wrongful use of the law and ask my colleagues for strong consideration.

I yield back the balance of my time.

Ms. McCOLLUM. Mr. Chairman, I will just read into the RECORD from January 15, 2015, Spokane, Washington:

> A Federal judge has ruled that a large industrial dairy in eastern Washington has polluted drinking water through its application, storage, and management of manure in a case that could set precedents across the Nation.
>
> U.S. District Judge Thomas O. Rice of Spokane ruled Wednesday that the pollution posed an ''imminent and substantial endangerment'' to the environment and to people who drink the water.
>
> Rice wrote that he ''could come to no other conclusion than that the dairy's operations are contributing to the high levels of nitrate that are currently contaminating—and will continue to contaminate . . . the underlying groundwater.''
>
> ''Any attempt to diminish the dairy's contribution to the nitrate contamination is disingenuous, at best,'' Rice wrote in the 111-page opinion, in which he granted partial summary judgment in favor of environmental groups that sued the dairy.

These environmental groups are people who are looking out for their drinking water. So, Mr. Chairman, I rise in strong opposition to this amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Washington (Mr. NEWHOUSE).

The amendment was agreed to.

□ 2200

AMENDMENT OFFERED BY MS. JACKSON LEE

Ms. JACKSON LEE. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

> At the end of the bill before the short title, insert the following:
>
> LIMITATION ON USE OF FUNDS
>
> SEC. ____. None of the funds made available in this Act may be used to eliminate the Urban Wildlife Refuge Partnership.

The Acting CHAIR. Pursuant to House Resolution 333, the gentlewoman from Texas and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Texas.

Ms. JACKSON LEE. Mr. Chairman, let me thank the committee, both the staff and the gentlewoman from Minnesota, the gentleman from California, and the gentleman from Idaho who are now managing this appropriations bill.

I call this the good health appropriations for the quality of life of many Americans, both urban and rural. I ask my colleagues to consider my amendment, which deals with the urban reforestation program. I live close and personal to both urban areas and rural areas in my congressional district.

Given close to 80 percent of the population of the conterminous United States lives in an urban area, the benefits provided by urban forests touch most U.S. citizens. My amendment specifically reinforces the importance of urban reforestation, as well as preserves our ability to return urban areas to healthy and safe living environments for our children.

I offered these amendments in years past. I know it from a real-time experience. Over the last couple of years, when the drought hit Houston and many other areas in Texas, millions of trees were lost. Millions of trees were lost.

Today, now, we face the large and very challenging effort of trying to reforest parks like Memorial Park, MacGregor Park, and many parks in the northeast part of my district. In the past 30 years alone, we have lost 30 percent of all of our urban trees, a loss of over 600 million trees.

I have certainly seen neighborhoods in Houston benefit from urban reforestation. In fact, many Members will remember that throughout our careers, we have been involved in planting of trees. There are major efforts throughout our community.

I want to cite, for example, those who have worked in Houston, Texas, doing the reforestation work: Houston Wilderness, Student Conservation Association, the Buffalo Bayou Partnership, the Greater East End Management District, Houston Parks and Recreation Department, and Texas Parks & Wildlife Department, along with many civic clubs of which I have had the privilege of working with.

Several years ago, American Forests, a leading conservation group, estimated that the tree-covered loss in the greater Washington metropolitan area from 1973 to 1997 resulted in an additional 540 million cubic feet of storm water runoff annually, which would have taken more than 1 billion in storm water control facilities to manage.

We know that the green effect in the middle of the city can have a beneficial effect on a community's health, both physically and psychologically. A healthy 32-foot-tall ash tree can produce about 260 pounds of oxygen annually.

Trees help reduce pollution. Trees help combat the effects of greenhouse gases. Trees help cool down the overall city environment by shading asphalt, concrete, and metal surfaces. Buildings and paving in city centers create a heat island effect. A mature tree canopy reduces air temperatures by about 5 to 10 degrees.

Let me give a personal story on the importance of reforestation. A few years ago, I helped create a memorial plaza for a Martin Luther King monument in MacGregor Park. There was a tree of life that was presented to that park by Martin Luther King's father.

In the course of urban development, that tree had to be moved. It caused an emotional uprising in our community. Ovide Duncantell tied himself to the tree.

Ultimately, we resolved that the tree had to be moved, and that tree was potentially a tree that would die. With the right kind of nurturing and reforestation and treatment by the foresters who came, that tree is now a shining example of a unified community.

I ask my colleagues to support the Jackson Lee amendment to ensure that our programs dealing with urban reforestation continue.

Mr. Chair, thank you for this opportunity to speak in support of my amendment to H.R. 2822, the Interior and Environment Appropriations Act of 2016 and to commend Chairman CALVERT and Ranking Member MCCOLLUM for their leadership in shepherding this bill through the legislative process.

Among other agencies, this legislation funds the U.S. Forest Service, the National Park System, and the Smithsonian Institution, which operates our national museums including the National Zoo.

Mr. Chair, my amendment is simple but it sends a very important message from the Congress of the United States.

The Jackson Lee amendment emphasizes the importance of urban forests, and preserves our ability to return urban areas to healthy and safe living environments for our children.

Identical amendments were offered and accepted in the Interior and Environment Appropriations Acts for Fiscal Year 2008 (H.R. 2643) and Fiscal Year 2007 (H.R. 5386), and were adopted by voice vote.

Mr. Chair, surveys indicate that some urban forests are in serious danger.

In the past 30 years alone, we have lost 30% of all our urban trees—a loss of over 600 million trees.

Eighty percent (80%) of the American population lives in the dense quarters of a city.

Reforestation programs return a tool of nature to a concrete area that can help to remove air pollution, filter out chemicals and agricultural waste in water, and save communities millions of dollars in storm water management costs.

I have certainly seen neighborhoods in Houston benefit from urban reforestation.

In addition, havens of green in the middle of a city can have beneficial effects on a community's health, both physical and psychological, as well as increase property value of surrounding real estate.

Reforestation of cities is an innovative way of combating urban sprawl and/or deterioration.

Mr. Chair, a real commitment to enhancing our environment involves both the protection of existing natural resources and active support for restoration and improvement projects.

Several years ago, American Forests, a leading conservation group, estimated that the tree cover lost in the greater Washington metropolitan area from 1973 to 1997 resulted in an additional 540 million cubic feet of storm water runoff annually, which would have taken more than $1 billion in storm water control facilities to manage.

Trees breathe in carbon dioxide, and produce oxygen.

People breathe in oxygen and exhale carbon dioxide.

A typical person consumes about 38 lb of oxygen per year.

A healthy tree, say a 32 ft tall ash tree, can produce about 260 lb of oxygen annually—two trees supply the oxygen needs of a person for a year.

Trees help reduce pollution by capturing particulates like dust and pollen with their leaves.

A mature tree absorbs from 120 to 240 lbs of the small particles and gases of air pollution.

Trees help combat the effects of "greenhouse" gases, the increased carbon dioxide produced from burning fossil fuels that is causing our atmosphere to "heat up."

Trees help cool down the overall city environment by shading asphalt, concrete and metal surfaces.

Buildings and paving in city centers create a heat-island effect.

A mature tree canopy reduces air temperatures by about 5–10 degrees Fahrenheit.

A 25 foot tree reduces annual heating and cooling costs of a typical residence by 8 to 12 percent, producing an average annual savings of $120 per American household.

Proper tree plantings around buildings can slow winter winds, and reduce annual energy use for home heating by 4–22%.

Mr. Chair, trees play a vital role in making our cities more sustainable and more livable.

The Jackson Lee amendment simply provides for continued support to programs that reforest our urban areas.

For all these reasons, Mr. Chair, I urge adoption of the Jackson Lee amendment and thank Chairman CALVERT and Ranking Member MCCOLLUM for their courtesies, consideration, and very fine work in putting together this legislation.

Mr. Chair, I yield to the gentlewoman from Minnesota (Ms. MCCOLLUM), the ranking member of the Appropriations Subcommittee on the Interior, Environment, and Related Agencies.

Ms. MCCOLLUM. Mr. Chairman, I rise in support of the Jackson Lee amendment.

It was very interesting to learn more about what your goals and objectives are, and I think it is very worthy of our consideration.

Ms. JACKSON LEE. Mr. Chairman, let me conclude by simply saying what a great difference life will be in many urban areas with our commitment to reforestation of urban areas and creating more opportunities for trees to grow in those areas.

I ask for support of the Jackson Lee amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Texas (Ms. JACKSON LEE).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. YODER

Mr. YODER. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

LIMITATION ON USE OF FUNDS TO IMPLEMENT OR ENFORCE THREATENED SPECIES LISTING OF THE LESSER PRAIRIE CHICKEN

SEC. ____. None of the funds made available by this Act shall be used to implement or enforce the threatened species listing of the lesser prairie chicken under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.).

The Acting CHAIR. Pursuant to House Resolution 333, the gentleman from Kansas and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Kansas.

Mr. YODER. Mr. Chairman, my amendment today would prohibit further waste of Federal funds from being used to enforce the unnecessary listing of the lesser prairie chicken as a threatened species under the Endangered Species Act.

Now, this listing has Americans crying foul in Kansas and all across the country over the burden it places on farmers, ranchers, and agriculture producers. This misguided listing comes at a time when the lesser prairie chicken is actually becoming the greater prairie chicken, in some respects, gaining in population significantly each of the last several years.

Less than 1 week ago, a new population count for the lesser prairie chicken was released, and it shows a 25 percent increase in the species population over the last year. That follows a 20 percent increase from the year before.

What is to account for all this? Is it the listing on the endangered species list? No—these population increases, according to experts, are attributed to improved habitat conditions, as a result of increased rainfall to an area that had previously been experiencing one of the worst droughts since the infamous Dust Bowl.

Now, not a single drop of this rainfall can be attributed to the central planners in Washington, D.C., nor can this listing have any effect on making it rain in places like Kansas.

We need to let State and local municipalities and States work together to create these conservation plans to help produce the populations we need for the lesser prairie chicken.

In fact, five States with habitat areas—Kansas, Oklahoma, Texas, New Mexico, and Colorado—already have a locally driven, areawide plan in place known as the lesser prairie chicken rangewide conservation plan. It has broad stakeholder support to conserve and replenish the lesser prairie chicken population.

Now, we have an opportunity today, as Democrats and Republicans, to flock together, to break out of our shells, to work with States and localities and delist the lesser prairie chicken.

Keeping it in place makes it harder on hard-working farmers to grow crops and feed our Nation, and it makes it harder for energy producers to produce renewable or traditional energy.

All of that increases the cost at the grocery store or at the pump for average everyday working Americans. This cost of the listing is having little to no impact; this is while the cost of this listing has little to no impact on the ever-growing population.

That growth is coming from States and localities working hand in hand with farmers and producers; yet, as these ineffective Federal burdens go up, so does the cost of doing business in America. Now, that is truly something to crow about.

Let's work together. Let's let States recoup and conserve and grow the lesser prairie chicken populations, and let's pass this amendment.

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

Ms. MCCOLLUM. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentlewoman from Minnesota is recognized for 5 minutes.

Ms. MCCOLLUM. Mr. Chair, this amendment would prohibit the Fish and Wildlife Service from implementing or enforcing threatened species listing of the lesser prairie chicken under the Endangered Species Act and would restrict the Fish and Wildlife Service from offering any critical protections to preserve the species.

This amendment is harmful and misguided and maybe a little scrambled, as in some eggs. Once the species is listed under the Endangered Species Act, the role of Fish and Wildlife is primarily permissive, helping parties comply with the act as they carry out their activities.

Under this amendment, all the Endangered Species Act prohibitions would still apply. They would still apply, the Endangered Species Act prohibitions, but landowners would have no avenue to comply with them.

The U.S. Fish and Wildlife Service would be barred from issuing permits or exemptions. This means landowners, industry, and other parties who might need to take the lesser prairie chicken incidentally to do their otherwise lawful activities, such as oil and gas development, would be vulnerable to a citizens lawsuit.

Additionally, this amendment would halt an innovative plan to conserve the lesser prairie chicken. In 2014, Fish and Wildlife, in partnership with States and local stakeholders, began the implementation of a lesser prairie chicken rangewide conservation plan. That encouraged participants to gain in proactive and voluntary conservation activities, promoting lesser prairie chicken conservation.

The plan describes a locally controlled and an innovative approach for maintaining the State's authority to conserve the species and allows for economic development to continue in a seamless manner. It sounds like a win-win to me, with Fish and Wildlife partnering with local partners and with the State.

This plan prevents significant regulatory delays in obtaining taking permits, disruption to economic activities vital to the State and national interests, and little incentive for conservation habitat on prairie lands.

Sadly, the gentleman's amendment would undermine this plan that local folks and the State came up with to be more collaborative in a conservation effort. This amendment would create uncertainty for landowners, making them vulnerable, as I said earlier, to lawsuits.

We should be supporting the Fish and Wildlife Service in its efforts to work with local community leaders and to work with the States, not blocking the agency for doing their job.

I urge my colleagues to oppose this amendment.

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

Mr. YODER. Mr. Chairman, at this time, I yield 1½ minutes to the gentleman from western Kansas (Mr. HUELSKAMP), my friend and colleague.

Mr. HUELSKAMP. Mr. Chairman, I am pleased to cosponsor this commonsense amendment as we work to stop the Federal Government from enforcing the ill-advised listing of the lesser prairie chicken.

As a fifth-generation farmer and possibly the only Member on the floor who has actually seen the real-life bird on a family farm that we are talking about, I am strongly opposed to this listing.

As was mentioned, this listing occurred during a massive, historical multiyear drought in my home area in my region and State, which obviously limits habitat growth and reduces the numbers of prairie chickens.

The best solution is for it to rain; and that, it has. Thank you, Lord, though I fully expect the U.S. Fish and Wildlife Service to take credit for the resulting increase in the lesser prairie chicken population.

For the last 4 years, I have heard from farmers, ranchers, homebuilders, energy producers, and other small businesses concerned about what this listing would do to our rural economy. Our farmers and ranchers are in a state of uncertainty as to whether certain farming and conservation practices, like we have in my own farm, will result in fines or perhaps even jail time. Many energy producers have stopped drilling new wells for fear of risking the consequences of the listing.

Unless Congress does something and does it soon, this threat to our rural economy will probably continue forever. In 40 years of the Endangered Species Act, more than 1,350 species have been listed as endangered, but only 24 have been delisted, and that is just 1.7 percent—not very successful, Mr. Chairman.

I appreciate the opportunity to share these concerns with you, and I encourage my colleagues to support this amendment, support our farmers and ranchers, and support common sense.

Mr. YODER. Mr. Chairman, how much time do I have remaining?

The Acting CHAIR. The gentleman from Kansas has 1 minute remaining.

Mr. YODER. Mr. Chair, I yield 1 minute to the gentleman from California (Mr. CALVERT), the chairman of the committee.

Mr. CALVERT. Mr. Chairman, I am sympathetic to the gentleman's concerns, particularly because my home State of California probably has more than its fair share of endangered species problem.

The Endangered Species Act hinges upon the principle that, if a species is listed, that it will be recovered and management will return to the States. This push by the States is the reality we see playing out. Bats, wolves, greater sage-grouse, delta smelt, the list goes on and on and on.

It should come as no surprise, then, to see the States pushing back through their elected Representatives in the legislative branch in an effort to bring the Endangered Species Act back into balance.

I would support this amendment.

Mr. YODER. Mr. Chair, I yield back the balance of my time.

Ms. MCCOLLUM. Mr. Chair, I understand that there is a concern with the listings; and I hear that very loud and clear from my colleagues.

The problem with the way that these amendments have been drafted, particularly in line with this amendment, again, all the Endangered Species Act prohibitions would still apply.

Landowners would have no avenue to comply with because they wouldn't have a partner in the Fish and Wildlife because Fish and Wildlife would be barred from issuing any permits or any exemptions.

Clearly, it means landowners, industries, and other parties who might need to take a lesser prairie chicken incidentally to their otherwise lawful activities will be vulnerable to a lawsuit. Additionally, this amendment will halt any innovation plan to conserve the lesser prairie chicken.

The gentleman's amendment, by undermining collaborative efforts and, I believe, with an amendment that creates uncertainty for landowners making them vulnerable to lawsuits, should be an amendment that should be opposed.

Mr. Chairman, I oppose this amendment, and I yield back the balance of my time.

□ 2215

The Acting CHAIR. The question is on the amendment offered by the gentleman from Kansas (Mr. YODER).

The amendment was agreed to.

AMENDMENT OFFERED BY MS. JACKSON LEE

Ms. JACKSON LEE. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

LIMITATION ON USE OF FUNDS

SEC. ____. None of the funds made available in this Act may be used to limit outreach programs administered by the Smithsonian Institution.

The Acting CHAIR. Pursuant to House Resolution 333, the gentlewoman from Texas and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Texas.

Ms. JACKSON LEE. Mr. Chairman, again, let me offer my appreciation to the gentlewoman from Minnesota, the gentleman from California, and their staff who have worked with us.

Let me remind my colleagues that just a few days ago, I offered this amendment dealing with museums and dealing with my concern for the funding and the Smithsonian, to provide for the Nation's museum.

Let me also say to my colleagues that I have offered this amendment in the past because I have a particular interest in the museums of America and their ability to do outreach. I imagine I am not alone standing here amongst appropriators to again say and call for the end of sequestration to be able to provide the appropriators and to provide the people of America the full funding to address these quality of life issues from the various lands and Federal parks and, as well, the historic trails, of which I will talk about, but museums, urban reforestation, all elements of the beauty of this Nation. And I frankly believe that museums, likewise, are that form of beauty.

My amendment specifically says: ''None of the funds made available in this Act may be used to limit outreach programs administered by the Smithsonian Institution.''

In order to fulfill the Smithsonian's mission, the increase and diffusion of knowledge, the Smithsonian seeks to serve an even greater audience by bringing the Smithsonian to enclaves of communities who otherwise would be deprived of the vast amounts of cultural history offered by the Smithsonian.

Our museums of the Nation are in trouble. The Smithsonian has a beautiful array of museums that are here that millions of Americans have the opportunity to visit. But the outreach program serves millions of Americans, thousands of communities, and hundreds of institutions in all 50 States through loans of objects, traveling exhibitions, and sharing of educational resources via publications, lectures and presentations, training programs, and Web sites.

Allow me to mention just a few in my own district:

The Holocaust Museum, unique in its presentation of a horrible time in history, but it also serves as a very unifying entity in our community;

The Children's Museum, as one of the original board members and founders, now the Children's Museum is one of the major children's museums in the Nation. But again, it needs the impact of the outreach of the Smithsonian;

And then, of course, the Museum of African American Culture, headed by a dear friend, but also a champion of holding this museum together, and that is John Guess. He needs a fuller embrace by the Smithsonian, including its expertise, its experts, its Ph.D.s, traveling efforts, and again, its encouragement of corporate communities to recognize the value of participating in museums.

The Smithsonian's outreach activities include the Smithsonian Institution traveling exhibition, the Smithsonian Center for Education and Museum Studies, National Science Resources Center, the Smithsonian Institution Press, the Office of Fellowships, and the Smithsonian Associates.

Who are we if we do not value preserving those items that tell the varied and diverse history of America, the good history of America, the history that is unifying and purposeful in citing us as a country that recognizes our wonderful diversity?

So I ask my colleagues to support this amendment that deals specifically with allowing the outreach to the kinds of museums that really need the help of the Smithsonian.

The Smithsonian, in concluding, Mr. Chairman, is very important to urban areas and rural areas alike, and its ability or its affiliation is to build a strong national network of museums and educational organizations in order to establish active and engaging relationships with communities throughout the country.

Again, allow me to salute, in particular, John Guess, with the Museum of African American Culture in Houston. He has literally put that museum together, along with his board members.

The Smithsonian—I hope they are hearing me as I am talking on the floor of the House—we need your help in Houston, Texas. We probably need your help in Washington State, in California, Minnesota, New York, and beyond to preserve and help these small museums throughout the Nation.

I ask my colleagues to support not only this amendment, but the museums of this Nation.

And I say to Mr. CALVERT, we had discussed this before. This amendment now is a placeholder, hopefully, for our discussion going forward dealing with the preservation of our museums.

Let me thank Mr. CALVERT, Mr. SIMPSON, and Ms. MCCOLLUM.

I yield back the balance of my time.

Mr. Chair, thank you for this opportunity to speak in support of my amendment to H.R. 2822, the ''Interior and Environment Appropriations Act of 2016.''

Let me also thank Chairman CALVERT and Ranking Member MCCOLLUM for their leadership in shepherding this bill to the floor.

Among other agencies, this legislation funds the Smithsonian Institution, which operates our national museums, including the Air and Space Museum; the Museum of African Art; the Museum of the American Indian; and the National Portrait Gallery.

The Smithsonian also operates another national treasure: the National Zoo.

Mr. Chair, my amendment is simple but it sends a very important message from the Congress of the United States.

The Jackson Lee Amendment simply provides that:

''Sec. ____. None of the funds made available in this Act may be used to limit outreach programs administered by the Smithsonian Institution.''

This amendment is identical to an amendment I offered to the Interior and Environment Appropriations Act for FY2008 (H.R. 2643) that was approved by voice vote on June 26, 2007.

Mr. Chair, the Smithsonian's outreach programs bring Smithsonian scholars in art, history and science out of ''the nation's attic'' and into their own backyard.

Each year, millions of Americans visit the Smithsonian in Washington, D.C.

But in order to fulfill the Smithsonian's mission, ''the increase and diffusion of knowledge,'' the Smithsonian seeks to serve an even greater audience by bringing the Smithsonian to enclaves of communities who otherwise would be deprived of the vast amount of cultural history offered by the Smithsonian.

The Smithsonian's outreach programs serve millions of Americans, thousands of communities, and hundreds of institutions in all 50 states, through loans of objects, traveling exhibitions, and sharing of educational resources via publications, lectures and presentations, training programs, and websites.

Smithsonian outreach programs work in close cooperation with Smithsonian museums and research centers, as well as with 144 affiliate institutions and others across the nation.

The Smithsonian's outreach activities support community-based cultural and educational organizations around the country.

They ensure a vital, recurring, and high-impact Smithsonian presence in all 50 states through the provision of traveling exhibitions and a network of affiliations.

Smithsonian outreach programs increase connections between the Institution and targeted audiences (African American, Asian American, Latino, Native American, and new American) and provide kindergarten through college-age museum education and outreach opportunities.

These outreach programs enhance K–12 science education programs, facilitate the Smithsonian's scholarly interactions with students and scholars at universities, museums, and other research institutions; and disseminate results related to the research and collections strengths of the Institution.

The programs that provide the critical mass of Smithsonian outreach activity are:

1. the Smithsonian Institution Traveling Exhibition Services (SITES);
2. the Smithsonian Affiliations, the Smithsonian Center for Education and Museum Studies (SCEMS);
3. National Science Resources Center (NSRC);
4. the Smithsonian Institution Press (SIP);
5. the Office of Fellowships (OF); and
6. the Smithsonian Associates (TSA), which receives no federal funding.

To achieve the goal of increasing pubic engagement, SITES directs some of its federal resources to develop Smithsonian Across America: A Celebration of National Pride.

This ''mobile museum,'' which will feature Smithsonian artifacts from the most iconic (presidential portraits, historical American flags, Civil War records, astronaut uniforms, etc.) to the simplest items of everday life (family quilts, prairie schoolhouse furnishings, historical lunch boxes, multilingual store front and street signs, etc.), has been a long-standing organizational priority of the Smithsonian.

SITES ''mobile museum'' is the only traveling exhibit format able to guarantee audience growth and expanded geographic distribution during sustained periods of economic retrenchment, but also because it is imperative for the many exhibitors nationwide who are struggling financially yet eager to participate in Smithsonian outreach.

For communities still struggling to fully recover from the economic downturn, the ability of museums to present temporary exhibitions, the ''mobile museum'' promises to answer an ever-growing demand for Smithsonian shows in the field.

A single, conventional SITES exhibit can reach a maximum of 12 locations over a two- to three-year period.

In contrast, a ''mobile museum'' exhibit can visit up to three venues per week in the course of only one year, at no cost to the host institution or community.

The net result is an increase by 150 in the number of outreach locations to which SITES shows can travel annually.

And in addition to its flexibility in making short-term stops in cities and towns from coast-to-coast, a ''mobile museum'' has the advantage of being able to frequent the very locations where people live, work, and take part in leisure time activities.

By establishing an exhibit presence in settings like these, SITES will not only increase its annual visitor participation by 1 million, but also advance a key Smithsonian performance objective: to develop exhibit approaches that address diverse audiences, including population groups not always affiliated with mainstream cultural institutions.

SITES also will be the public exhibitions' face of the Smithsonian's National Museum of African American History and Culture, as that new Museum comes online.

Providing national access to projects that will introduce the American public to the Museum's mission, SITES in FY 2008 will tour such stirring exhibitions as NASA ART: 50 Years of Exploration; 381 Days: The Montgomery Bus Boycott Story; Beyond: Visions of Planetary Landscapes; The Way We Worked: Photographs from the National Archives; and More Than Words: Illustrated Letters from the Smithsonian's Archives of American Art.

To meet the growing demand among smaller community and ethnic museums for an exhibition celebrating the Latino experience, SITES provided a scaled-down version of the National Museum of American History's 4,000-square-foot exhibition about legendary entertainer Celia Cruz.

Two 1,500-square-foot exhibitions, one about Crow Indian history and the other on basket traditions, will give Smithsonian visitors beyond Washington a taste of the Institution's critically acclaimed National Museum of the American Indian.

Two more exhibits, ''In Plane View'' and ''Earth from Space,'' provided visitors an opportunity to experience the Smithsonian's recently opened, expansive National Air and Space Museum Udvar-Hazy Center.

For almost 30 years, The Smithsonian Associates—the highly regarded educational arm of the Smithsonian Institution—has arranged Scholars in the Schools programs.

Through this tremendously successful and well-received educational outreach program, the Smithsonian shares its staff—hundreds of experts in art, history and science—with the national community at a local level.

The mission of Smithsonian Affiliations is to build a strong national network of museums and educational organizations in order to establish active and engaging relationships with communities throughout the country.

There are currently 138 affiliates located in the United States, Puerto Rico, and Panama.

By working with museums of diverse subject areas and scholarly disciplines, both emerging and well-established, Smithsonian Affiliations is building partnerships through which audiences and visitors everywhere will be able to share in the great wealth of the Smithsonian while building capacity and expertise in local communities.

The National Science Resources Center (NSRC) strives to increase the number of ethnically diverse students participating in effective science programs based on NSRC products and services.

The Center develops and implements a national outreach strategy that will increase the number of school districts (currently more than 800) that are implementing NSRC K–8 programs.

The NSRC is striving to further enhance its program activity with a newly developed scientific outreach program introducing communities and school districts to science through literacy initiatives.

In addition, through the building of the multicultural Alliance Initiative, the Smithsonian's outreach programs seek to develop new approaches to enable the public to gain access to Smithsonian collections, research, education, and public programs that reflect the diversity of the American people, including underserved audiences of ethnic populations and persons with disabilities.

For all these reasons, Mr. Chair, I urge adoption of my amendment and thank Chairman CALVERT and Ranking Member MCCOLLUM for their courtesies, consideration, and very fine work in putting together this excellent legislation.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Texas (Ms. JACKSON LEE).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. ROTHFUS

Mr. ROTHFUS. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill, before the short title, insert the following:

SEC. ____. None of the funds made available by this Act may be used by the Director of the National Park Service to implement, administer, or enforce Policy Memorandum 11–03 or to approve a request by a park superintendent to eliminate the sale in National Parks of water in disposable plastic bottles.

The Acting CHAIR. Pursuant to House Resolution 333, the gentleman from Pennsylvania and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Pennsylvania.

Mr. ROTHFUS. Mr. Chairman, I yield myself such time as I may consume.

This summer, thousands of Americans will load the kids into the car and set out on a trip to visit one of our country's historic national parks.

Whether it is to see the stunning valleys of the Grand Canyon or the towering stone faces etched into Mt. Rushmore, tens of millions of families arrive at national park destinations each year.

As some may know, the National Park Service has implemented a policy allowing parks to ban the sale of bottled water, and only bottled water, at park concessions. I understand that the Park Service is concerned about waste left behind by visitors. We all agree that protecting our national parks is a laudable goal. However, banning the sale of bottled water is not the best way to go about it.

In blocking the sale of bottled water at our parks, we are depriving millions of Americans access to a healthy and necessary beverage that park visitors rely on. This is especially true in the hot summer months.

Families who don't own expensive camping equipment and aren't experienced hikers and climbers will be surprised to find out that they can't buy their child a bottle of water at one of our national parks. Nineteen national parks have adopted or plan to adopt a bottled water ban. This includes the Grand Canyon National Park. Temperatures at the Grand Canyon just this week will top 100 degrees. Visitors who may have forgotten or have run out of water could be put at risk of dehydration.

Banning bottled water defies common sense. Even the Park Service admits that the ban ''could affect visitor safety'' and ''eliminates the healthiest choice for bottled drinks, leaving sugary drinks as a primary alternative.''

The policy runs counter to the Park Service's own Healthy Parks Healthy People initiative, which urges visitors to make healthy food choices because, remember, bottled water, and only bottled water, is banned from being sold at concessions.

Some argue that the ban is necessary to reduce waste. But the National Park Service has confirmed that participating parks haven't been able to determine if the policy works. To start, we know parks don't separately analyze recycled waste visitors leave behind. Parks simply can't say whether the ban has worked.

It is also worth noting that studies conducted on similar water bans show that they aren't effective in reducing waste. A study in the American Journal of Public Health found the bottled water bans on college campuses had unintended consequences. Eliminating bottled water did not, in fact, reduce waste, but actually led to a spike in sales and increased shipments of packaged beverages.

Mr. Chairman, we all support efforts to protect our parks. All we ask today is that the National Park Service carefully consider its policies.

I reserve the balance of my time.

Ms. MCCOLLUM. Mr. Chairman, I claim the time in opposition to the amendment.

The Acting CHAIR. The gentlewoman from Minnesota is recognized for 5 minutes.

Ms. MCCOLLUM. Mr. Chairman, I would like to work with the gentleman on this issue because I think he raises some concerns which do need to be addressed.

I would just kind of like to set the picture about what is currently going on right now. There are 407 units in the National Park system, and only 19 of them—19 of them—have elected to eliminate the sale of water in disposable plastic bottles.

It is important to note that in the National Park system units, including these 19, visitors are still free to bring water in with them and use water in disposable plastic bottles. They are not banned from bringing in their own water.

The use of these disposable water bottles has had a significant environmental impact on the National Park system units. That is why I would like to work with the gentleman and figure out what we need to do about waste reduction in our parks and if this was part of the Park's overall system on it, and the sugary drinks that the gentleman referred to, if those bottles are also a potential problem, or how do we educate and work with families and hikers and vacationers and visitors to our national parks about not leaving this waste out in the open.

Another example, in Grand Canyon Park, disposable bottles compromise nearly 20 percent of the Grand Canyon's waste stream and 30 percent of the park's recyclables.

So before eliminating bottle water sales, the National Park system units were required to undertake an extensive review process considering 14 different factors before seeking approval from the regional director. This extensive review process included rigorous impact analysis, including assessment of the effects on visitors' health and safety.

Once approved, these park units are required to maintain an extensive public education program that provides readily available designed water bottle refilling stations. And in many places that I visited recently, I have seen both the ability to purchase as well as refill, at our national parks, water bottles.

So as a leader in conservation, the National Park Service encourages recycling in the reduction of plastic disposable water bottles. My concern would be we wouldn't want your amendment—and I will speak for myself. I don't want to be part of undercutting any of those efforts to encourage recycling in the reduction of disposable water bottles.

I would also be concerned that the park system eliminated water sales without having a viable alternative, as the gentleman pointed out, but that does not appear to be the case here. As I noted earlier, there is an extensive review process, and these park units are required to offer readily available free water refilling stations. Plus, people are still free to bring in water themselves.

I would very much like to work with the gentleman and the chairman to see if there are any refinements or if there is anything that we need to know more about what the National Park system's policy on plastic water bottles is. But I do not support an outright prohibition on the National Park Service to be able to carry out a policy that encourages the reuse and the reduction of plastic water bottles in our parks and in our Nation.

I reserve the balance of my time.

Mr. ROTHFUS. Mr. Chairman, may I inquire how much time is remaining?

The Acting CHAIR. The gentleman from Pennsylvania has 2½ minutes remaining.

Mr. ROTHFUS. Mr. Chairman, at this time, I yield 2 minutes to the gentlewoman from North Carolina (Mrs. ELLMERS).

Mrs. ELLMERS of North Carolina. Mr. Chairman, I rise today in support of my colleague from Pennsylvania's amendment.

As a nurse, I know the key component of staying healthy is being hydrated and drinking plenty of water. However, if you were to be in one of our Nation's parks, you might find this difficult.

Why?

Because the National Park Service allows individual parks to ban bottled water from their premises. Yet, in those same parks, someone can still purchase soda and other bottled beverages.

□ 2230

Mr. Chairman, this ban is misguided. While it was created in an attempt to reduce litter in the parks, it has, instead, served as a primary example of intrusive government overreach—something this country certainly needs less of and something my constituents sent me here to Washington to prevent.

According to the National Park's Sustainable Practices report, parks that have implemented this ban are not actually reporting any useful data on recycling by type. In other words, they don't know if this ban is effectively working or not. Preserving the beauty of our parks is a noble goal and is something we should all care about, but it should not come at the expense of consumer choice.

Mr. Chairman, we should support freedom; we should support the beauty of our parks; and we should support good, healthy lifestyles for every American. However, the current ban in place does none of the above. I urge my colleagues to support this commonsense measure as it stops this ineffective ban.

Ms. MCCOLLUM. Mr. Chairman, to the speakers and to the chairman of the subcommittee, I hear the concerns. If there are concerns to be addressed, I want to be a partner in that, but I also don't want to be part in party of walking back—reducing waste in our streams and not in any way, shape or form, adding to the costs of Park Service rangers and volunteers in their having to go out and clean up plastic bottles, plastic water caps, and other such things.

I am sincere in my efforts in saying I would like very much to work with my colleagues on this issue, but I did not hear anybody saying that they wanted to work back. So, at this point, I will oppose the amendment.

I yield back the balance of my time.

Mr. ROTHFUS. Mr. Chairman, I urge my colleagues to support this amendment for the convenience of consumers and also in light of the fact that studies show that it is not having an impact.

I yield the balance of my time to the gentleman from California (Mr. CALVERT).

Mr. CALVERT. Mr. Chairman, I am more than happy to work with my good friend from Minnesota as we move this process forward.

As you know, we talked about this in the budget process with the National Park Service earlier in the year. We, obviously, don't want to discourage people from drinking water. We want them to stay hydrated. There are also people who work in the bottled water industry, and I think it is a noble industry. We want to encourage people to drink more water. It is not just about bottled water. It is about jobs and about the people who bottle that water.

I will work together with the gentlewoman from Minnesota, and we will not deny people water in our national parks. I support this amendment.

Mr. ROTHFUS. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Pennsylvania (Mr. ROTHFUS).

The amendment was agreed to.

AMENDMENT OFFERED BY MS. JACKSON LEE

Ms. JACKSON LEE. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of bill, before the short title, add the following new section:

SEC. ____. None of the funds made available by this Act for the ''DEPARTMENT OF INTERIOR—NATIONAL PARK SERVICE—NATIONAL RECREATION AND PRESERVATION'' may be used in contravention of section 320101 of title 54, United States Code.

The Acting CHAIR. Pursuant to House Resolution 333, the gentlewoman from Texas and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Texas.

Ms. JACKSON LEE. Mr. Chairman, I rise with my appreciation to the managers of this bill and their staffs; but I also want to thank them for the very civil discussion that occurred earlier by two of my colleagues who offered amendments regarding the exhibition of Civil War artifacts, or the rebel flag, and I thank them for their courtesy in those amendments of those individuals.

I also make a statement on the floor that I look forward to the opportunity given to us by the leadership of this House to have a full discussion on various entities that did not unify but divide, and I think a civil debate on this is warranted in this House as we watched the very moving and very honest debate that took place in South Carolina.

My amendment, however, is one that, I hope, is embracing and is a show of unity about what America stands for,

and that is the National Heritage Area-Corridor designation. I just want to show this map, and I am certainly quite pleased that a number of these National Heritage Areas do exist. There are 49 of them—none in the State of Texas, none but possibly one in Minnesota, maybe one between Arizona and California, but very few in the West, including in the State of Idaho, and I can name a number of other States.

My amendment is to highlight the value of these national trails. This is particularly important because this tells the story of America. 16 U.S. Code 461 provides that: ''It is declared that it is a national policy to preserve for public use historic sites, buildings, and objects of national significance for the inspiration and benefit of the people of the United States.'' Again, I want to emphasize that—the inspiration.

Texas has, starting in Galveston, history referring to the Emancipation Proclamation. We commemorate something called Juneteenth, and out of Juneteenth was the time when Captain Granger came to the shores of Galveston, in Texas, and announced that the slaves had been freed. However, there are a number of other historic sites following the trail from Galveston through Houston to include Emancipation Park, MacGregor Park, and then sites going up through Austin.

We really understand that this idea of historic trails can create an economic impact. For example, in 2012, a nationally respected consulting firm completed a comprehensive economic impact of six national historic sites in the northeast region that also included an extrapolation of the economic benefit of all 49 NHAs. It was $12.9 billion.

The study quantified the economic impact of the individual NHAs and based it upon a case study approach and found that the economic impact of three National Historic Areas in Arizona, Massachusetts, and Pennsylvania showed: in Massachusetts, $153.8 million in economic impact, 1,832 jobs, and generates $14.3 million in tax revenue; in Pennsylvania, $21.2 million in economic impact, 314 jobs, and generates $1.5 million in tax revenue; in the Yuma Crossing National Heritage Area in Arizona, $22.7 million in economic impact, supports 277 jobs, and generates $1.3 million in tax revenue.

This is, Mr. Chairman, an important and very vital part of America's history, and as we approach the anniversary of this legislation that was created in 1966, I think it is important to reinforce the ability for these particular sites. We need to increase the ability for feasibility studies; we need the support of legislative action and designation; and we need to be able to introduce people to the importance of these sites.

Let me make very quick mention of the emancipation part. In 1872, in Houston, four former slaves raised $800. That would be part of it, but I would just simply say that this is a very important part of America's history.

I ask my colleagues to support the creation of a national heritage site across America by supporting the Jackson Lee amendment so that we can expand the 49 sites to other States that do not have one single site, and Texas is one of them.

Mr. Chair, Thank you for this opportunity to speak in support of the Jackson Lee amendment and to commend Chairman CALVERT and Ranking Member MCCOLLUM for their leadership in shepherding this bill to floor.

Among other agencies, this legislation funds the U.S. Forest Service, the National Park System, and the Smithsonian Institution.

Most Americans do not know that this bill also funds a very special program, the National Recreation and Preservation.

Mr. Chair, the Jackson Lee Amendment is simple but it sends a very important message from the Congress of the United States.

The Jackson Lee Amendment provides:

SEC. ____. None of the funds made available by this Act for the ''DEPARTMENT 0F THE INTERIOR—NATIONAL PARK SERVICE—NATIONAL RECREATION AND PRESERVATION'' may be used in contravention of section 461 of title 16, United States Code.

And 16 U.S. Code 461 provides that:

It is declared that it is a national policy to preserve for public use historic sites, buildings, and objects of national significance for the inspiration and benefit of the people of the United States.

This is important, especially as it relates to National Heritage Areas (NHAs).

NHAs both preserve our national heritage and provide economic benefits to communities and regions through their commitments to heritage conservation and economic development.

Through public-private partnerships, NHA entities support historic preservation, natural resource conservation, recreation, heritage tourism, and educational projects.

Leveraging funds and long-term support for projects, NHA partnerships generate increased economic impact for regions in which they are located.

In 2012, a nationally respected consulting firm (Tripp Umbach) completed a comprehensive economic impact study of six NHA sites in the Northeast Region that also included an extrapolation of the economic benefit of all 49 NHA sites on the national economy.

The annual economic impact was estimated to be 12.9 billion.

The economic activity supports approximately 148,000 jobs and generates $1.2 billion annually in Federal revenues from sources such as employee compensation, proprietor income, indirect business tax, households, and corporation.

The study quantified the economic impacts of individual NHAs based upon a case study approach and found that the economic impact of the three National Historic Areas in Arizona, Massachusetts, and Pennsylvania showed:

1. Essex National Heritage Area (MA) generates $153.8 million in econonic impact, supports 1,832 jobs, and generates $14.3 million in tax revenue.

2. Oil Region National Heritage Area (PA) generates $21.2 million in economic impact, supports 314 jobs, and generates $1.5 million tax revenue; and

3. Yuma Crossing National Heritage Area (AZ) $22.7 million in economic impact, supports 277 jobs, and generates $1.3 million in tax revenue.

Mr. Chair, as I said there are 49 NHA across the nation but, surprisingly, none in my state of Texas.

We hope to rectify this in the not too distant future.

Texas is the largest and second most populous state in the nation and has a unique story in American history with its diverse geographic landscape, natural resources, and population.

From Galveston's port, East Texas' farms and forestry, and the Buffalo Soldiers, Texas has a rich multi-cultured heritage and history.

To honor Texas' heritage, I will be working with my colleagues to establish a National Heritage Area Corridor designation that stretches across historically significant and landmark sites from Galveston to Houston and East Texas into Central Texas.

This cultural corridor would focus on historic, cultural and natural sites, as well as roadways, businesses, residential and farm districts that unite Texas' rich heritage from the first settlers to modern times.

Mr. Chair, as we approach the anniversary of the passage of the 1966 National Historic Preservation Act, we want to preserve and unite the legacy stories of some of our state's most revered sites.

Currently underway in Houston is the revitalization of the historic Emancipation Park, a pivotal site in the state's social and cultural development and African American legacy.

The future Emancipation Park, if brought to fruition and designated as a part of a National Heritage Corridor, represents a unique opportunity to tell a comprehensive story about the great State of Texas.

To conclude, National Heritage Areas (NHAs) are both a good investment and national treasure providing economic benefits to communities and regions through their commitment to heritage conservation and economic development.

For all these reasons, Mr. Chair, I urge adoption of the Jackson Lee Amendment.

I thank Chairman CALVERT and Ranking Member MCCOLLUM for their work in putting together this legislation.

THE CREATION OF A NATIONAL HERITAGE CORRIDOR FOR EMANCIPATION PARK AND SURROUNDING HISTORIC SITES IN TEXAS:

I.) Why a National Heritage Corridor:

1. Opportunity to share the unique story of Emancipation Park

In 1872, four former slaves raised $800.00 to purchase 10 acres of land as a gathering place to celebrate their new found freedom. This land has played a prominent role in America's rich cultural heritage, from slavery, to the false hopes of Emancipation, a safe haven under Jim Crow, a site for mobilization and activism during the Civil Rights movement and will now serve as a local, national and international destination for many years to come for all people for the discussion of modern day race relations and for the celebration and exploration of African American history and culture.

2. Link Related Historical Sites to create the Heritage Corridor

From the Slave Ships landing in Galveston, to slaves traveling into Ft. Bend and Harris County, up the Brazos into Washington County and from East Texas into Central Texas.

3. Provides Opportunities for Access to Federal Funding for the Region

4. Serves as a Catalyst for Economic Development

5. Encourages Tourism in the Region

Emancipation Park can serve as the Welcoming Center and the Conservancy can provide the oversight for the NHC

6. Raises the Profile of the Project for the Capital Campaign

Ms. JACKSON LEE. I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Texas (Ms. JACKSON LEE).

The amendment was agreed to.

AMENDMENT NO. 7 OFFERED BY MR. WEBER OF TEXAS

Mr. WEBER of Texas. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill (before the short title), insert the following:

LIMITATION ON USE OF FUNDS

SEC. ____. None of the funds made available by this Act may be used in contravention of Section 321(a) of the Clean Air Act (42 U.S.C. 7621(a)).

The Acting CHAIR. Pursuant to House Resolution 333, the gentleman from Texas and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. WEBER of Texas. Mr. Chairman, I rise to offer a commonsense amendment to the Interior and EPA Appropriations bill which, I hope, all Members can and will support.

First, I would like to commend Chairman CALVERT for his work on this legislation and for including critical provisions to prevent the EPA from moving forward on crippling new regulations on our economy.

Mr. Chairman, since 2009, our job creators have faced an onslaught of regulations from the EPA even as Congress has consistently reduced the Agency's budget year after year. The EPA has proposed a regulation to lower the national ozone standard, which is largely based on shaky scientific data and could cost our economy billions of dollars a year. The EPA has also proposed new regulations on new and existing power plants that could substantially increase energy prices for hard-working families and small businesses.

The Agency has cited its authority to regulate under the Clean Air Act as the basis for many of these decisions. However, when it comes to evaluating how its regulations impact American jobs, the Agency has failed to follow the law. Section 321(a) of the Clean Air Act clearly states: ''The Administrator shall conduct continuing evaluations of potential loss or shifts of employment.''

Last year, the EPA was sued because of its failure to comply with this provision. Additionally, we heard testimony last month before the Science, Space, and Technology Committee that further reinforced the EPA's failure to evaluate employment impacts as Congress has directed under section 321(a).

It is unacceptable for the EPA Administrators to cherry-pick the law based on their own ideological agenda. That is why I have introduced this amendment, which would ensure that the EPA abides by the law and conducts ongoing evaluations of just how their actions impact jobs in America. I urge the adoption of this amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Texas (Mr. WEBER).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. MURPHY OF FLORIDA

Mr. MURPHY of Florida. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

LIMITATION ON USE OF FUNDS TO CARRY OUT SEISMIC AIRGUN TESTING OR SURVEYS OFF COAST OF FLORIDA

SEC. ____. None of the funds made available by this Act may be used to carry out seismic airgun testing or seismic airgun surveys in the Eastern Gulf of Mexico Outer Continental Shelf Planning Area, the Straits of Florida Outer Continental Shelf Planning Area, or the South Atlantic Outer Continental Shelf Planning Area located within the exclusive economic zone (as defined in section 107 of title 46, United States Code) bordering the State of Florida.

Mr. MURPHY of Florida (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read.

The Acting CHAIR. Is there objection to the request of the gentleman from Florida?

There was no objection.

The Acting CHAIR. Pursuant to House Resolution 333, the gentleman from Florida and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Florida.

Mr. MURPHY of Florida. Mr. Chairman, I rise to offer the Murphy, Castor, Jolly, Posey, Clawson, Graham, DeSantis, Ros-Lehtinen, Grayson, Buchanan, Hastings, Wilson amendment to block the use of seismic airgun testing off of Florida's coast.

As you can see from the list of cosponsors, offshore drilling is not a partisan issue in our State but an economic issue. Florida is a unique place that depends on healthy beaches, clean waters, and a safeguarded environment. The seismic testing that the administration has proposed puts all of these things at risk.

First, seismic airgun testing can be harmful to undersea mammals like endangered whale species and dolphins, disrupting their ability to communicate and navigate. It can also have negative effects on sea turtles, such as the loggerhead sea turtle, that have key nesting grounds along the Treasure Coast and Palm Beaches in the district that I am so proud to represent. This testing practice can also disrupt fish migratory patterns that could have significant impacts on fishermen in Florida.

□ 2245

Second, seismic airgun testing is the first step in the wrong direction to opening our pristine shores to offshore drilling and to the threat of devastating oil spills. Florida has more coastline than any other continental State in the United States, and our economy depends on healthy beaches.

I was proud when former Governor Jeb Bush and Florida's congressional delegation actually came together and fought to block drilling off Florida's coast, and now I am proud to join my many Florida colleagues to block this administration from putting special interests over the economic and environmental needs of our State.

Whatever your party, Floridians protect their environmental treasures at all costs. As residents on the Gulf Coast are too well aware—and as I have seen firsthand myself—oil spills can devastate our environment and our economy up and down the coast. Twenty cities throughout Florida have passed resolutions proactively banning seismic testing because they know it is a rotten deal for our State.

I urge my colleagues to support this amendment.

I reserve the balance of my time.

Mr. CALVERT. Mr. Chair, I rise in opposition to the gentleman's amendment.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. CALVERT. Mr. Chairman, this administration has already developed the most restrictive policies for the use of seismic airguns for offshore exploration to date. We do not need to place a moratorium on the use.

Further, the Eastern Gulf of Mexico Planning Area is more than 125 miles off the Florida coast, and the South Atlantic Planning Area also affects Georgia and South Carolina. So the amendment affects many other States other than his own. Also, the Department of the Interior has already classified the Straits of Florida as a low resource potential or low support for potential new listing. As such, I urge my colleagues to vote ''no.''

I reserve the balance of my time.

Mr. MURPHY of Florida. Mr. Chairman, I certainly do appreciate the chairman's hard work on this bill, and many Members of Congress who are supporting this in a bipartisan manner. In Florida, it is pretty clear to see, based on the cosponsors of this bill, that this isn't a partisan issue.

I would like to remind the chairman that regardless of how far offshore this is, what really matters is the infrastructure onshore. You could talk about these sites, it doesn't matter how far offshore. The fact is, you are going to have to have infrastructure there onshore that really starts to impede with our economy, whether that is the beaches, whether that is the

tourism, whether that is the fishing industry. So there is a lot more to it. But I do respect the chairman's hard work on this bill.

I yield back the balance of my time.

Mr. CALVERT. Mr. Chair, I urge opposition to the amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Florida (Mr. MURPHY).

The amendment was rejected.

AMENDMENT OFFERED BY MRS. NOEM

Mrs. NOEM. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

LIMITATION ON USE OF FUNDS TO CLOSE OR MOVE FISHERIES ARCHIVES

SEC. 441. None of the funds made available by this Act may be used to close or move the D.C. Booth Historic National Fish Hatchery and Archives.

The Acting CHAIR. Pursuant to House Resolution 333, the gentlewoman from South Dakota and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from South Dakota.

Mrs. NOEM. Mr. Chairman, today I rise to offer an amendment to prevent the Fish and Wildlife Service from closing fish hatcheries across the United States. I want to thank the chairman and his staff for all their dedication and for preventing the closure of these hatcheries in the underlying bill. My amendment only clarifies their language to ensure that it prevents closure of hatcheries and archives, which operate a little bit differently within the hatchery system.

For example, the D.C. Booth Historic National Fish Hatchery and Archives has been a cornerstone of the community in Spearfish, South Dakota, with over 150,000 visitors annually. It was originally established in 1896 to introduce and maintain trout in the Black Hills of South Dakota, but it is much more than a fish hatchery. It is home to an 1800's era museum, a 1910 railroad car, priceless artifacts, and educational opportunities for children. Moving these items would cost taxpayers, which doesn't make any sense, given the tens of thousands of volunteer hours and private funds that are leveraged to run this hatchery.

I want to thank the chairman for working with me to preserve these hatcheries and archives that are certainly of cultural significance. I urge my colleagues to support this amendment to prevent their closure.

I yield to the chairman.

Mr. CALVERT. I thank the gentlewoman for yielding to me.

Mr. Chairman, I rise in support of the gentlewoman's amendment. This amendment is consistent with policy agreed to last year in the conference on a bipartisan basis. Fishing is a national pastime, to which the national fish hatchery plays an important role.

Therefore, I support the gentlewoman's amendment, and I urge an ''aye'' vote.

Mrs. NOEM. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from South Dakota (Mrs. NOEM).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. ROUZER

Mr. ROUZER. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available by this Act may be used to implement, administer, or enforce the rule entitled ''Standards of Performance for New Residential Wood Heaters, New Residential Hydronic Heaters and Forced-Air Furnaces'' published by the Environmental Protection Agency in the Federal Register on March 16, 2015 (80 Fed. Reg. 13671 et seq.).

The Acting CHAIR. Pursuant to House Resolution 333, the gentleman from North Carolina and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from North Carolina.

Mr. ROUZER. Mr. Chairman, in early March 2015, the Environmental Protection Agency published the final rule establishing excessive new standards for wood heaters. This onerous rule is a classic example of bureaucratic overreach that has become all too common at the EPA. Manufacturers in my district, as well as consumers, are very concerned about the negative impacts of these new standards.

According to press reports, 10 percent of U.S. households still choose to burn wood to keep energy costs as low as possible. The number of households that rely on wood as their primary heating source rose by nearly one-third from the year 2005 to 2012.

This new rule is of particular concern for rural residents all across this country. Because of this new rule, the cost of manufacturing wood heaters would increase substantially, making them unaffordable for many.

It is no secret that costs from additional regulations are always passed down to the consumers. Several States, in fact, have expressed their concern on this matter. Wisconsin, Missouri, Michigan, Virginia, and my home State of North Carolina have all introduced or passed legislation that prohibits their respective environmental agencies from enforcing this burdensome, unnecessary regulation.

In defense of all the fine Americans who want to purchase wood heaters, my amendment to the Department of the Interior, Environment, and Related Agencies Appropriations Act prohibits any funds from being used to implement, administer, or enforce these new, unnecessary, and costly standards. Simply put, the Federal Government has no business telling private citizens how they should heat their homes or their businesses. After all, this is America. If an individual or family wants to heat their home or business using a wood stove or furnace, they should be able to do so without paying through the nose.

Mr. Chairman, I would like to thank Congressmen WALTER JONES, MARKWAYNE MULLIN, ROD BLUM, MARK MEADOWS, MIKE BISHOP, SEAN DUFFY, and THOMAS MASSIE for their support on this amendment.

I yield 1½ minutes to the gentleman from Kentucky (Mr. MASSIE), my colleague and friend.

Mr. MASSIE. Mr. Chairman, I thank the gentleman from North Carolina for his leadership on this issue and for yielding the time to me.

First, the administration went after coal. Now it is coming after wood heat. In March, the EPA finalized a new rule to regulate the type of wood burning stoves and boilers that you can buy, forcing millions of middle class Americans to pay more to heat their homes.

That is why I am cosponsoring this legislation, to stop the administration from enforcing new prohibitions on a renewable, abundant, and, dare I say, carbon-neutral method of heating our homes that has been with us for centuries. If it passes, our amendment to the EPA funding bill will prohibit the Federal Government from using taxpayer money to enforce crippling regulations on wood burning heating appliances.

As the price of electricity skyrockets due to the President's promise to bankrupt the coal industry, wood heat is a viable alternative for millions of Americans. Unfortunately, it seems like this administration would rather see people turn to the government for public assistance with their heating bills than to allow them an affordable means of self-sufficiency.

Mr. Chairman, this is a State issue. The Federal Government should not be regulating wood burning appliances. I urge my colleagues to support this amendment.

Mr. ROUZER. Mr. Chairman, I yield 1 minute to the gentleman from California (Mr. CALVERT), the chairman of the subcommittee.

Mr. CALVERT. Mr. Chairman, I just rise in support of the amendment. I know the State of North Carolina opposed the rule and passed the legislation a few months ago to block these EPA regulations. I suspect it is not the only State that may have these concerns. Let's let the market drive manufacturers toward producing lower emission wood heaters.

I support the gentleman's amendment and urge an ''aye'' vote. I hope that everybody who supports this amendment would also vote for the bill for final passage.

Mr. ROUZER. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from North Carolina (Mr. ROUZER).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. MASSIE. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from North Carolina will be postponed.

AMENDMENT OFFERED BY MR. HUDSON

Mr. HUDSON. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

LIMITATION ON USE OF FUNDS TO REMOVE OIL AND GAS LEASE SALE 260 FROM LEASING PROGRAM

SEC. ____. None of the funds made available by this Act may be used to remove oil and gas lease sale 260 from the Draft Proposed Outer Continental Shelf (OCS) Oil and Gas Leasing Program for 2017-2022.

The Acting CHAIR. Pursuant to House Resolution 333, the gentleman from North Carolina and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from North Carolina.

Mr. HUDSON. Mr. Chairman, I rise tonight to offer an amendment that prohibits the administration from blocking the proposed Atlantic lease sale from the Department of the Interior's draft proposed plan for offshore oil and gas development.

As cochairman of the Atlantic Offshore Energy Caucus, I have been fighting to advance an all-of-the-above energy strategy that gets North Carolina into the energy business.

□ 2300

I was pleased when the administration recently heeded calls from Members of Congress—as well as our fine Governor, Pat McCrory, and other State leaders—when they announced a proposal to open up the Atlantic to offshore natural gas and oil exploration.

I welcome the proposal as one of the many steps that must be taken to unlock our natural resources, create jobs, and boost our economy.

The problem is we now face bureaucratic hoops and an uphill rulemaking process that could take the Atlantic lease sale completely off the table. In fact, Secretary Sally Jewell testified recently that she could not guarantee the Atlantic lease would stay in the plan once it is finalized.

For years, there has been bipartisan support for an offshore lease sale off the Atlantic Coast. One was even scheduled off the coast of Virginia, but later blocked by this administration.

North Carolina has incredible potential for energy jobs, and I won't let this opportunity slip through our fingers.

Mr. Chairman, my amendment is critical to provide certainty to North Carolina and unleash jobs and lower energy prices. Our economy is sputtering along, and too many folks back home are struggling to find jobs. Opening up the Atlantic to oil has the potential to support more than 55,000 jobs in our State and contribute nearly $3 billion in new revenue.

For that reason, I urge my colleagues to support this amendment.

I yield to the gentleman from California (Mr. CALVERT), the chairman.

Mr. CALVERT. I am not going to oppose the amendment. I certainly appreciate what the gentleman is trying to accomplish and generally agree that this administration has placed way too many restrictions on drilling, both onshore and offshore.

These restrictions have delayed the permitting process and slowed economic growth in your State and many other States around the Union. Various groups have used that to their advantage.

I agree that more certainty is needed in the leasing and permitting process. What I am afraid of is this might lead to a precedent for preempting the Department of the Interior's decision-making under any President, and may lead to other amendments and kind of opening Pandora's box, and Members doing specific amendments that are off their particular States.

Saying that, as we move this process forward, I am not going to oppose the amendment, but I just have some concerns we can talk about as we move this process along.

We both want the same outcome. I just want to make sure that we make sure this works in an orderly fashion.

Mr. HUDSON. I thank the chairman for his comments, and I appreciate his leadership on this issue.

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

Ms. PINGREE. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentlewoman from Maine is recognized for 5 minutes.

Ms. PINGREE. This amendment would mandate that the Bureau of Ocean Energy Management include the South and mid-Atlantic area of the Outer Continental Shelf, otherwise known as sale 260 in the 2017–2022 lease sale schedule.

The amendment would undermine the Bureau's fundamental mission to manage the development of offshore resources in an environmentally and economically responsible manner.

The Atlantic Outer Continental Shelf is a frontier area, and the decision to include sale 260 in the 2017–2022 5-year leasing schedule should be informed by sound science, using the best available data.

The Bureau is required by law to consider the environmental impacts of leasing decisions, and this includes a comprehensive programmatic environmental impact statement, which has not yet been completed for the Atlantic Outer Continental Shelf.

In fact, the most current geological and geophysical data on the oil and gas resources in this area was collected in the 1970s and 1980s. That is really ancient by today's scientific standards.

Without the collection and analysis of new information, input from State Governors and other Federal agencies, and consideration of critical economic analyses, the decision to include sale 260 in the 2017–2022 program is premature and runs counter to the thoughtful and deliberative process established by Congress through the Outer Continental Shelf Lands Act.

This amendment would violate multiple environmental statutes, including NEPA, the Marine Mammal Protection Act, the Endangered Species Act, and the Coastal Zone Management Act.

The amendment undermines environmental protection required by law. Therefore, I oppose the amendment.

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

Mr. HUDSON. Mr. Chairman, I appreciate my colleague's comments on the subject.

The reason we need this step is to guarantee that the folks in North Carolina get a shot at these jobs. We are talking about 55,000 jobs and potentially as much as $3 billion in economic development in our State.

Frankly, it has been frustrating how hard it has been to get this process moved forward. If you look at the proposed lease sale, the sale is allowed in the fourth year of the 5-year period. Only one sale is even allowed. An artificial buffer of 50 miles was inserted into the sale.

We are getting one sale late in the 5-year period, with a 50-mile buffer, when the old seismic shows that most of that oil and gas is around 25 miles out.

The ''yes'' that we got from the administration and the fact this process is even moving forward is good news for North Carolina and the other States on the Atlantic Coast; but it is certainly not, in my opinion, an appropriate response to the potential we have got there.

I agree with the gentlewoman when she said the seismic is old; the seismic was done in the late seventies, but this administration has called for new seismic mapping. I am looking forward to that because, again, we want to use good science.

We have given one opportunity pretty far out in the fourth year of a 5-year period, and I am afraid we are going to lose that because, if you look at the history under this administration, there was a lease sale proposed in Virginia and that was taken away.

I think, to guarantee that we get at least some shot at unlocking this potential off the coast of getting the American sources of energy into the pipeline, getting North Carolinians to work in these energy jobs, I think it is important we have this amendment. I would urge my colleagues to support this.

Mr. Chairman, I yield back the balance of my time.

Ms. PINGREE. Mr. Chair, I certainly appreciate the gentleman from North Carolina and his concerns about jobs for his home State, but as a Member of

Congress who also represents the coastal State of Maine, I know the deep concerns that people have about the potential dangers of offshore oil drilling and the possible dangers to the fisheries, marine mammals, and a whole variety of other things. The reason we have this process is it is critically important to our State.

Mr, Chairman, I continue to oppose this amendment, and I yield back the balance of my time.

The Acting CHAIR (Mr. LOUDERMILK). The question is on the amendment offered by the gentleman from North Carolina (Mr. HUDSON).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Ms. PINGREE. Mr. Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from North Carolina will be postponed.

AMENDMENT OFFERED BY MR. HUDSON

Mr. HUDSON. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available by this Act may be used by the Environmental Protection Agency to issue, implement, administer, or enforce any regulation of particulate matter emissions from residential barbecues.

The Acting CHAIR. Pursuant to House Resolution 333, the gentleman from North Carolina and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from North Carolina.

Mr. HUDSON. Mr. Chairman, I rise tonight to offer an amendment that would prohibit the EPA from regulating particulate matter emissions from residential barbecues.

As you may recall, last August, the EPA issued a grant to ''perform research and develop preventative technology that will reduce fine particulate emissions from residential barbecues.''

The EPA gets a lot of things wrong, especially with this preposterous study. For one thing, ''barbecue'' is a term us southerners use to talk about the best pork in North Carolina or a community pig picking.

What they are proposing is reducing emissions from residential propane grills, which means they want to stop you and me from grilling outside on our own property. By the way, propane is one of the most clean and efficient sources of energy out there.

Regulations that waste our time, money, and resources are bad as it is, but they are trying to go as far as restricting our personal freedom.

Mr. Chairman, this grant was met with staunch opposition from conservatives and other outdoor enthusiasts like myself. If this isn't part of EPA's larger goal of regulating grill emissions, then it begs the question why they are wasting our hard-earned tax dollars on this mind-boggling study in the first place.

We have seen overreaches by the EPA time and time again, from their flawed waters of the USA regulation to their disastrous clean power plan that is cap-and-trade by fiat to their new ground level ozone regulations that would have a catastrophic impact on manufacturing in this country; but now, they are studying limiting emissions from residential grills. Enough is enough.

Mr. Chairman, it is summer, and it is grilling season. I urge my colleagues to support this amendment.

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

Ms. PINGREE. Mr. Chairman, I claim the time in opposition to the amendment.

The Acting CHAIR. The gentlewoman from Maine is recognized for 5 minutes.

Ms. PINGREE. Mr. Chairman, I appreciate the concerns of the Member from North Carolina, and I will give him credit. They have better barbecue than my home State. We have got you beat on lobsters, but that is how it goes.

I want to say I think this argument is somewhat cynical and a little too suspicious of our government; perhaps Republicans have gotten too far down this road.

My understanding is this summer, a conservative media outlet ran a sensationalized story about EPA's regulatory overreach. The story claimed that EPA has its eyes on pollution from backyard barbecues. The problem with the story and this amendment is that it is based on a false premise and a mischaracterization of important work.

EPA operates a successful and innovative grant program that encourages students around the Nation to design solutions for a sustainable future. It is called People, Prosperity, and the Planet Student Design Competition for Sustainability. Its purpose is to foster innovation, not to create regulations.

The EPA awarded one of these design grants to a group of University of California students working to design a system to make barbecues burn cleaner and be better for the environment. The students received $15,000 from the EPA for the idea. In addition, the university has said the idea has potential for global application.

Mr. Chair, in many developing nations, women hunch over traditional cook stoves for hours a day, breathing in toxic smoke. Exposure to this household air pollution is responsible for low birth weights, childhood pneumonia, and more than 4 million premature deaths each year.

The availability of cleaner cooking technologies could literally be lifesaving for many of these women and children. Instead of attacking the EPA for these innovative grants, we should be applauding them.

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

Mr. HUDSON. Mr. Chairman, I thank the gentlewoman for her kind comments about North Carolina barbecue. I do admit the lobster rolls in Maine are pretty good. Maybe we can work out some kind of exchange.

The gentlewoman is right. I am guilty as charged. I am cynical and suspicious of the Federal Government, particularly the EPA, when you look at the some of the things they are spending our tax dollars on and some of the rules they are proposing.

Let's get serious. We are talking about a $15 million grant to study the emissions of a propane grill in your backyard.

Now, we all are concerned about toxic smoke in homes and living conditions of individuals—the example that was mentioned—but we are talking about a propane gas grill in your backyard. The EPA has no business regulating that. They have spent $15 million of our tax money to form a study, which is the first step in a rulemaking process.

I think this Chamber needs to say loud and clear to the EPA: focus on the job that the gentlewoman described, focus on the real issues and the mission of the EPA, and keep your hands off our grills in our backyards.

Mr. Chairman, I yield back the balance of my time.

Ms. PINGREE. Mr. Chair, I am happy to have an exchange—North Carolina barbecue, Maine lobster. It is probably a pretty fair exchange.

I just want to clarify. It is $15,000, not $15 million that the EPA spent working on this innovation.

I understand your concerns, and I appreciate the points that you brought up.

Mr. Chairman, I continue to oppose the amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from North Carolina (Mr. HUDSON).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. FITZPATRICK

Mr. FITZPATRICK. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

FOREST LEGACY PROGRAM

SEC. ____. For ''Department of Agriculture—Forest Service—State and Private Forestry'' for the Forest Legacy program, as authorized by section 1217 of Title XII of the Food, Agriculture, Conservation and Trade Act of 1990 (16 U.S.C. 2103c), there is hereby appropriated, and the amount otherwise provided for ''Department of the Interior—Bureau of Land Management—Management of Lands and Resources'' is reduced by, $5,985,000.

The Acting CHAIR. Pursuant to House Resolution 333, the gentleman from Pennsylvania and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Pennsylvania.

□ 2315

Mr. FITZPATRICK. Mr. Chairman, I intend to offer and then withdraw this amendment which will make it easier for land preservation efforts, including under the Federal Forest Legacy Program.

During my time as a local official in Pennsylvania as a Bucks County commissioner, I was proud to lead local efforts to preserve the beauty of the countryside and the Bucks County landscape, while advancing smarter development initiatives to reclaim brownfields through commonsense conservation efforts.

Along with a task force for that purpose, our community was able to expend approximately $100 million for the preservation of farmland, parkland, and critical natural areas, close to about 15,000 acres in our one county preserved.

Now, as a strong advocate for land preservation in Congress, I continue to be a supporter of vital conservation programs, including the United States Forest Service's Forest Legacy Program.

My amendment today would reallocate $5.9 million from the Bureau of Land Management, Management of Lands and Resources, to the Forest Legacy Program for the purpose of fully funding two additional preservation projects.

The Forest Legacy Program is a Federal program that supports and encourages State and private efforts to protect environmentally sensitive forestlands. The program helps the States develop and carry out their forest conservation plans, while encouraging and supporting acquisition of conservation easements without removing the property from private ownership.

Most conservation easements restrict development, require sustainable forestry practices, and protect other values.

The additional funding my amendment provides will allow for the protection of 4,000 acres of Pennsylvania forests in the Northeast Connection.

Mr. Chairman, the Northeast Connection is a collaboration between the Pennsylvania Department of Conservation and Natural Resources and three groups of over 150 families to conserve more than 4,000 contiguous forest acres which serve as a natural bridge between the 84,000-acre Delaware State Forest, which is managed by the Commonwealth of Pennsylvania, and the 77,000-acre Delaware Water Gap National Recreation Area, managed by the National Park Service.

I believe this project is a crucial objective to preserving Pennsylvania's and our Nation's natural resources and beauty.

Again, I want to thank the chairman for his hard work on the underlying bill. I look forward to working with the chairman on robust funding for this program.

Mr. CALVERT. Will the gentleman yield?

Mr. FITZPATRICK. I yield to the gentleman from California.

Mr. CALVERT. I certainly appreciate the gentleman yielding me time, and I appreciate the gentleman's willingness to work with us.

We support the Forest Legacy Program, and I pledge to you we will continue to work with you and other supporters of the program as we move this process along.

Mr. FITZPATRICK. I thank the chairman for his desire to provide additional resources, if possible, to the Forest Legacy Program. It is a great program for our Nation, well utilized by States and local communities and private landowners. I look forward to working with the chairman.

Mr. Chairman, I ask unanimous consent to withdraw the amendment.

The Acting CHAIR. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

AMENDMENT OFFERED BY MR. THOMPSON OF PENNSYLVANIA

Mr. THOMPSON of Pennsylvania. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

LIMITATION ON USE OF FUNDS TO TREAT NORTHERN LONG-EARED BAT AS ENDANGERED SPECIES

SEC. ____. None of the funds made available by this Act may be used by the United States Fish and Wildlife Service or any other agency of the Department of the Interior to treat the northern long-eared bat as an endangered species under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.).

The Acting CHAIR. Pursuant to House Resolution 333, the gentleman from Pennsylvania and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Pennsylvania.

Mr. THOMPSON of Pennsylvania. Mr. Chairman, the U.S. Fish and Wildlife Service has released a final 4(d) rule listing the northern long-eared bat as ''threatened'' under the Endangered Species Act.

While certain colonies of the species of bat have seen dramatic population losses in recent years, Fish and Wildlife has repeatedly asserted that the underlying fundamental cause is a fungal disease known as the white-nose syndrome.

White-nose syndrome does not directly kill or harm these bats. Rather, it wakes them out of hibernation, resulting in the bats burning through stored fat and leaving their hibernacula in search of food when none is often found or available.

I am pleased that the underlying legislation contains funding for white-nose syndrome research. Bats play a critical role in the ecosystem, and more needs to be done in order to restore colonies devastated by white-nose.

However, as we allow for necessary habitat conservation, we must also ensure that activities occurring in the bats' range are not unreasonably or unnecessarily impacted as a result of the Endangered Species Act listing.

Specifically, such a listing could have great impacts on forest management, forest products, agriculture, energy production, mining, and commercial development. Because this species of bat is found in 38 States and Washington, D.C., a listing under the Endangered Species Act would have significant impacts through this enormous geographical range.

My amendment is simple. It merely prohibits the Department of the Interior, for a period of 1 year, from considering any new rules beyond the final 4(d) rule or any action to treat the northern long-eared bat as endangered, which is the most restrictive form of ESA listing.

The intention is to ensure reasonable land use within the bats' range while Fish and Wildlife continues to research and work with the States on finding treatments for white-nose syndrome.

I urge my colleagues to vote ''yes'' on this amendment, and I reserve the balance of my time.

Ms. McCOLLUM. Mr. Chairman, I claim the time in opposition to this amendment.

The Acting CHAIR. The gentlewoman from Minnesota is recognized for 5 minutes.

Ms. McCOLLUM. Mr. Chairman, this amendment would prohibit the Fish and Wildlife Service from treating the northern long-eared bat as endangered under the Endangered Species Act.

Fish and Wildlife Service listed the northern long-eared bat as threatened—threatened—with an interim rule in April of this year. Since the bat was listed as threatened and not endangered, this amendment would have no effect on the Service's implementation of the rule.

Even though the amendment has no practical effect, I strongly oppose its intent, which runs counter to the fundamental principle that science should govern our determinations under our environmental laws.

Bats are critically important to the ecosystem, and a study published in Science magazine found the value of pest control services provided by insect-eating bats in the United States ranges from the low of $3.7 billion to the high of $53 billion a year.

Additionally, researchers warn that notable economic losses to North American agriculture could occur in the next 4 to 5 years as a result of emerging threats to bat populations. Bats play an important role in our economy when it comes to eliminating pests.

The primary factor threatening the northern long-eared bat is a functional

disease called white-nose syndrome, as has been mentioned. However, because this disease has reduced populations of the bat, human activities that might not have been significant in the past are now having a greater effect.

It is appropriate that Fish and Wildlife Service is taking steps to protect the species, but we should be supporting the Fish and Wildlife Service in its efforts. We should be supporting them, not blocking the agency from doing its job.

So I rise in opposition to this amendment, and I reserve the balance of my time.

Mr. THOMPSON of Pennsylvania. Mr. Chairman, I thank the gentlewoman for her perspectives. Certainly, a number of those points I agree with—the value of the bats—as chairman of the Conservation and Forestry Subcommittee. In agriculture, bats serve a very important purpose.

I also agree with her premise, although I think her interpretation of what the science is is somewhat misguided. The science is extremely important, and the science has shown, in fact, the agency responsible for oversight on the Endangered Species Act has publicly acknowledged, that any job-crushing restrictions on industries related to habitat under an endangered listing with these bats will not help the northern long-eared bats. The threat really is going to an endangered listing which would do that.

I would agree that the Fish and Wildlife Service needs resources and, quite frankly, they are getting those. Just last week they released $1 million toward studying the white-nose syndrome. Within this underlying bill, I believe there is an amount of $10 million to study the white-nose syndrome. It is a fungus. It is not habitat, and it is not the industries that work within those habitats.

And so, quite frankly, we need to give the Fish and Wildlife Service what they need, and that is the support that they have already, that they released last week through many grants throughout many States, and the underlying $10 million in this underlying bill.

I would just ask for support of my amendment, and I yield back the balance of my time.

Ms. MCCOLLUM. Mr. Chairman, I read from the amendment:

> None of the funds made available by this Act may be used by Fish and Wildlife or any other service or agency in the Department of the Interior to treat the northern long-eared bat as an endangered species.

Well, first off, I reiterate again, it is listed as threatened, not as endangered. And this amendment doesn't even address the role the Forest Service would still have. So this is a poorly constructed amendment.

We need to be very, very careful and very thoughtful when we write these amendments and make sure that we not only give Fish and Wildlife the tools that they need, that when something is threatened and not endangered, whether it is the Forest Service, Interior, or whether it is U.S. Fish and Wildlife, we need to let them do their job based on the science.

Mr. Chairman, I do not support the amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Pennsylvania (Mr. THOMPSON).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. LAMBORN

Mr. LAMBORN. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

> At the end of the bill, before the short title, insert the following:
>
> SEC. ____. None of the funds made available by this Act shall be used to implement or enforce the threatened species listing of the Preble's meadow jumping mouse under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.).

The Acting CHAIR. Pursuant to House Resolution 333, the gentleman from Colorado and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Colorado.

Mr. LAMBORN. Mr. Chairman, I yield myself as much time as I may consume.

The Preble's meadow jumping mouse is a tiny rodent with a body approximately 3 inches long, with a 4- to 6-inch tail and large hind feet adapted for jumping. This largely nocturnal mouse lives primarily in streamside ecosystems along the foothills of southeastern Wyoming south to Colorado Springs in my district, along the front range of Colorado. To evade predators, the mouse can jump like a miniature kangaroo, up to 18 inches high, using its 6-inch-long whiplike tail as a rudder to switch directions in midair.

But the little acrobat's most famous feat was its leap onto the Endangered Species list in May 1998, a move that has hindered development in moist meadows and streamside areas from Colorado Springs, Colorado, to Laramie, Wyoming.

Among many projects that have been affected: the Jeffco Parkway southeast of Rocky Flats, an expansion of Chatfield Reservoir, and housing developments in El Paso County along tributaries of Monument Creek. Builders, landowners, and local governments in affected areas have incurred hundreds of millions of dollars in added costs because of the mouse. Protecting the mouse has even been placed ahead of protecting human life, and let me explain why that is the case.

On September 11, 2013, Colorado experienced a major flood event which damaged or destroyed thousands of homes, important infrastructure, and public works projects. And while Colorado has come a long way in rebuilding, there remains a lot of work to be done.

As a result of the Preble's mouse's listing as an endangered species, many restoration projects were delayed as Colorado sought a waiver. In fact, FEMA was so concerned that they sent out a notice that stated, ''legally required review may cause some delay in projects undertaken in the Preble's mouse habitat.''

□ 2330

It goes on to warn that ''local officials who proceed with projects without adhering to environmental laws risk fines and could lose Federal funding for their projects.'' While a waiver was eventually granted, the fact remains that the scientific evidence does not justify these delays or the millions of taxpayer dollars that go toward protecting a rodent that is actually part of a larger group that roams throughout half of the North American continent.

Several recent scientific studies have concluded that the Preble's mouse does not warrant protection because it isn't a subspecies at all and is actually part of the Bear Lodge jumping mouse population. Even the scientist that originally classified this mouse as a subspecies has since recanted his work.

Moreover, the Preble's mouse has a low conservation priority score, meaning the hundreds of millions of dollars already spent on protection efforts could have been better spent on other, more fragile species or other uses to accomplish good.

The threats that development and transportation allegedly pose to the mouse have been greatly overstated. Ample regulations already in place minimize the impact of development on this species.

My amendment would correct the injustice that has been caused by an inaccurate listing of the Preble's meadow jumping mouse and refocus the U.S. Fish and Wildlife Service's efforts on species that have been thoroughly scientifically vetted and that actually should come under the Endangered Species Act.

Mr. Chairman, I encourage my colleagues to support this amendment, and I reserve the balance of my time.

Ms. MCCOLLUM. Mr. Chairman, I claim the time in opposition to this amendment.

The Acting CHAIR. The gentlewoman from Minnesota is recognized for 5 minutes.

Ms. MCCOLLUM. Mr. Chairman, this amendment would prohibit Fish and Wildlife Service from treating the Preble's meadow jumping mouse as threatened or endangered under the Endangered Species Act and would restrict, again, the Fish and Wildlife Service from offering any of the critical protections to preserve the species.

This amendment is in addition to a growing list of anti-Endangered Species Act provisions, and it makes one wonder if—for the number of people here who are opposing the work that Fish and Wildlife is doing under the Endangered Species Act—if the intent isn't just to do away with the entire act.

Last year, Fish and Wildlife reviewed two petitions to delist the Preble's meadow jumping mouse and determined that protections under the Endangered Species were still necessary.

Voting for this amendment might undo a lot of work that was done that is well on its way to having this mouse removed from the endangered species list because this amendment ignores the determination and short-circuits the statutory process informed by science.

I would certainly think that a rider on this bill is not the place to have a robust debate about how close we are maybe with Fish and Wildlife being able to delist this mouse and, by putting this language in the bill, that it undoes a lot of potentially good work.

It throws out, with this amendment, the carefully science-based work, as I said, that the Fish and Wildlife Service has worked towards and chips away at the very foundation of the Endangered Species Act, which makes me wonder, as I said earlier, if the intent of many of the amendments being offered is not only to chip away but to do away with the Endangered Species Act.

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

Mr. LAMBORN. Mr. Chairman, all I will say in response is that this is a subspecies—actually, it is not even a species or subspecies. It should have never been listed in the first place.

The science shows that it is actually part of the Bear Lodge jumping mouse population. For that reason, it shouldn't even be on the list in the first place.

Mr. Chairman, I yield back the balance of my time.

Ms. MCCOLLUM. Mr. Chairman, to the gentleman's remarks, this is not the place—as a rider on the environmental appropriations bill—to be having these thoughtful discussions. If that is what needs to take place, this is not the bill to be doing it on. I mean, we have an authorizing committee. They can hear things on it; and you can have a robust, full, transparent discussion and bring all the scientists in.

Let me close with this: I would be really remiss if I did not remind my colleagues that the Endangered Species Act, in fact, did rescue the bald eagle. The bald eagle's recovery is an American success story because we were united in the belief that this was the symbol of our Nation and was worth protecting for the continuing benefit of future generations.

It feels like we have lost sight of being able to do that today, especially with the lack of transparency and full debate that takes place with all these riders being offered on an authorization bill.

Congress needs to give serious consideration of what kind of conservation legacy we are leaving for our children, and our children will want us to do a better job than just to put riders onto an appropriations bill. I urge my colleagues to oppose this amendment.

Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Colorado (Mr. LAMBORN).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. LAMBORN

Mr. LAMBORN. Mr. Chairman, I have one other amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill, before the short title, insert the following:

SEC. ____. None of the funds made available by this Act may be used to implement or enforce the threatened species or endangered species listing of any plant or wildlife that has not undergone a review as required by section 4(c)(2) of the Endangered Species Act of 1973 (16 U.S.C. 1533(c)(2) et seq.).

The Acting CHAIR. Pursuant to House Resolution 333, the gentleman from Colorado and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Colorado.

Mr. LAMBORN. Mr. Chair, I yield myself such time as I may consume.

Mr. Chairman, my amendment is straightforward. It simply ensures that the U.S. Fish and Wildlife Service has to follow section 4(c)(2) of the Endangered Species Act by conducting a review of all threatened and endangered plants and wildlife at least once every 5 years. It prohibits any funds in the bill from being used to implement or enforce the listing of any plant or wildlife that has not undergone the review as required by law.

Under the Endangered Species Act, the purpose of a 5-year review is to ensure that threatened and endangered species have the appropriate level of protection. The reviews assess each threatened and endangered species to determine whether its status has changed since the time of its listing or its last status review and whether it should be removed from the list, delisted; reclassified from endangered to threatened, downlisted; reclassified from threatened to endangered, uplisted; or maintain its current classification. You can find all this on the Web site of the U.S. Fish and Wildlife Service.

Because the Endangered Species Act grants extensive protection to a species, including harsh penalties for landowners and other citizens, it makes sense to verify if a plant or animal should be on the list in the first place.

Despite this commonsense requirement, the U.S. Fish and Wildlife Service has acknowledged that it has neglected its responsibility to conduct the required reviews for hundreds of listed species.

For example, in Florida alone, it was found that 77 species out of a total of 124 protected species in that State were overdue for a 5-year review. In other words, the government had not followed the law for a staggering 62 percent of species in that State.

In California, the U.S. Fish and Wildlife Service acknowledged that it had failed to follow the law for roughly two-thirds of the State's species listed under the Endangered Species Act and was forced by the courts to conduct the required reviews of 194 species.

By enforcing the 5-year review, which is in current law, my amendment will ensure that the U.S. Fish and Wildlife Service is using the best available scientific information in implementing its responsibilities under the Endangered Species Act, including incorporating new information through public comment and assessing ongoing conservation efforts. These are things we should all be in agreement with.

I encourage my colleagues to join me in ensuring that the U.S. Fish and Wildlife Service follows the Endangered Species Act, that we do not provide money in this bill that would violate current law.

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

Ms. MCCOLLUM. Mr. Chairman, I claim the time in opposition to this amendment.

The Acting CHAIR. The gentlewoman from Minnesota is recognized for 5 minutes.

Ms. MCCOLLUM. Mr. Chairman, this amendment, again, would prohibit the Fish and Wildlife Service from implementing or enforcing the Endangered Species Act listing for any species that has not undergone a review. This amendment joins a growing list of anti-Endangered Species Act provisions.

The amendment would block the listing of any species that does not receive status review by Fish and Wildlife Service every 5 years. Fish and Wildlife Service is required to do a 5-year review every 5 years after a species is listed. However, with over 1,500 domestic listed species, that would amount to over 300 status reviews every year.

Why hasn't Fish and Wildlife done it? Well, it is because we—Congress—do not provide Fish and Wildlife Service with enough resources to complete such a large task.

Follow the law? They would love to. In fact, this bill that we are considering right now includes a 50 percent—a 50 percent—cut in the listing program. Now, how can they follow the law when Congress doesn't put any tools in the toolbox allowing them to do their job?

I really have to wonder if this House is prepared to appropriate the millions of dollars that would be needed to meet the requirement of this amendment.

Fish and Wildlife Service already follows a transparent, science-based listing process. This amendment only seeks to undermine the Endangered Species Act because there is not enough money in here that Congress provides Fish and Wildlife to do the job in the fashion that Congress has asked it to do.

In order to list a species under the Endangered Species Act, the Fish and Wildlife Service follows a strict legal process known as a rulemaking procedure. The first step in assessing the

status of the species is the Fish and Wildlife Service publishes a notice of reviews that identify the species that is believed to meet the definition of threatened or endangered. The species are candidates.

Now, these notices of review then, the Fish and Wildlife Service goes out and seeks biological information to complete the status of the reviews for the candidate species; then the Fish and Wildlife Service publishes those notices in the Federal Register so the process is transparent to the public.

As you can see, the Fish and Wildlife Service follows an open, transparent policy that adequately reviews the species prior to listing. This amendment would exploit a 5-year review backlog that has been caused in part by this Congress' unwillingness to provide adequate funding in order to attack the endangered species list. Let's be transparent about that.

The Endangered Species Act exists to offer necessary protections to ensure species survival. Quite frankly, the majority of our constituents support that. Let's make sure that science and species management practices continue to dictate species listings, not Congress; and let's figure out a way to come together, as the gentleman said, to give Fish and Wildlife the tools that they need in order that they can follow the laws that Congress has requested them to follow and not do a smoke and mirror show about how Fish and Wildlife is refusing to follow the law.

They can only do what they are able to do with the dollars that Congress appropriates to them.

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

Mr. LAMBORN. Mr. Chairman, I am glad that my colleague from Minnesota acknowledged that it is required under the law for Fish and Wildlife Service to do these 5-year reviews. I thank her for admitting that.

Their budget is approximately $1.4 billion, and they are able to prioritize within that $1.4 billion where they spend their resources. It is not Congress' fault. They just haven't made it a priority. They should make it a priority to follow the law. They can do these few hundred reviews every year out of $1.4 billion, I am sure.

I would ask my colleagues to support this amendment. Let's require this agency to follow the laws that are on the books.

Mr. Chairman, I yield back the balance of my time.

Ms. McCOLLUM. Mr. Chairman, I want to be really clear. This bill now includes a 50 percent cut to the listing program. The listing program is money that Congress puts in it to do the reviews. Congress cut it by 50 percent.

They can't just transfer money around. We have handcuffed and tied up the Fish and Wildlife Service by the amount of funding that Congress gives them to do their job.

They don't wake up in the morning and say: We don't want to follow the law.

They wake up in the morning, and they see how much Congress has appropriated them.

Mr. LAMBORN. Will the gentlewoman yield?

Ms. McCOLLUM. I yield to the gentleman from Colorado.

Mr. LAMBORN. I just want to point out that what you are talking about would be in the future. I am talking about the current status of them not following the law by doing the reviews.

Ms. McCOLLUM. Reclaiming my time, they do not have the funding.

□ 2345

Congress has not given them the funding in the listing program to do their job. Congress needs to be held accountable for the 300 listings not being able to be done every year because Congress has failed to give them the money to do the laws that Congress passed.

With that, Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Colorado (Mr. LAMBORN).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. GOODLATTE

Mr. GOODLATTE. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available by this Act may be used by the Environmental Protection Agency to take any of the actions described as a ''backstop'' in the December 29, 2009, letter from EPA's Regional Administrator to the States in the Watershed and the District of Columbia in response to the development or implementation of a State's watershed implementation and referred to in enclosure B of such letter.

The Acting CHAIR. Pursuant to House Resolution 333, the gentleman from Virginia and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Virginia.

Mr. GOODLATTE. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, my amendment simply prohibits the EPA from using the Chesapeake Bay total maximum daily load and the Watershed Implementation Plans to take over States' water quality strategies, protecting the 10th Amendment rights of States across the Nation from the heavy hand of the EPA. This amendment makes it clear that Congress intended for the Clean Water Act to be State led, not subject to the whims of politicians and bureaucrats in Washington, D.C.

Over the last several years, the EPA has implemented a total maximum daily load plan for the Chesapeake Bay watershed which strictly limits the amount of nutrients that can enter the Chesapeake Bay. While a laudable goal and one I support in principle, through its implementation, the EPA has basically given every State in the watershed an ultimatum—either the State does exactly what the EPA says, or it faces the threat of an EPA takeover of their water quality programs. In some cases, the EPA will even rewrite the States' water quality plans if they disagree with the States' decisions.

Mr. Chairman, I want to make it perfectly clear that this amendment would not stop the EPA from working with the States to restore the Chesapeake Bay, nor would it in any way undermine the cleanup efforts already underway. I repeat, our amendment does not stop the TMDL or watershed implementation plans from moving forward, and it does not prevent the EPA from working cooperatively with the States to help restore the Chesapeake Bay.

This amendment is very carefully crafted to address the 10th Amendment federalism issues that the EPA is encroaching upon and does not address the States' laudable goals of continuing to improve the health of the Chesapeake Bay.

The States should be able to use any resources the EPA may have available to help develop and implement a strategy to restore the Bay. This amendment only stops the ability of the EPA to step in and take over a State's plan—again, ensuring states' rights remain intact and not usurped by the EPA.

Mr. Chairman, the Bay is a national treasure, and I want to see it restored. But we know that in order to achieve this goal, the States and the EPA must work together. The EPA cannot be allowed to railroad the States and micromanage the process.

With this amendment, we are simply telling the EPA to respect the important role States play in implementing the Clean Water Act and help prevent another Federal power grab by the administration.

Mr. Chairman, I am pleased to yield to the gentleman from California (Mr. CALVERT).

Mr. CALVERT. I thank the gentleman for yielding.

Mr. Chairman, I certainly agree with the amendment, and I urge adoption of the gentleman's amendment.

Mr. GOODLATTE. Mr. Chairman, I thank the gentleman, and I reserve the balance of my time.

Ms. EDWARDS. Mr. Chairman, I seek time in opposition to the amendment.

The Acting CHAIR. The gentlewoman from Maryland is recognized for 5 minutes.

Ms. EDWARDS. Mr. Chairman, here we go again, yet another fix in search of a problem.

Mr. Chairman, I rise in opposition to Mr. GOODLATTE's amendment. It would deliberately undermine the crucial work that is already being done to rehabilitate the Chesapeake Bay. It would also undermine the historic Federal-State partnership that has done so much already to improve the quality of the Bay and its surroundings.

Mr. Chairman, the Chesapeake Bay is a national treasure. It is the Nation's

largest estuary. It benefits all Americans, and especially those living in the six States that comprise the Bay watershed: Maryland, Virginia, West Virginia, Delaware, Pennsylvania, New York, and the District of Columbia.

The States in the Chesapeake Bay watershed, including the gentleman's own home State of Virginia, have been working together for over 40 years to clean up the Bay. And guess what, Mr. Chairman? It is working.

The Chesapeake Bay Program's most recent interim report shows that tremendous progress has been made. States are meeting the pollution reduction goals in their plans. In fact, some are exceeding them. Studies show that so-called ''dead zones'' are shrinking, and key populations such as oysters are starting to rebound.

Under the Chesapeake Clean Water Blueprint, States develop and implement their own pollution reduction plans. The EPA set up an initial framework, but the details of how each State chooses to reach the targets, in fact, are State-driven and State-implemented. My own home State of Maryland has created a plan to reduce its nitrogen levels by 46 percent, phosphorus by 48 percent, and sediment by 28 percent below the benchmark 1985 levels.

Of course, each of the Bay watershed States depends on the other States to implement these plans simultaneously and in good faith. After all, Mr. Chairman, watersheds don't stop at the State borders, and the kind of go-it-alone approach that seems to be advocated by the majority has never worked for environmental issues, and it will not work to preserve and to save the Chesapeake Bay.

Failure, for example, by one State to do its part threatens the work and hundreds of millions of dollars that all the other States have invested in their plans. I don't want to see Maryland's work jeopardized because another State in the watershed doesn't meet its responsibilities. And only the EPA can stand as the arbiter to make sure that that is true.

So, Mr. Chairman, as a safety measure against that kind of bad faith by one of the partners, the EPA has backstop actions that it can take to ensure that the other States' investments are preserved. These backstop actions are not new authorities, but they are existing authorities that the EPA can use to make the needed pollution reductions. That has been part of the partnership for 40 years.

In fact, just yesterday, the U.S. Third Circuit Court of Appeals in Philadelphia unanimously affirmed the EPA's authority to place restrictions on wastewater treatment and runoff by farms and construction. The EPA places limits on the amount of nitrogen, phosphorus, and sediment that are allowed in the watershed and, thus, into the Bay. This is known as the total maximum daily load, or TMDL, of chemical runoff that the Bay's watershed can handle while still meeting water quality standards.

The court in its decision strongly affirmed that ''the States and EPA could, working together, best allocate the benefits and burdens of lowering pollution.'' It is, in fact, an acknowledgment that this is a partnership that requires the full participation of the Environmental Protection Agency.

Mr. Chairman, the goal of the partnership is not just an environmental one. According to a peer-reviewed report by the Chesapeake Bay Foundation, the economic impact of full implementation of the Clean Water Blueprint is more than $22 billion annually. Yet this amendment by one of Virginia's own Members actually threatens that partnership by barring the EPA from using funds to take any backstop actions. It would allow one State to break its agreement and cease implementing the plan.

With that, Mr. Chairman, I would urge a ''no'' vote on this amendment.

The Acting CHAIR. The time of the gentlewoman has expired.

Mr. GOODLATTE. Mr. Chairman, may I ask how much time is remaining on each side.

The Acting CHAIR. The gentleman from Virginia has 2½ minutes remaining, and the gentlewoman from Maryland's time has expired.

Mr. GOODLATTE. Mr. Chairman, at this time, I yield 1 minute to the gentleman from Pennsylvania (Mr. THOMPSON), the chairman of the pertinent subcommittee in the Agriculture Committee.

Mr. THOMPSON of Pennsylvania. Mr. Chairman, I rise in support of Mr. GOODLATTE's amendment.

Since 2009, I have been hearing directly from my constituents—many of who are small farmers—about the significant challenges and costs of the Chesapeake Bay total maximum daily load mandate. These significant concerns also extend to the State and local governments because of the billions of dollars in direct costs and new regulatory burdens that TMDL imposes. No doubt the Chesapeake Bay is a national treasure, but it is quickly becoming the national treasury with all these costs and taxes upon our States and local municipalities.

The Agriculture Committee's Conservation and Forestry Subcommittee, which I have the honor of chairing, has also heard directly from the stakeholders over the past few Congresses.

While each and every one of these witnesses wholeheartedly supports the restoration of the Chesapeake Bay, there remains great concern over the lack of consistent models, the heavy-handed approach of TMDL, and the lack of needed flexibility while implementing the WIPs. This amendment is needed in order to allow for that flexibility at the State and local levels.

Pennsylvania has been very innovative in our efforts to do our part with the Bay restoration, and that innovation will continue into the future.

The Acting CHAIR. The time of the gentleman has expired.

Mr. GOODLATTE. Mr. Chairman, I am pleased to yield the gentleman an additional 30 seconds.

Mr. THOMPSON of Pennsylvania. I thank the chairman.

However, rather than acting punitively, EPA must work collaboratively with the States.

Mr. Chairman, I strongly support this amendment, and I urge my colleagues to vote ''yes.''

Mr. GOODLATTE. Mr. Chairman, I yield myself the balance of the time.

Mr. Chairman, I want to thank the gentleman from Pennsylvania. He is quite right. This is very costly for the States. The State of Virginia has estimated a cost of over $16 billion to comply with the backstop requirements of the EPA. That is just one of the six States.

Secondly, the EPA has been asked repeatedly, including in hearings conducted by the gentleman from Pennsylvania in his subcommittee and at my request and the request of others, to do a cost-benefit analysis to show us that the multi-tens of billions of dollars that these six States will collectively spend will be reflected in improvements to the quality of the Chesapeake Bay. They have never provided that cost-benefit analysis.

Finally, Mr. Chairman, I would say to the gentlewoman from Maryland, she also is quite right that tremendous progress has been made in improving the health of the Chesapeake Bay, but almost all of it prior to the President taking his pen and signing the executive order that contains this backstop language that we need to stop and return the power to the State and local governments.

Sedimentation, phosphorus, and nitrogen are all down more than 40 percent—sedimentation more than 50 percent going into the Bay. The Bay is improving in its health because of the work done by the States. They should have the authority to do this without having the EPA hold a gun to their head.

Mr. Chairman, that is why this amendment should be passed, and I urge my colleagues to support it.

Mr. VAN HOLLEN. Mr. Chair, I thank Ms. MCCOLLUM for her work on this bill and to BOBBY SCOTT and DON BEYER for joining me in this effort. I rise in opposition to this amendment.

Just yesterday, the 3rd Circuit Court of Appeals upheld EPA authority to set Chesapeake Bay pollution limits, which have led to the best cleanup progress in over 25 years. For the Bay, as with so many other waters across the country, the Clean Water Act backstop is critical to ensure that states are meeting their commitments.

In Maryland, we have cities working to manage stormwater and farmers implementing best management practices to stop runoff. But for all our efforts, we will never have a clean and healthy Bay if pollution runs downstream from Pennsylvania, New York, or West Virginia.

With our enormous watershed, encompassing 64,000 square miles, six States, and

D.C., everyone must do their fair share. And to do that is through the Clean Water Act's Federal backstop. I strongly oppose this amendment and urge my colleagues to do the same.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Virginia (Mr. GOODLATTE).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Ms. EDWARDS. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from Maryland will be postponed.

AMENDMENT OFFERED BY MRS. BLACK

Mrs. BLACK. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available by this Act may be used by the Environmental Protection Agency to finalize, implement, administer, or enforce section 1037.601(a)(1) of title 40, Code of Federal Regulations, as proposed to be revised under the proposed rule entitled ''Greenhouse Gas Emissions and Fuel Efficiency Standards for Medium- and Heavy-Duty Engines and Vehicles - Phase 2'' signed by the Administrator of the Environmental Protection Agency on June 19, 2015 (Docket No. EPA–HQ–OAR–2014-0827), or any rule of the same substance, with respect to glider kits and glider vehicles (as defined in section 1037.801 of title 40, Code of Federal Regulations, as proposed to be revised under such proposed rule).

The Acting CHAIR. Pursuant to House Resolution 333, the gentlewoman from Tennessee and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Tennessee.

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Mrs. BLACK. Mr. Chairman, I rise today to offer an amendment to protect Tennessee workers and small manufacturing businesses from the EPA's latest overreach.

Last month, the EPA released its Phase 2 fuel-efficiency and emissions standards for new medium-and heavy-duty trucks.

While many in the trucking industry are not opposed to this rule as a whole, one section in the proposal wrongly applies these new standards to what is known as glider kits.

I recently toured a business in my district that manufactures these kits. For those who don't know, a glider kit is a group of truck parts that can include a brand-new frame, cab, or axles, but does not include an engine or transmission.

Since a glider kit is less expensive than buying a new truck and can extend the working life of a truck, businesses and drivers with damaged or older vehicles may choose to purchase one of these kits instead of buying a completely new vehicle.

Unfortunately, the EPA is proposing to apply the new Phase 2 standards to glider kits, even though the gliders are not really new vehicles.

Mr. Chairman, this directly impacts my district where we have glider kits being manufactured and purchased by companies in places like Byrdstown, Sparta, and Jamestown, communities that are already struggling with an above average unemployment and would see job opportunities put further out of reach if this misguided rule goes into effect.

It is also unclear whether the EPA even has the authority to regulate replacement parts like gliders in the first place.

Once more, while the EPA's stated goal with Phase 2 is to reduce greenhouse gas emissions, the Agency has not studied the emissions impact of remanufactured engines and gliders compared to new vehicles.

Mr. Chairman, if the EPA is going to promulgate rules that raise costs and hurt jobs in districts like mine, the least they could do is to have a few facts prepared to back them up.

Under this ill-advised rule, businesses and drivers that wish to use glider kits would be effectively forced to buy a completely new vehicle instead. Reducing glider sales would also end up limiting consumer choice in the marketplace.

That is why my amendment protects businesses, jobs, and consumers by prohibiting the EPA from moving forward with this Phase 2 standard on glider kits.

To be clear, this amendment would not—would not—bar the EPA from implementing the whole Phase 2 rule for new medium- and heavy-duty trucks. It would simply clarify that glider kits and glider vehicles are not new trucks as the EPA wrongly claims.

I urge my colleagues to support this commonsense amendment to help support American manufacturing and stop the EPA from attempting to shut down the glider industry.

Mr. CALVERT. Will the gentlewoman yield?

Mrs. BLACK. I yield to the gentleman from California.

Mr. CALVERT. Mr. Chairman, I thank the gentlewoman for yielding.

It is my understanding that the proposed rule is supported broadly by many in the trucking manufacturing industry, so for that reason, I support her amendment.

However, as with any rule, there are some specifics that we need to iron out. I would like to work with my colleague and with EPA to see if we can't resolve those specifics between now and the final rule.

In the meantime, I support including language in the Interior bill, and I urge Members to vote ''yes'' on this amendment.

Mrs. BLACK. Mr. Chairman, I reserve the balance of my time.

Ms. MCCOLLUM. Mr. Chairman, I claim the time in opposition to the amendment.

The Acting CHAIR. The gentlewoman from Minnesota is recognized for 5 minutes.

Ms. MCCOLLUM. Mr. Chairman, I am hopeful that the discussion that the subcommittee chair and the author of the amendment might prove something better than what this amendment is currently in front of us, but what I have to work on is what is currently in front of me.

Just over 2 weeks ago, the Environmental Protection Agency and the National Highway Safety Traffic Administration issued proposed fuel efficiency standards for medium- and heavy-duty trucks required by the Energy Independence and Security Act.

This amendment would prohibit the EPA from finalizing, implementing, and administering or enforcing this proposed rule or any future rules—so this is where I am concerned about the way this amendment is moving forward—with respect to glider vehicles.

These new standards were designed to improve fuel efficiency, cut carbon pollution, and reduce the impacts of climate change. To be specific, these standards are expected to lower CO_2 emissions by roughly 1 billion metric tons, cut fuel costs by $170 million, and reduce oil consumption up to 1.8 billion barrels over the lifetime if a vehicle is sold under this program.

Heavy trucks account for 5 percent of the vehicles on the road; yet they create 20 percent of the greenhouse gas emissions created by all transportation sectors.

We know from my colleagues that this amendment does not actually suspend all aspects of the new rule. As it was pointed out, it simply carves out an exemption for one particular industry, an industry that produces what has been called, today, glider vehicles.

As has been pointed out, glider vehicles are heavy-duty vehicles that replace older remanufactured engines on new truck chassis. These engines date back to 2001 or older, and they have emissions that are 20 to 40 times higher than today's clean diesel engines.

In essence, this amendment would allow an entire segment of the truck manufacturing industry to simply avoid compliance with the new criteria pollutant standards that are in the rule. These are engines that will continue to emit greenhouse gases, slow down our progress, and reduce the impacts of climate change.

In short, this amendment creates a loophole that you could drive a truck through by allowing dirty engines to continue to pollute our environment.

Mr. Chairman, I urge my colleagues to oppose this amendment, and I yield back the balance of my time.

Mrs. BLACK. Mr. Chairman, I want to once again reiterate that this is a very narrow amendment. It does not apply to new trucks, as the EPA rule indicates.

I also want to reiterate one more time that they have not studied the emissions impact of these remanufactured engines and the gliders compared to new vehicles, so we would like to have that information as well.

I also want to add that the military also uses glider kits, and this rule would not apply to them. Once again, we are putting into place something where we say this is what the government can do, but this is what the private sector can do.

Mr. Chairman, I urge my colleagues to support this commonsense amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Tennessee (Mrs. BLACK).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. MICA

Mr. MICA. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. 441. None of the funds made available by this Act may be used to implement Alternative A, Alternative C, or Alternative D, described in the Final General Management Plan and Environmental Impact Statement for Castillo de San Marcos National Monument in St. Augustine, Florida, for the educational center authorized by Public Law 108–480 nor shall funds be expended for a new General Management Plan other than the General Management Plan approved by record of decision published in the Federal Register September 10, 2007.

The Acting CHAIR. Pursuant to House Resolution 333, the gentleman from Florida and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Florida.

Mr. MICA. Mr. Chairman, every year, nearly 1.5 million visitors come to the Castillo de San Marcos and Fort Matanzas National Monuments in America's oldest city, St. Augustine, Florida.

Way back some 11 years ago, in December of 2004, I passed legislation authorizing a visitors center for Castillo de San Marcos, which was signed into law. The Castillo fortress is the largest intact Spanish fortress in the continental United States, with construction that was completed in 1695.

After the authorization was signed into law, significant, thorough, costly, and time-consuming studies and reports were completed after many reviews, hearings, and public forums.

Then in 2007, 3 years later, the National Park Service came up with a final general management plan. This plan developed four alternatives. One was to do nothing; that was A. Two others, C and D, were to possibly build on land that will no longer be available that was going to be made available by the State and the city. That leaves one alternative. Now, this is a very simple, clarifying amendment.

Alternative B is the one that we would like funds spent on. Here, we are saying no funds shall be spent to do nothing; no funds will be spent or wasted to go towards a project that isn't going to happen.

This is a simple, clarifying, limiting amendment. It would specifically limit funds from being expended on any alternative, except for B, which is in the plan, been in the plan. It doesn't say that we have to do another plan; why spend more taxpayer moneys to do another plan? That is all it says.

It is a simple thing to get us moving to proceed with the final design without further cost and further delaying the process. A visitors center at Castillo is long overdue, and it is overdue on St. Augustine's 450th founding anniversary, so I urge its passage.

Mr. CALVERT. Will the gentleman yield?

Mr. MICA. I yield to the gentleman from California.

Mr. CALVERT. Mr. Chairman, I certainly appreciate the gentleman from Florida raising this issue. I always learn new facts when we have these debates. I didn't know that St. Augustine was the Nation's oldest city. I always thought it was Santa Fe, New Mexico.

Mr. MICA. Some people are under the misconception of Williamsburg.

Mr. CALVERT. I know; but I have learned something today.

I certainly commend the gentleman's longstanding interest in this. I know you have been working on this for a number of years. The Castillo de San Marcos National Monument in St. Augustine needs a new visitors center.

I certainly look forward to working with you as we move this issue forward, and we certainly have no objection to this amendment.

Mr. MICA. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Florida (Mr. MICA).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. BURGESS

Mr. BURGESS. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title) insert the following new section:

SEC. ____. None of the funds made available by this Act may be used by the Administrator of the Environmental Protection Agency to hire or pay the salary of any officer or employee of the Environmental Protection Agency under subsection (f) or (g) of section 207 of the Public Health Service Act (42 U.S.C. 209) who is not already receiving pay under either such subsection on the date of enactment of this Act.

The Acting CHAIR. Pursuant to House Resolution 333, the gentleman from Texas and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. BURGESS. Mr. Chairman, I thank the subcommittee chairman for his indulgence at this late hour.

Mr. Chairman, this is an issue that has been under investigation by the Subcommittee on Oversight and Investigations on the Energy and Commerce Committee for over the last 6 years.

In 2006, without consultation from the Energy and Commerce Committee, there was included a provision in the annual Interior, EPA appropriations bill that allowed the Environmental Protection Agency to begin using a special pay program that was explicitly and exclusively authorized for use by the Public Health Service administration under the Department of Health and Human Services.

This special pay mechanism allows a government employee to leave the normal GS pay scale and receive nearly uncapped compensation, upwards of $200,000 to $300,000 per year.

This special provision was intended to be used only in unique circumstances where, perhaps, leaders of the healthcare industry would not be able to work for the Federal Government because of pay considerations if they did not have access to these higher salaries.

This justification cannot be used for anyone at the Environmental Protection Agency. Indeed, some of the employees that the Environmental Protection Agency pays under title 42, the part of the U.S. Code that allows for this special pay, were previous government workers and were merely moved to this special pay scale because they wanted additional money.

□ 0015

The EPA claims that, because the Environmental Protection Agency is a health organization, it may use this statute to pay special hires, and this, in fact, has endured for several years. Originally, the Environmental Protection Agency was granted only a handful of slots to fill with title 42 hires. That number is now over 50. The cost to taxpayers for these 50 employees is in the tens of millions of dollars.

This amendment would prevent the Environmental Protection Agency from hiring any new employees under title 42 or from transferring current employees from the GS pay scale to title 42. It would not affect current employees being paid by this provision. It would give the Energy and Commerce Committee, the authorizing committee, the time it needs to address whether the Environmental Protection Agency truly deserves this special pay consideration. The General Accountability Office looked into the abuse of title 42 several years ago and found numerous problems with the implementation of the program. Why we would allow this problematic pay structure to be advanced by the EPA is, in fact, mysterious.

In multiple hearings in the Energy and Commerce Committee, both Administrator Lisa Jackson and current Administrator Gina McCarthy refused to give specifics regarding this program. A Freedom of Information Act request sent to my office by the EPA union, the American Federation of Government Employees, showed that title 42 hires at the EPA are actually sowing the seeds of discontent amongst workers, with the union asking the Congress to stop this unfair hiring technique.

Both former Energy and Commerce Committee Chairman BARTON and I have introduced legislation further clarifying that the Public Health Services Act, written for the Department of Health and Human Services, does not permit the Environmental Protection Agency to use its language to hire employees under a special pay structure. This amendment prevents further abuses of the program, and I urge its adoption.

I reserve the balance of my time.

Ms. MCCOLLUM. Mr. Chairman, I rise in opposition to this amendment.

The Acting CHAIR. The gentlewoman from Minnesota is recognized for 5 minutes.

Ms. MCCOLLUM. Mr. Chairman, the EPA is one of several government agencies that uses a special authority to hire Federal employees with specific scientific research credentials. In fact, when the Republicans were the majority party in 2006, they started this program. The EPA didn't start this program on its own. Congress started it in 2006 under a Republican majority. The National Institutes of Health uses title 42 money and authority to attract top-tier scientists in their fields to do important research.

We have been listening to many hours this evening of many of my Republican colleagues criticizing the EPA's scientific conclusions. So now it amazes me that the gentleman wants to reduce the Agency's ability to hire the top scientists. Further, the National Academy of Sciences has favorably reported to the committee that the EPA is effectively utilizing its title 42 authority. If a scientist retires or moves on, the Agency would no longer be able to attract a suitable replacement if this amendment were to pass.

For those who think the EPA doesn't have adequate scientific basis for its regulations, they should be with me, and they should clearly vote against this amendment. We should be doing more to ensure that our environmental policies are being set by the best and the brightest. This amendment would ensure that the EPA can't recruit new scientists using its limited title 42 authority, which was given to them, to the EPA, in 2006 by a Republican Congress.

I yield back the balance of my time.

Mr. BURGESS. Mr. Chairman, I urge support of the amendment. It is clear that this program does need the scrutiny of the authorizing committee. We are prepared to do that if this amendment passes.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Texas (Mr. BURGESS).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. WESTMORELAND

Mr. WESTMORELAND. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available by this Act may be used to pay legal fees pursuant to a settlement in any case, in which the Federal Government is a party, that arises under—

(1) the Clean Air Act (42 U.S.C. 7401 et seq.);

(2) the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.); or

(3) the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.).

The Acting CHAIR. Pursuant to House Resolution 333, the gentleman from Georgia and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Georgia.

Mr. WESTMORELAND. Mr. Chairman, the United States is facing a crisis of executive overreach, and nowhere else is this more true than with the Environmental Protection Agency. The EPA's escalation of sue and settle cases to change the law through Federal court rulings threatens our economy and the ability to create jobs, not to mention bypassing the normal rulemaking process. By operating hand in hand with radical environmental groups that are willing participants in these types of actions, the EPA's use of sue and settle not only endangers the economy but also our constitutional separation of powers.

Here is how it works:

An organization sues the EPA or an agency such as the U.S. Fish and Wildlife, demanding that the agency apply the law in a new, unintended, and expanded way that increases the agency's jurisdiction. The agency, rather than defending the law, enters into a consent decree with the party who filed the original lawsuit. A judge then signs the consent decree without significant review since the two disputing parties are in agreement. Suddenly, the agency has new, expansive powers to wield against job creators in the form of a legally binding settlement that creates rules and priorities outside of the normal rulemaking process. Between 2009 and 2012, the EPA chose not to defend itself in over 60 of these lawsuits from special interest advocacy groups. Those 60 lawsuits resulted in settlement agreements and in the EPA's publishing more than 100 new regulations.

Also included in these legally binding settlements are requirements that U.S. taxpayers must pay for the attorneys of the organization that initiated the action. According to a 2011 GAO report, between 1995 and 2010, three large environmental activist groups, like the Sierra Club, received almost $6 million in attorneys' fees alone. An example of sue and settle occurred with a start-up, shutdown, and malfunction rule. This was in response to a sue and settle agreement the EPA made with the Sierra Club in 2011.

As noted by Louisiana Senator DAVID VITTER in a letter to EPA Administrator Gina McCarthy in 2013:

Instead of defending the EPA's own regulations and the SSM provisions in the EPA-approved air programs of 39 States, the EPA simply agreed to include an obligation to respond to the petition in the settlement of an entirely separate lawsuit.

Sue and settle is made possible because, under the Clean Air Act, the Clean Water Act, and the Endangered Species Act, potential litigants are given broad standing to go to court because Congress has defined causes of action under these laws. Under my amendment, no funds can be used to pay legal fees under any settlement regarding any case arising under the three acts I mentioned—period, case closed, end of story. Litigants can still sue, but they will no longer be financially rewarded by the American taxpayer for their efforts.

I am hopeful that my colleagues on both sides of the aisle will support this amendment to reduce the secretive transfer of U.S. taxpayer dollars to other organizations. By restricting Federal agencies from having the ability to pay attorneys' fees, we will not only reduce Federal spending but also reduce the incentive for these self-interest groups to continue suing the Federal Government and taking American taxpayer dollars that could be used to reduce our Federal deficit.

It is inexcusable to require taxpayers to pay the legal bills of environmental groups to collude with the EPA in order to expand the Agency's abilities. This is one way Congress can fight the expansion of executive powers by this administration and its most out-of-control agency. With this amendment, Congress can ensure taxpayers are protected from funding the legal efforts of environmental advocacy organizations and from arming the EPA with draconian enforcement powers.

I reserve the balance of my time.

Ms. MCCOLLUM. Mr. Chairman, I rise in strong opposition to this amendment.

The Acting CHAIR. The gentlewoman from Minnesota is recognized for 5 minutes.

Ms. MCCOLLUM. Mr. Chairman, the Equal Access to Justice Act is the law of the land. Within limits, it does allow for the Federal payment of legal fees to individuals and small businesses and nonprofits that are the prevailing parties in actions against Federal agencies unless the agency is able to show that the action was substantially justified or a special circumstance existed to make the award unjust. This law helps to deter government misconduct, and it encourages all parties, not just those with resources, to hire legal counsel to assert their rights.

I know that my colleagues, including my colleagues on the other side of the aisle, will agree with me that the ability to challenge Federal actions is the most important tool for ensuring government accountability. The Clean Air Act, the Federal Water Pollution Control Act, and the Endangered Species Act are also the law of the land, and these laws have contributed greatly to the protection and improvement of public health in this country. A study by a nonpartisan environmental law institute found that the Equal Access to

Justice Act has been cost-effective and only applies to meritorious litigation, and existing legal safeguards and the independent discretion of Federal judges will continue to ensure its prudent application. There are safeguards in place so that this can't be misused.

Moreover, the claim that large environmental groups are getting rich on attorneys' fees is not supported by available evidence. The 2011 GAO study, which was just referenced and was at the request of the House Republicans, brought cases against the EPA. They found that most of those suits were brought by trade associations and private companies and that attorneys' fees were only awarded about 8 percent of the time; and among the environmental plaintiffs, the majority of those cases were brought by local groups rather than by national groups.

It is completely unfair to target these important environmental safeguards for removal from the protection of the Equal Access to Justice Act. More importantly, this amendment would have serious consequences for public health. In order for our Nation's environmental safeguards to work properly and ensure the protection of public health, citizens, including those with limited means, must have the ability to challenge Federal actions. This amendment is clearly designed to make it more difficult for regular citizens to ensure the accountability of the Federal Government. I urge my colleagues to defeat this amendment.

I reserve the balance of my time.

Mr. WESTMORELAND. Mr. Chairman, this does not prevent anybody from suing. This stops the EPA from this sue and settle—what I would call ''scam''—where it allows the groups or companies or whatever to come in and sue and allow them—I mentioned there were 60 different cases—the ability to make 100 new rulings that did not go through the normal rulemaking procedure but were done by court rulings.

I think it is appropriate that we not allow taxpayer dollars to be spent on these attorneys' fees that are being used to do this—to promote the Environmental Protection Agency. Rather than going through the regular rulemaking process, it is doing it by a court ruling.

I reserve the balance of my time.

Ms. MCCOLLUM. Mr. Chairman, the Equal Access to Justice Act is the law of the land. It allows for the Federal payment of legal fees, within limits, to individuals and small businesses and nonprofits which are the prevailing parties in actions against the Federal Government.

Again, we should be mindful of the 2011 GAO study that said, in cases brought against the EPA, it found that most suits were brought by trade associations and private companies and that attorneys' fees were only awarded in about 8 percent of the cases.

Citizens need to be able to hold their government accountable. They need to be able to petition their government, and that means a citizen with limited means. If that citizen wins and if the judge decides that it is just to award the costs, then that is the law of the land, which I support. Private citizens, regular citizens—citizens without means—can ensure that there is full accountability of the Federal Government to them. I urge my colleagues to defeat this amendment.

I yield back the balance of my time.

□ 0030

Mr. WESTMORELAND. As I would like to repeat, Mr. Chairman, this does not keep anybody from suing. The intent of this amendment is to keep the EPA from creating rules by judicial bodies rather than a normal rulemaking procedure.

Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Georgia (Mr. WESTMORELAND).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Ms. MCCOLLUM. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Georgia will be postponed.

AMENDMENT OFFERED BY MR. ROKITA

Mr. ROKITA. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR (Mr. GRAVES of Louisiana). The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following new section:

ENFORCEMENT OF THE ENDANGERED SPECIES ACT REGARDING CERTAIN MUSSELS

SEC. ____. None of the funds made available by this Act may be used by the United States Fish and Wildlife Service to enforce the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) with respect to the Clubshell, Fanshell, Rabbitsfoot, Rayed Bean, Sheepnose, or Snuffbox mussels.

The CHAIR. Pursuant to House Resolution 333, the gentleman from Indiana and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Indiana.

Mr. ROKITA. Mr. Chairman, I want to thank Chairman CALVERT for managing the time tonight and for getting us to this point.

By my calculation, it has been 5 years since we have been able to have these kind of debates on the floor of the House, and here we are, at 12:30 at night.

Speaking for myself, I have listened to the entire debate here tonight on the floor, starting with votes after 6:30. Mr. Chairman, I was struck by the amount of amendments having to do with the Endangered Species Act, number one; and, number two, having to deal with the lists, whether threatened or endangered lists of Endangered Species Act.

Clearly—and I would agree with the gentlewoman on the other side of the aisle on this—reform and major reform of the Endangered Species Act is needed. That will take some time. That discussion has been ongoing.

It is nothing that hasn't already started in this Congress or in previous Congresses. I look forward to being a part of that solution in a very constructive way.

What about the near term? We have people, human constituents who are really suffering; and that is what my amendment, Mr. Chairman, is about tonight. Summer is a big time for any industry that depends on tourism to survive. I offer this amendment out of concern for two lake communities in my district.

Just last year, during the height of the summer's busy tourist season, the United States Fish and Wildlife Service required that the Northern Indiana Public Service Company, locally known as NIPSCO, release more water into the Tippecanoe River from Lake Freeman to protect a bed of endangered freshwater mussels that live further down the Tippecanoe River, all under the guise of the Endangered Species Act.

As a result, in a matter of days, water levels on Lake Freeman dropped dramatically. I have visited with local residents near Lake Freeman multiple times and have seen the lake in person. Growing up during the summers, I spent my time on the sister lake, Lake Shafer.

Many who live and work near the lake discovered, to their surprise, their boats were stuck, businesses were in jeopardy, and home values were going down; but more than that, stumps were rising out of the water, and personal health and safety were also in jeopardy as a result.

Now, I immediately contacted Fish and Wildlife, and I want to applaud them for their responsiveness and NIPSCO for working together. We created a technical assistance letter, otherwise known as a TAL. It is my estimation that that is going to have some effect. Again, I appreciate the reasonableness of all involved.

The current plan there is a temporary fix, and really, we ought to be able to do more. Now, currently, Fish and Wildlife receives funding to enforce the Endangered Species Act, which protects six species of mussels that live in the river, as the Clerk mentioned as he read the amendment.

The Endangered Species Act gives the highest priority to protected and listed species, and there is little anyone can do in terms of exceptions or exemptions or even any kind of balancing test to make sure that there is not a solution that could be a win-win. It is a very draconian law—strict compliance, no balancing test, no room for discretion or creative solution. That is where this reform is needed.

The statute, like I said, provides no balancing test for weighing the economic harms, and the Supreme Court

of this land has refused to allow us or even lower courts to construct their own test, us as citizens. Compliance with this law, as currently written, requires diverting water from Lake Freeman to the Tippecanoe River to balance water levels, despite consideration of the economic impact and human safety.

In essence, my amendment limits the funding mechanism Fish and Wildlife would be able to use to enforce the Endangered Species Act with respect to these six types of mussels and eliminates the financial repercussions for failing to enforce the law.

Speaking firsthand with residents, lowering these water levels in Lake Freeman negatively affects the community and small businesses that rely on the tourists who enjoy the lake and the steady water level. Lower water levels also pose dangerous swimming conditions to both boaters and swimmers as formerly underwater tree stumps breach the water. This is unnecessary and a preventable hazard to those who use the lake and, again, in a win-win way.

It is all because of this draconian law that, although well intended, is badly in need of reform so that its practical effect can be overhauled and any of its misguided applications halted.

Hoosiers, like myself, are just as concerned for the environment as they are for their incomes and family recreation. It is not about antienvironmentalism, but they believe, like I said, there is a win-win solution here, if only the law would allow such a solution to exist. In the meantime, we ought to defund Fish and Wildlife's ability to enforce this law as it is written.

While I value nature and seek to protect endangered animals, the reward of protecting the mussel does not outweigh the economic damage done to this community or the personal safety or health of my human constituents.

The CHAIR. The time of the gentleman has expired.

Ms. MCCOLLUM. Mr. Chairman, I claim time in opposition to this amendment.

The CHAIR. The gentlewoman from Minnesota is recognized for 5 minutes.

Ms. MCCOLLUM. Mr. Chairman, this amendment would, once again, prevent Fish and Wildlife Service from enforcing the Endangered Species Act with respect to six different species of mussel and would restrict the Fish and Wildlife Service from offering any of the critical protections to preserve these species.

This amendment is harmful and, in my opinion, misguided. Once a species is listed under the Endangered Species Act, it is a role of Fish and Wildlife Service—is primarily permissive, helping parties comply with the act as they carry out their activities, the TAL that the gentleman referred to.

Under this amendment, all the Endangered Species Act prohibitions would still apply, but developers and landowners would have no avenue to comply with them. There could be no TAL. The Fish and Wildlife Service would be barred from issuing permits or exemptions.

This means landowners and industry and other parties who might need to take any of these six species of mussels would be vulnerable to a citizens suit. Additionally, this amendment would halt Fish and Wildlife Service enforcement of the Endangered Species Act, which has no effect on other Federal agencies that are funded outside of this bill.

The Endangered Species Act mandates that all Federal departments and agencies conserve listed species and use their authorities in furthering the purpose of this act.

Section 7 of the Endangered Species Act stipulates that any Federal agency that carries out, permits, licenses, funds, or otherwise authorizes activities that may affect all listed species must consult with the Fish and Wildlife Service to ensure that its actions are not likely to jeopardize the continued existence of any listed species.

This amendment would stop—stop—section 7 consultation requirements for Federal agencies; rather, it would prohibit Fish and Wildlife from completing these consultations. That means a bridge or a highway project permitted or funded through the Federal Highway Administration or power projects permitted by the Department of Energy would be vulnerable to delays and stoppages and other potential lawsuits.

This amendment, in my opinion, is an all-out assault on the Endangered Species Act. In one fell swoop, it would block protections for six different species that are currently listed as threatened or endangered; but, regardless of one's position on the Endangered Species Act, it is just a bad amendment.

The gentleman's amendment will create uncertainty for developers, landowners, leaving them vulnerable to lawsuits. I don't think that was the gentleman's original intention, but that is the effect it will have because it will block section 7 consultations, gumming up permitting processing across the Federal Government, delaying projects, and adversely impacting the economy.

The amendment is bad for the environment. It is bad for the economy. It is bad for business. It is bad for the highways and energy projects. It is just bad for this bill. I urge my colleagues to reject this amendment.

Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR (Mr. LOUDERMILK). The question is on the amendment offered by the gentleman from Indiana (Mr. ROKITA).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. LAMALFA

Mr. LAMALFA. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

LIMITATION ON USE OF FUNDS FOR ATTORNEY FEES

SEC. ____. None of the funds made available by this Act may be used to pay attorney fees in a civil suit under section 11(g) of the Endangered Species Act of 1973 (16 U.S.C. 1540(g)) pursuant to a court order that states such fees were calculated at an hourly rate in excess of $125 per hour.

The Acting CHAIR. Pursuant to House Resolution 333, the gentleman from California and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. LAMALFA. Mr. Chairman, I am pleased to express my support for the good work Chairman CALVERT and the subcommittee have done on this bill.

This amendment, which I offered with my colleagues Representatives BILL HUIZENGA and BILL FLORES, aligns attorney fee award limits for Endangered Species Act lawsuits with award limits for other lawsuits against the Federal Government established by the Equal Access to Justice Act.

The Equal Access to Justice Act generally limits the hourly rate for awards of fees to prevailing attorneys to a reasonable $125 per hour. However, no such fee cap exists under the Endangered Species Act. As a result, ESA litigants are being awarded sums, in many cases, in excess of $600 per hour.

The Equal Access to Justice Act was not intended as an extraordinary access to taxpayer dollars for environmental attorneys. Indeed, we heard one of my colleagues a minute ago talk about sue and settle.

According to the GAO, the Department of the Interior paid out over $27 million in attorney fees between 2001 and 2010; $21 million of those payments were for Endangered Species Act lawsuits. Many of them settled with no court order, finding the litigants to have prevailed on the merits of the case—no finding.

Mr. Chairman, it is time we close this loophole that enables excessive payouts to groups that have made a business of suing the Federal Government. There is simply no reason that one sort of lawsuit, a type commonly undertaken by entities solely engaged in continuous litigation against the government, should be paid more than any other.

Representative HUIZENGA sponsored a measure addressing this issue last session, which was passed by the Committee on Natural Resources. I urge your support, which would be very much appreciated, including by people like my daughter whose birthday it is tonight, so they would have a chance to be in business and not have these extraordinarily high fees.

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

Ms. MCCOLLUM. Mr. Chairman, I claim the time in opposition to this amendment.

The Acting CHAIR. The gentlewoman from Minnesota is recognized for 5 minutes.

Ms. MCCOLLUM. Mr. Chairman, the gentleman's amendment would prohibit funds in the act from being used to pay attorney fees in excess of $125 per hour for the Endangered Species Act civil suits.

Now, perhaps the gentleman is not aware that the Equal Access to Justice Act caps attorney fees at $125 per hour unless the court—the court—determines that an increase in the cost of living or special factors, such as the limited availability of qualified attorneys for the proceedings involved, justifies the higher fee.

□ 0045

So it would be the court that would determine that. But the fee is capped at $125 an hour. This is unnecessary and it is a redundant amendment. Attorney fees for the Endangered Species Act cases, as I said, are already capped at $125 per hour, unless special criteria are stipulated by the Equal Access Justice Court.

This amendment would effectively change that implementation of the Equal Access Justice Act for one specific policy area: the Endangered Species Act.

Again, higher attorney fees are only permitted in cases where specific criteria under the Endangered Species Act are met. At best, this amendment is redundant; at worst, it is a backdoor attempt to undermine the Endangered Species Act protections and make access to justice a lot less equal.

In closing, Mr. Chair, we don't need any extraneous, redundant provisions to a bill that is already overburdened with harmful legislative riders. So I urge my colleagues to oppose this amendment, and I yield back the balance of my time.

Mr. LAMALFA. I appreciate the comments by my colleague from Minnesota here, but it has been very unequal already, with many, many cases being paid out at $600, $700 per hour. So this amendment seeks to actually put that cap on there. There will still be the ability for a court, in extraordinary circumstances, to make the decision of whether it should be higher.

But I am glad I am not in the position, like my colleague from Minnesota, of defending $600 or $700 an hour for attorney fees for more frivolous environmental lawsuits that make it difficult to farm, ranch, mine, and do timber operations which are desperately needed, especially with the conditions we have in California, with our forests as well as the drought situation and trying to get work done to address that.

So when the people watch what goes on here, they need to be cognizant that there are those in the government that would rather pay to $600 to $700 per hour for more frivolous environmental lawsuits while they suffer from drought or burning forests.

With that, I think that this amendment is very much in order because we see that these limits aren't being followed at all under the $125 limit.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from California (Mr. LAMALFA).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Ms. MCCOLLUM. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from California will be postponed.

AMENDMENT OFFERED BY MR. GRAVES OF LOUISIANA

Mr. GRAVES of Louisiana. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill, insert after the last section (preceding the short title), the following:

SEC.____. None of the funds provided in this Act may be used in contravention of 33 U.S.C. 1319 with respect to a permit issued or required to be issued to the U.S. Army Corps of Engineers pursuant to 33 U.S.C. 1344 for discharges of dredged or fill material impacting wetlands.

The Acting CHAIR. Pursuant to House Resolution 333, the gentleman from Louisiana and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Louisiana.

Mr. GRAVES of Louisiana. Mr. Chairman, Americans are tired of two standards: a standard whereby private citizens are treated one way and a standard whereby the Federal Government treats themselves in an entirely different way.

Nothing is more apparent in this situation than where the U.S. Army Corps of Engineers grants themselves one way of complying with wetlands regulations, yet they impose an entirely different standard upon our private citizens.

The U.S. Army Corps of Engineers and the EPA go out and purport to be defenders of wetlands; good stewards of our wetlands. Yet the greatest cause of wetlands loss in the United States is actually caused by historic current and future actions of the U.S. Army Corps of Engineers.

In our home State of Louisiana, we have lost over 1,900 square miles of our coast, and the majority of that land loss has been caused by the management or the mismanagement by the U.S. Army Corps of Engineers of our coastal resources and the river resources, particularly the Mississippi River.

Mr. Chairman, what this amendment does is it simply requires that the U.S. Army Corps of Engineers comply with the same standards as anything else. If there are permits required, they have to get them. If there are mitigation requirements, they have to get them. They can no longer mismanage our coastal resources.

This isn't a parochial. This is an issue whereby the Nation truly benefits from this. This is the area where fishery production occurs, energy production occurs. We literally power this Nation's economy and we feed American families.

So this wetlands loss that we are experiencing actually increases the vulnerability of our coastal communities in south Louisiana and increases the demands upon FEMA and other agencies in response to disasters.

I reserve the balance of my time.

Mr. CALVERT. Will the gentleman yield?

Mr. GRAVES of Louisiana. I yield to the gentleman from California.

Mr. CALVERT. I urge adoption of the gentleman's amendment.

Mr. GRAVES of Louisiana. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Louisiana (Mr. GRAVES).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. PERRY

Mr. PERRY. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill (before the short title), insert the following:

Sec. ____. None of the funds made available by this Act may be used on an unmanned aircraft system or to operate any such system owned by the Department of the Interior for the performance of surveying, mapping, or collecting remote sensing data.

Mr. PERRY (during the reading). Mr. Chair, I ask unanimous consent to dispense with the reading.

The Acting CHAIR. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The Acting CHAIR. Pursuant to House Resolution 333, the gentleman from Pennsylvania and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Pennsylvania.

Mr. PERRY. I yield myself such time as I may consume.

I thank the chairman of the committee for allowing me to offer this amendment. It prevents the Department of the Interior from competing with our local job creators in the use of UAS—unmanned aerial systems—for land surveying, mapping, imaging, and remote sensing data activities.

There is concern that agencies like the USGS and the Bureau of Land Management are acquiring the UAS and utilizing them on projects that can be accomplished by the private sector. We have no problem with them using them. We have no problem with them using them for forest fires and those types of things, for emergency situations, but where local businesses can do this work, we think that it is unfair

for the government to take that work away.

Having the Department compete with local employers results in a loss of business for private geospatial firms under contract to other Federal mapping agencies. The government is actually getting a leg up on the private market by obtaining Certificates of Authorization, or COAs, and performing services with UAS that are otherwise commercial in nature.

Current law and regulation permits private citizens and firms to operate UAS for a hobby. However, there is no effective enforcement to prevent government abuse of such authority for commercial purposes.

The fact that government agencies can operate a UAS while the private sector cannot as freely or timely gain airspace access has created and uneven playing field. Allowing the Department of the Interior to compete with the free market use of UAS is not only poor stewardship of taxpayer money and inefficient use of resources, but results in the government duplicating and directly competing with private enterprise.

This is a $73 million marketplace, Mr. Chairman. It drives more than $1 trillion in economic activity. More than 500,000 American jobs are related to the collection, storage, and dissemination of imagery and geospatial data. Another 5.3 million citizens utilize such data. As much as 90 percent of the government information has a geospatial information component. Up to 80 percent of the information managed by business is connected to a specific location. The geospatial marketplace is identified by the Department of Labor as one of just 14 high gross sectors in the United States workforce.

With that, I urge support of this amendment, and I reserve the balance of my time.

Ms. MCCOLLUM. Mr. Chairman, I rise in opposition to this amendment.

The Acting CHAIR. The gentlewoman from Minnesota is recognized for 5 minutes.

Ms. MCCOLLUM. The Department of the Interior and the U.S. Geological Survey have been using unmanned aircraft to complement conventional satellite-based remote sensing. Using remote sensing via unmanned aircraft did make sense. It allows for the rapid collection of data and allows for the Department to get a closer look at natural disasters as they develop.

The Department and the USGS are using unmanned aircraft to monitor the spread of wildfires, monitor riverbank erosion, detect and locate coal steam fires, conduct waterfall surveys, and inspect abandoned mines.

It is clearly evident to everyone that this technology offers a real public safety benefit. So it makes no sense to hamstring the Department when the technology can save lives and the survey can monitor dangerous natural events.

Now, the way that the amendment is written—and I am all for the private sector being able to do things, and that is in your new amendment, that the private sector is not affected by this amendment—if the private sector currently isn't operating in this space looking at abandoned mines or looking at wildfires and we need to do something right away, your amendment would prohibit the Federal Government from using equipment it would have and be able to launch up and look at something in real time.

I don't think that was the total intention of your amendment. But because even though you worked in the redraft to make sure that you protected contractors—and I am glad you did that—I don't know where that leaves us in times of emergency when there isn't a contractor available, because you haven't allowed prohibition.

For that reason, Mr. Chair, I oppose the amendment, and I reserve the balance of my time.

Mr. PERRY. I appreciate the gentlewoman's comments.

First of all, I did state that fire observation would not be included. Indeed, it is not written in the amendment. It is very specific. So for emergency purposes, if need be, the Department of the Interior still can use, whether it uses its own or DHS' or one of the other myriad agencies that have the vehicles, it still has the ability to do that.

But I would also remind the gentlewoman that there are plenty of ambulance services and other emergency services for contract hire out there in our communities that perform emergency services every hour of the day, every day of the year. That fact notwithstanding, the private industry does provide all the other things that the agency is currently embarking on on its own and leaving the private sector out.

A friend just called me today and asked me, because I am a helicopter pilot in the Army, if we could put his air-conditioning unit on a roof. I said, ''Absolutely not.'' The Army doesn't do what the civilian world does for good reason. We want the civilians out there doing those things. We don't want to compete as the Federal Government.

But in this case, the Department of the Interior is competing directly, and will continue to do if allowed to do so, unless prohibited. They can write contracts, and they can have somebody on call. If there is an emergency situation, they can have a contractor on call to do that, and they should.

I reserve the balance of my time.

Ms. MCCOLLUM. I thank the gentleman.

I think that this is a great discussion we are having, but I don't think the discussion necessarily belongs on the appropriations bill. It belongs in the policy committee so that all the questions that I have and the concerns that you have can be addressed and thoughtfully written into a piece of legislation.

There are just some places in rural parts of the United States—and I come from a State that is both urban, suburban, and very rural, up on the north shore—where private contractors just don't go or the ability of getting a hold of one isn't there, and sometimes you have to have some Federal redundancy in the system to get out there and do that.

You also have used a couple of terms and descriptions that I don't have any statutory language in front of me. So where I think the gentleman might have a very good idea, bills that we are working on in the appropriations process, when we start getting into writing technical policy or trying to figure out the new wave of what new legislation should look like—and you have a great proponent; I hear him all the time in the Defense subcommittee—the chairman of the subcommittee says the Federal Government shouldn't be doing what the private sector can do. We should not be doing this legislation for the reasons I mentioned, that we just don't have all the facts in front of it, and it is not the role of the Interior Appropriations bill to do policy.

So I am going to continue to object to the amendment at this time, but I look forward to, in a policy situation, working with the gentleman.

I yield back the balance of my time.

Mr. PERRY. Again, I appreciate the gentlewoman's reservations and opposition for the reasons so stated. I respect them, but I feel this is the correct place to limit in the appropriations, to make sure that the private sector can compete effectively and is allowed to do so and doesn't have to compete against the Federal Government with all the provisions it has at its hand to undermine their ability to be effective and competitive.

Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Pennsylvania (Mr. PERRY).

The amendment was agreed to.

□ 0100

Mr. CALVERT. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. PERRY) having assumed the chair, Mr. LOUDERMILK, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 2822) making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2016, and for other purposes, had come to no resolution thereon.

HOUSE BILLS APPROVED BY THE PRESIDENT

The President notified the Clerk of the House that on the following dates he had approved and signed bills of the following titles:

May 19, 2015:

H.R. 2252. An Act to clarify the effective date of certain provisions of the Border Patrol Agent Pay Reform Act of 2014, and for other purposes.

May 22, 2015:

H.R. 606. An Act to amend the Internal Revenue Code of 1986 to exclude certain compensation received by public safety officers and their dependents from gross income.

H.R. 651. An Act to designate the facility of the United States Postal Service located at 820 Elmwood Avenue in Providence, Rhode Island, as the ''Sister Ann Keefe Post Office''.

H.R. 1075. An Act to designate the United States Customs and Border Protection Port of Entry located at First Street and Pan American Avenue in Douglas, Arizona, as the ''Raul Hector Castro Port of Entry''.

H.R. 1191. An Act to provide for congressional review and oversight of agreements relating to Iraq's nuclear program, and for other purposes.

H.R. 2496. An Act to extend the authorization for the replacement of the existing Department of Veterans Affairs Medical Center in Denver, Colorado, to make certain improvements in the Veterans Access, Choice, and Accountability Act of 2014, and for other purposes.

May 29, 2015:

H.R. 1690. An Act to designate the United States courthouse located at 700 Grant Street in Pittsburgh, Pennsylvania, as the ''Joseph F. Weis Jr. United States Courthouse''.

H.R. 2353. An Act to provide an extension of Federal-aid highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund, and for other purposes.

June 2, 2015:

H.R. 2048. An Act to reform the authorities of the Federal Government to require the production of certain business records, conduct electronic surveillance, use pen registers and trap and trace devices, and use other forms of information gathering for foreign intelligence, counterterrorism, and criminal purposes, and for other purposes.

June 29, 2015:

H.R. 1295. An Act to extend the African Growth and Opportunity Act, the Generalized System of Preferences, the preferential duty treatment program for Haiti, and for other purposes.

H.R. 2146. An Act to amend the Internal Revenue Code of 1966 to allow Federal law enforcement officers, firefighters, and air traffic controllers to make penalty-free withdrawals from governmental plans after age 50, and for other purposes.

SENATE BILLS APPROVED BY THE PRESIDENT

The President notified the Clerk of the House that on the following dates he had approved and signed bills of the following titles:

May 19, 2015:

S. 665. An Act to encourage, enhance, and integrate Blue Alert plans throughout the United States in order to disseminate information when a law enforcement officer is seriously injured or killed in the line of duty, is missing in connection with the officer's official duties, or an imminent and credible threat that an individual intends to cause the serious injury or death of a law enforcement officer is received, and for other purposes.

May 22, 2015:

S. 1124. An Act to amend the Workforce Innovation and Opportunity Act to improve the Act.

May 29, 2015:

S. 178. An Act to provide justice for the victims of trafficking.

June 12, 2015:

S. 802. An Act to authorize the Secretary of State and the Administrator of the United States Agency for International Development to provide assistance to support the rights of women and girls in developing countries, and for other purposes.

June 15, 2015:

S. 1568. An Act to extend the authorization to carry out the replacement of the existing medical center of the Department of Veterans Affairs in Denver, Colorado, to authorize transfers of amounts to carry out the replacement of such medical center, and for other purposes.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. DANNY K. DAVIS of Illinois (at the request of Ms. PELOSI) for today.

ENROLLED BILLS SIGNED

Karen L. Haas, Clerk of the House, reported and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker pro tempore, Mr. THORNBERRY, on Friday, June 26, 2015.

H.R. 893. An act to require the Secretary of the Treasury to mint coins in commemoration of the centennial of Boys Town, and for other purposes.

H.R. 1295. An act to extend the African Growth and Opportunity Act, the Generalized System of Preferences, and preferential duty treatment program for Haiti, and for other purposes.

BILLS PRESENTED TO THE PRESIDENT

Karen L. Haas, Clerk of the House, reported that on June 24, 2015, she presented to the President of the United States, for his approval, the following bills:

H.R. 2146. To amend the Internal Revenue Code of 1986 to allow Federal law enforcement officers, firefighters, and air traffic controllers to make penalty-free withdrawals from governmental plans after age 50, and for other purposes.

H.R. 615. To amend the Homeland Security Act of 2002 to require the Under Secretary for Management of the Department of Homeland Security to take administrative action to achieve and maintain interoperable communications capabilities among the components of the Department of Homeland Security, and for other purposes.

Karen L. Haas, Clerk of the House, reported that on June 26, 2015, she presented to the President of the United States, for his approval, the following bills:

H.R. 1295. To extend the African Growth and Opportunity Act, the Generalized System of Preferences, the preferential duty treatment program for Haiti, and for other purposes.

H.R. 893. To require the Secretary of the Treasury to mint coins in commemoration of the centennial of Boys Town, and for other purposes.

H.R. 533. To revoke the charter of incorporation of the Miami Tribe of Oklahoma at the request of that tribe, and for other purposes.

ADJOURNMENT

Mr. CALVERT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 1 o'clock and 2 minutes a.m.), under its previous order, the House adjourned until today, Wednesday, July 8, 2015, at 10 a.m. for morning-hour debate.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

1981. A letter from the Program Manager, BioPreferred Program, DM/OPPM/EMD, Department of Agriculture, transmitting the Department's final rule — Voluntary Labeling Program for Biobased Products (RIN: 0599-AA22) received June 24, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1982. A letter from the Under Secretary of Defense, Acquisition, Technology, and Logistics, Department of Defense, transmitting a letter on the expected submission date of the report on inventory of activities performed during the preceding fiscal year pursuant to contracts for services for or on behalf of the Department of Defense, pursuant to 10 U.S.C. 2330a; to the Committee on Armed Services.

1983. A letter from the Acting Under Secretary, Personnel and Readiness, Department of Defense, transmitting a letter authorizing three officers to wear the insignia of the grade of rear admiral or rear admiral (lower half), as indicated, in accordance with 10 U.S.C. 777; to the Committee on Armed Services.

1984. A letter from the Acting Under Secretary, Personnel and Readiness, Department of Defense, transmitting a letter on the approved retirement of Lieutenant General Ronnie D. Hawkins, United States Air Force, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

1985. A letter from the Director, Defense Procurement and Acquisition Policy, OUSD (AT&L) DPAP/DARS, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulation Supplement: Defense Contractors Outside the United States — Subpart Relocation (DFARS Case 2015-D015) (RIN: 0750-AI55) received June 24, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

1986. A letter from the Acting Under Secretary, Personnel and Readiness, Department of Defense, transmitting a letter on the approved retirement of Lieutenant General Stephen L. Hoog, United States Air Force, and his advancement to the grade of lieutenant general; to the Committee on Armed Services.

1987. A letter from the Acting Under Secretary, Personnel and Readiness, Department of Defense, transmitting a letter authorizing three officers on an enclosed list to wear the insignia of the grade of major general, as indicated, pursuant to 10 U.S.C. 777; to the Committee on Armed Services.

1988. A letter from the Director, Defense Procurement and Acquisition Policy, OUSD (AT&L) DPAP/DARS, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulation Supplement: Clauses with Alternates-

Prescriptions and Clause Prefaces (DFARS Case 2015-D016) (RIN: 0750-AI57) received June 24, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

1989. A letter from the Director, Defense Procurement and Acquisition Policy, OUSD (AT&L) DPAP/DARS, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulation Supplement: Allowability of Legal Costs for Whistleblower Proceedings (DFARS Case 2013-D022) (RIN: 0750-AI04) received June 24, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

1990. A letter from the Director, Defense Procurement and Acquisition Policy, OUSD (AT&L) DPAP/DARS, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulation Supplement: Inflation Adjustment of Acquisition-Related Thresholds (DFARS Case 2014-D025) (RIN: 0750-AI43) received June 24, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

1991. A letter from the Chairman and President, Export-Import Bank, transmitting the ''Report to the U.S. Congress on Global Export Credit Competition'' for the period covering January 1, 2014, through December 31, 2014, pursuant to Sec. 8A of the Export-Import Bank Act of 1945, as amended; to the Committee on Financial Services.

1992. A letter from the Assistant Secretary, Energy Efficiency and Renewable Energy, Department of Energy, transmitting the ''Barriers to Industrial Energy Efficiency'' report, pursuant to the American Energy Manufacturing Technical Corrections Act, Pub. L. 112-210; to the Committee on Energy and Commerce.

1993. A letter from the Administrator, Energy Information Administration, Department of Energy, transmitting the report entitled ''The Availability and Price of Petroleum and Petroleum Products Produced in Countries Other Than Iran'', pursuant to Sec. 1245(d)(4)(A) of the National Defense Authorization Act for Fiscal Year 2012; to the Committee on Energy and Commerce.

1994. A letter from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Office of Energy Efficiency and Renewable Energy, Department of Energy, transmitting the Department's final rule — Energy Conservation Program: Test Procedures for Packaged Terminal Air Conditioners and Packaged Terminal Heat Pumps [Docket No.: EERE-2012-BT-TP-0032] (RIN: 1904-AD19) received July 1, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

1995. A letter from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting the ''Health Profession Opportunity Grants Program and Evaluation Portfolio Interim Report to Congress'', pursuant to Sec. 5507 of the Patient Protection and Affordable Care Act, Pub. L. 111-148; to the Committee on Energy and Commerce.

1996. A letter from the Director, Regulations Policy and Management Staff, FDA, Department of Health and Human Services, transmitting the Department's final rule — Infant Formula: The Addition of Minimum and Maximum Levels of Selenium to Infant Formula and Related Labeling Requirements [Docket No.: FDA-2013-N-0067] received June 29, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1997. A letter from the Director, Regulations Policy and Management Staff, FDA, Department of Health and Human Services, transmitting the Department's final rule — Veterinary Feed Directive; Correction [Docket No.: FDA-2010-N-0155] (RIN: 0910-AG95) received June 29, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1998. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's withdrawal of direct final rule — Approval and Promulgation of Implementation Plans; Texas; Revision to Control Volatile Organic Compound Emissions from Storage Tanks and Transport Vessels [EPA-R06-OAR-2011-0079; FRL-9929-69-Region 6] received June 30, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

1999. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Modification of Significant New Uses of Certain Chemical Substances [EPA-HQ-OPPT-2014-0649; FRL-9928-93] (RIN: 2070-AB27) received June 30, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

2000. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Technical Amendments to the Hazardous and Solid Waste Management System; Disposal of Coal Combustion Residuals from Electric Utilities — Correction of the Effective Date [EPA-HQ-RCRA-2015-0331; FRL-9928-44-OSWER] (RIN: 2050-AE81) received June 30, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

2001. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's direct final rule — Approval and Promulgation of Implementation Plans; Mississippi; Memphis, TN-MS-AR Emissions Inventory for the 2008 8-Hour Ozone Standard [EPA-R04-OAR-2015-0247; FRL-9929-84-Region 4] received June 30, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

2002. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's direct final rule — Approval of Air Quality Implementation Plans; Sheboygan County, Wisconsin 8-Hour Ozone Nonattainment Area; Reasonable Further Progress Plan [EPA-R05-OAR-2015-0075; FRL-9929-73-Region 5] received June 30, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

2003. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's withdrawal of direct final rule — Approval of Alabama's Request to Relax the Federal Reid Vapor Pressure Gasoline Volatility Standard for Birmingham, Alabama [EPA-HQ-OAR-2014-0905; FRL-9929-91-OAR] (RIN: 2060-AS58) received June 30, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

2004. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval of Alabama's Request to Relax the Federal Reid Vapor Pressure Gasoline Volatility Standard for Birmingham, Alabama [EPA-HQ-OAR-2014-0905; FRL-9929-90-OAR] (RIN: 2060-AS58) received June 30, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

2005. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Cuprous oxide; Exemption from the Requirement of a Tolerance [EPA-HQ-OPP-2014-0865; FRL-9929-51] received June 30, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

2006. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; Arkansas; Prevention of Significant Deterioration; Greenhouse Gas Plantwide Applicability Limit Permitting Revisions [EPA-R06-OAR-2014-0378; FRL-9929-81-Region 6] received June 30, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

2007. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Performance Specification 18 — Performance Specifications and Test Procedures for Hydrogen Chloride Continuous Emission Monitoring Systems at Stationary Sources [EPA-HQ-OAR-2013-0696; FRL-9929-25-OAR] (RIN: 2060-AR81) received June 30, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

2008. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Prohexadione calcium; Pesticide Tolerances [EPA-HQ-OPP-2014-0346; FRL-9927-25] received June 30, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

2009. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Revising Underground Storage Tank Regulations — Revisions to Existing Requirements and New Requirements for Secondary Containment and Operator Training [EPA-HQ-UST-2011-0301; FRL-9913-64-OSWER] (RIN: 2050-AG46) received June 30, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

2010. A letter from the Associate Bureau Chief, Wireline Competition Bureau, Federal Communications Commission, transmitting the Commission's final rule — Lifeline and Link Up Reform [WC Docket No.: 11-42] received June 29, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2011. A letter from the Deputy Chief, Public Safety and Homeland Security — CCR, Federal Communications Commission, transmitting the Commission's final rule — Review of the Emergency Alert System [EB Docket No.: 04-296] received June 29, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

2012. A letter from the Secretary, Department of Commerce, transmitting a report certifying that the export of the listed item to the People's Republic of China is not detrimental to the U.S. space launch industry, pursuant to Sec. 1512 of the Strom Thurmond National Defense Authorization Act for FY 1999 (Pub. L. 105-261), as amended by Sec. 146 of the Omnibus Consolidated and Emergency Supplemental Appropriations Act for FY 1999 (Pub. L. 105-277), and the President's September 29, 2009 delegation of authority (74 Fed. Reg. 50,913 (Oct. 2, 2009)); to the Committee on Foreign Affairs.

2013. A letter from the Secretary, Department of the Treasury, transmitting pursuant to Sec. 401(c) of the National Emergencies

Act, 50 U.S.C. 1641(c), and Sec. 204(c) of the International Emergency Economic Powers Act, 50 U.S.C. 1703(c), a six-month periodic report on the national emergency with respect to transnational criminal organizations that was declared in Executive Order 13581 of July 24, 2011; to the Committee on Foreign Affairs.

2014. A letter from the Secretary, Department of the Treasury, transmitting as required by Sec. 401(c) of the National Emergencies Act, 50 U.S.C. 1641(c), and Sec. 204(c) of the International Emergency Economic Powers Act, 50 U.S.C. 1703(c), a six-month periodic report on the national emergency with respect to the former Liberian regime of Charles Taylor that was declared in Executive Order 13348 of July 22, 2004; to the Committee on Foreign Affairs.

2015. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 21-91, ''Access to Contraceptives Amendment Act of 2015'', pursuant to Public Law 93-198, Sec. 602(c)(1); to the Committee on Oversight and Government Reform.

2016. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 21-90, ''Healthy Hearts of Babies Act of 2015'', pursuant to Public Law 93-198, Sec. 602(c)(1); to the Committee on Oversight and Government Reform.

2017. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 21-94, ''Fiscal Year 2015 Second Revised Budget Request Temporary Adjustment Act of 2015'', pursuant to Public Law 93-198, Sec. 602(c)(1); to the Committee on Oversight and Government Reform.

2018. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 21-92, ''Medical Marijuana Cultivation Center Exception Temporary Amendment Act of 2015'', pursuant to Public Law 93-198, Sec. 602(c)(1); to the Committee on Oversight and Government Reform.

2019. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 21-93, ''Youth Employment and Work Readiness Training Temporary Amendment Act of 2015'', pursuant to Public Law 93-198, Sec. 602(c)(1); to the Committee on Oversight and Government Reform.

2020. A letter from the Associate General Counsel for General Law, Office of the General Counsel, Department of Homeland Security, transmitting two reports pursuant to the Federal Vacancies Reform Act of 1998, Pub. L. 105-277; to the Committee on Oversight and Government Reform.

2021. A letter from the President and Chief Executive Officer, Federal Home Loan Bank of Indianapolis, transmitting the Federal Home Loan Bank of Indianapolis 2014 management report and financial statements, pursuant to the Chief Financial Officers Act of 1990, Pub. L. 101-576; to the Committee on Oversight and Government Reform.

2022. A letter from the Senior Vice President and Chief Financial Officer, Potomac Electric Power Company, transmitting a copy of the Balance Sheet of Potomac Electric Power Company as of December 31, 2014, pursuant to D.C. Code Ann. Sec. 34-1113 (2001); to the Committee on Oversight and Government Reform.

2023. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Fisheries of the Exclusive Economic Zone Off Alaska; Greenland Turbot in the Aleutian Islands Subarea of the Bering Sea and Aleutian Islands Management Area [Docket No.: 141021887-5172-02] (RIN: 0648-XD920) received June 24, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

2024. A letter from the Deputy Assistant Administrator for Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final specifications — Pacific Island Fisheries; 2014-15 Annual Catch Limits and Accountability Measures; Main Hawaiian Islands Deep 7 Bottomfish [Docket No.: 140113035-5475-02] (RIN: 0648-XD082) received June 24, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

2025. A letter from the Deputy Assistant Administrator for Regulatory Programs, NMFS, Office of Sustainable Fisheries, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Fisheries Off West Coast States; the Highly Migratory Species Fishery; Closure [Docket No.: 031125294-4091-02] (RIN: 0648-XD945) received June 24, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

2026. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Magnuson-Stevens Act Provisions; Fisheries Off West Coast States; Pacific Coast Groundfish Fishery; 2015-2016 Biennial Specifications and Management Measures; Inseason Adjustments [Docket No.: 140904754-5188-02] (RIN: 0648-BF08) received June 24, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

2027. A letter from the Deputy Assistant Administrator for Regulatory Programs, NMFS, Office of Sustainable Fisheries, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Snapper-Grouper Fishery Off the Southern Atlantic States; Amendment 29 [Docket No.: 141107936-5399-02] (RIN: 0648-BE55) received June 24, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

2028. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — International Fisheries; Western and Central Pacific Fisheries for Highly Migratory Species; Closure of Purse Seine Fishery in the ELAPS in 2015 [Docket No.: 150406346-5346-01] (RIN: 0648-XD972) received June 24, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

2029. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; 2015 Recreational Accountability Measure and Closure for Blueline Tilefish in the South Atlantic Region [Docket No.: 140501394-5279-02] (RIN: 0648-XD962) received June 24, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

2030. A letter from the Assistant Administrator for Fisheries, NMFS, Office of Sustainable Fisheries, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Magnuson-Stevens Fishery Conservation and Management Act Provisions; Fisheries of the Northeastern United States; Northeast Groundfish Fishery; Framework Adjustment 53 [Docket No.: 150105004-5355-01] (RIN: 0648-BE75) received July 1, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Natural Resources.

2031. A letter from the Principal Deputy Assistant Secretary, Policy, Management and Budget, Office of the Secretary, Department of the Interior, transmitting a report summary for FY 2015 of the Payments in Lieu of Taxes program, pursuant to the Payments in Lieu of Taxes Act, 31 U.S.C. 6901-6907, as amended; to the Committee on Natural Resources.

2032. A letter from the Director, Administrative Office of the United States Courts, transmitting a letter containing the Web site address for the calendar year 2014 report on bankruptcy statistics mandated by the Bankruptcy Abuse Prevention and Consumer Protection Act of 2005, 28 U.S.C. 159(b); to the Committee on the Judiciary.

2033. A letter from the Director, Administrative Office of the United States Courts, transmitting the annual report to Congress concerning intercepted wire, oral, or electronic communications as required by Title III of the Omnibus Crime Control and Safe Streets Act of 1968, Pub. L. 90-351 Sec. 802, and codified at 18 U.S.C. Sec. 2519(3); to the Committee on the Judiciary.

2034. A letter from the Staff Director, Commission on Civil Rights, transmitting a copy of the charter for the U.S. Commission on Civil Rights state advisory committees, pursuant to the Federal Advisory Committee Act, 41 C.F.R. Sec. 102-3.70; to the Committee on the Judiciary.

2035. A letter from the Auditor, Congressional Medal of Honor Society, transmitting the annual financial report of the Congressional Medal of Honor Society of the United States of America for calendar year 2014, pursuant to Pub. L. 88-504 and 36 U.S.C. 1101; to the Committee on the Judiciary.

2036. A letter from the Staff Director, United States Sentencing Commission, transmitting the ''2014 Annual Report and Sourcebook of Federal Sentencing Statistics'', pursuant to 28 U.S.C. 994(w)(3) and 997; to the Committee on the Judiciary.

2037. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Amendment of Class D Airspace; Jupiter, FL [Docket No.: FAA-2015-0794; Airspace Docket No.: 15-ASO-5] received June 24, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2038. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bell Helicopter Textron Canada Limited [Docket No.: FAA-2013-0489; Directorate Identifier 2008-SW-003-AD; Amendment 39-18175; AD 2015-12-02] (RIN: 2120-AA64) received June 24, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2039. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; ATR-GIE Avions de Transport Regional Airplanes [Docket No.: FAA-2014-0568; Directorate Identifier 2014-NM-075-AD; Amendment 39-18166; AD 2015-11-03] (RIN: 2120-AA64) received June 24, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2040. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Agusta S.p.A. Helicopters [Docket No.: FAA-2015-1936; Directorate Identifier 2014-SW-005-AD; Amendment 39-18170; AD 2015-11-07] (RIN: 2120-AA64) received June 24, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2041. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Agusta S.p.A. (Agusta) Helicopters

[Docket No.: FAA-2015-1937; Directorate Identifier 2014-SW-067-AD; Amendment 39-18171; AD 2015-11-08] (RIN: 2120-AA64) received June 24, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2042. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Helicopters (Previously Eurocopter France) Helicopters [Docket No.: FAA-2014-0464; Directorate Identifier 2014-SW-002-AD; Amendment 39-18169; AD 2015-11-06] (RIN: 2120-AA64) received June 24, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2043. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2014-0342; Directorate Identifier 2014-NM-007-AD; Amendment 39-18168; AD 2015-11-05] (RIN: 2120-AA64) received June 24, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2044. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2014-0756; Directorate Identifier 2014-NM-103-AD; Amendment 39-18167; AD 2015-11-04] (RIN: 2120-AA64) received June 24, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2045. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Airplanes [Docket No.: FAA-2014-0584; Directorate Identifier 2014-NM-092-AD; Amendment 39-18158; AD 2015-10-03] (RIN: 2120-AA64) received June 24, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2046. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Turbomeca S.A. Turboshaft Engines [Docket No.: FAA-2013-1003; Directorate Identifier 2013-NE-33-AD; Amendment 39-18163; AD 2015-10-07] (RIN: 2120-AA64) received June 24, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2047. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Zodiac Seats France (formerly Sicma Aero Seat) Passenger Seat Assemblies [Docket No.: FAA-2015-1282; Directorate Identifier 2015-NM-007-AD; Amendment 39-18157; AD 2015-10-02] (RIN: 2120-AA64) received June 24, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2048. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Lycoming Engines Reciprocating Engines (Type Certificate previously held by Textron Lycoming Division, AVCO Corporation) [Docket No.: FAA-2014-0940; Directorate Identifier 2014-NE-15-AD; Amendment 39-18162; AD 2015-10-06] (RIN: 2120-AA64) received June 24, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2049. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Slingsby Aviation Ltd. Airplanes [Docket No.: FAA-2015-1737; Directorate Identifier 2015-CE-014-AD; Amendment 39-18164; AD 2015-11-01] (RIN: 2120-AA64) received June 24, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2050. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; International Aero Engines AG Turbofan Engines [Docket No.: FAA-2009-1100; Directorate Identifier 2009-NE-37-AD; Amendment 39-18159; AD 2015-10-04] (RIN: 2120-AA64) received June 24, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2051. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Helicopters (previously Eurocopter France) Helicopters [Docket No.: FAA-2015-1570; Directorate Identifier 2014-SW-054-AD; Amendment 39-18161; AD 2015-10-05] (RIN: 2120-AA64) received June 24, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2052. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Revocation of Class E Airspace; Lexington, TN [Docket No.: FAA-2014-0969; Airspace Docket No.: 14-ASO-20] received June 24, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2053. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Amendment of Class D and E Airspace; Clarksburg, WV [Docket No.: FAA-2014-1003; Airspace Docket No.: 14-AEA-9] received June 24, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

2054. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Maryland; Minor New Source Review Requirements [EPA-R03-OAR-2015-0225; FRL-9930-08-Region 3] received June 30, 2015, pursuant to 5 U.S.C. 801(a)(1)(A); Added by Public Law 104-121, Sec. 251; to the Committee on Energy and Commerce.

2055. A letter from the Clerk of the House of Representatives, transmitting annual compilation of financial disclosure statements of the members of the board of the Office of Congressional Ethics for the period between January 1, 2014 and December 31, 2014, pursuant to Clause 3 of House Rule XXVI; (H. Doc. No. 114—46); to the Committee on Ethics and ordered to be printed.

2056. A letter from the Director, National Legislative Division, American Legion, transmitting the consolidated financial statements of the American Legion as of December 31, 2014 and 2013 with supplemental data; to the Committee on Veterans' Affairs.

2057. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting a report to Congress concerning emigration laws and policies of Azerbaijan, Kazakhstan, Tajikistan, and Uzbekistan, pursuant to Secs. 402(a) and 409(a) of Title IV of the Trade Act of 1974, as amended (''the Jackson-Vanik Amendment''); to the Committee on Ways and Means.

2058. A letter from the Assistant Secretary for Legislation, Office of the Secretary, Department of Health and Human Services, transmitting the Elder Justice Coordinating Council 2012-2014 Report to Congress, pursuant to Title XX of the Social Security Act, Subtitle B, the Elder Justice Act of 2009; to the Committee on Ways and Means.

2059. A letter from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting the ''Report to Congress on the Administration, Cost and Impact of the Quality Improvement Organization Program for Medicare Beneficiaries for Fiscal Year 2012'', pursuant to Sec. 1161 of the Social Security Act; jointly to the Committees on Energy and Commerce and Ways and Means.

2060. A letter from the Board Members, Railroad Retirement Board, transmitting the 2015 annual report on the financial status of the railroad unemployment insurance system, pursuant to Pub. L. 100-647, Sec. 7105; jointly to the Committees on Ways and Means and Transportation and Infrastructure.

2061. A letter from the Board Members, Railroad Retirement Board, transmitting the 26th actuarial valuation of the railroad retirement system, pursuant to Sec. 22 of the Railroad Retirement Act of 1974 and Pub. L. 98-76, Sec. 502; jointly to the Committees on Ways and Means and Transportation and Infrastructure.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. UPTON: Committee on Energy and Commerce. H.R. 6. A bill to accelerate the discovery, development, and delivery of 21st century cures, and for other purposes; with an amendment (Rept. 114–190, Pt. 1). Referred to the Committee of the While House on the state of the Union.

Mr. MILLER of Florida: Committee on Veterans' Affairs. H.R. 2256. A bill to amend title 38, United States Code, to direct the Secretary of Veterans Affairs to submit an annual report on the Veterans Health Administration and the furnishing of hospital care, medical services, and nursing home care by the Department of Veterans Affairs; with an amendment (Rept. 114–191). Referred to the Committee of the While House on the state of the Union.

Mr. NEWHOUSE: Committee on Rules. House Resolution 347. Resolution providing for further consideration of the bill (H.R. 5) to support State and local accountability for public education protect State and local authority, inform parents of the performance of their children's schools, and for other purposes, and providing consideration of the bill (H.R. 2647) to expedite under the National Environmental Policy Act and improve forest management activities in units of the National Forest System derived from the public domain, on public lands under the jurisdiction of the Bureau of Land Management, and on tribal lands to return resilience to overgrown, fire-prone forested lands, and for other purposes (Rept. 114–192). Referred to the House calendar.

DISCHARGE OF COMMITTEE

Pursuant to clause 2 of rule XIII, the Committee on Ways and Means discharged from further consideration. H.R. 6 referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following

titles were introduced and severally referred, as follows:

By Mr. TROTT (for himself, Mr. GOODLATTE, Mr. CONYERS, and Mr. MARINO):

H.R. 2947. A bill to amend title 11 of the United States Code in order to facilitate the resolution of an insolvent financial institution in bankruptcy; to the Committee on the Judiciary.

By Mr. THOMPSON of California (for himself, Mr. HARPER, Mrs. BLACK, and Mr. WELCH):

H.R. 2948. A bill to amend title XVIII of the Social Security Act to provide for an incremental expansion of telehealth coverage under the Medicare program; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MCHENRY (for himself and Mr. BUTTERFIELD):

H.R. 2949. A bill to exclude payments from State eugenics compensation programs from consideration in determining eligibility for, or the amount of, Federal public benefits; to the Committee on Oversight and Government Reform.

By Mr. TAKAI:

H.R. 2950. A bill to amend the Small Business Act to streamline and clarify small business contracting opportunities, and for other purposes; to the Committee on Small Business.

By Mr. FARENTHOLD:

H.R. 2951. A bill to prohibit foreign assistance to countries that do not prohibit shark finning in the territorial waters of the country or the importation, sale, or possession of shark fins obtained as a result of shark finning; to the Committee on Foreign Affairs.

By Mr. BOUSTANY:

H.R. 2952. A bill to provide payments to States for increasing the employment, job retention, and earnings of former TANF recipients; to the Committee on Ways and Means.

By Mr. CARNEY:

H.R. 2953. A bill to expand the Moving to Work and Rental Assistance demonstration programs of the Department of Housing and Urban Development, and for other purposes; to the Committee on Financial Services.

By Mr. CRAWFORD (for himself, Mr. WESTERMAN, Mr. WOMACK, and Mr. HILL):

H.R. 2954. A bill to designate the Federal building located at 617 Walnut Street in Helena, Arkansas, as the ''Jacob Trieber Federal Building, United States Post Office, and United States Court House''; to the Committee on Transportation and Infrastructure.

By Mr. DEUTCH:

H.R. 2955. A bill to amend the Violent Crime Control and Law Enforcement Act of 1994 to expand the cause of action relating to the pattern or practice of conduct by a governmental authority that deprives a person of rights protected by the Constitution to such conduct relating to adults as well as juveniles; to the Committee on the Judiciary.

By Mr. GROTHMAN:

H.R. 2956. A bill to amend the Internal Revenue Code of 1986 to limit the earned income tax credit to citizens and lawful permanent residents and to require a valid social security number to claim the refundable portion of the child tax credit; to the Committee on Ways and Means.

By Mr. KIND (for himself and Mr. WITTMAN):

H.R. 2957. A bill to reauthorize the Neotropical Migratory Bird Conservation Act; to the Committee on Natural Resources.

By Mrs. KIRKPATRICK:

H.R. 2958. A bill to fulfill the United States Government's trust responsibility to serve the higher education needs of the Navajo people and to clarify, unify, and modernize prior Diné College legislation; to the Committee on Education and the Workforce.

By Mrs. NOEM:

H.R. 2959. A bill to prevent States from counting certain expenditures as State spending to reduce TANF work requirements; to the Committee on Ways and Means.

By Mr. POLIS (for himself and Mr. YOUNG of Iowa):

H.R. 2960. A bill to amend the Elementary and Secondary Education Act of 1965 to aid gifted and talented and high-ability learners by empowering the Nation's teachers, and for other purposes; to the Committee on Education and the Workforce, and in addition to the Committee on Science, Space, and Technology, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. TONKO (for himself and Mr. MCKINLEY):

H.R. 2961. A bill to establish a research, development, and technology demonstration program to improve the efficiency of gas turbines used in combined cycle and simple cycle power generation systems; to the Committee on Science, Space, and Technology.

By Mr. SMITH of Nebraska:

H.J. Res. 59. A joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Army Corps of Engineers and the Environmental Protection Agency relating to the definition of ''waters of the United States'' under the Clean Water Act; to the Committee on Transportation and Infrastructure.

By Mr. CICILLINE (for himself, Mr. SIRES, Mr. ENGEL, Mr. ROYCE, Mr. DEUTCH, Mr. LOWENTHAL, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. DESJARLAIS, Mr. ISRAEL, Mr. WILSON of South Carolina, Ms. SLAUGHTER, Ms. FRANKEL of Florida, Mr. MARINO, Mr. RIBBLE, Mr. CONNOLLY, Mr. MCGOVERN, Mr. BURGESS, Mr. KINZINGER of Illinois, Mrs. ELLMERS of North Carolina, Mr. DUNCAN of South Carolina, Mr. ROKITA, Mr. REED, Mr. BLUMENAUER, Mr. WEBER of Texas, Mr. POE of Texas, Mr. YOHO, Mr. MEEKS, Ms. BASS, Mr. AL GREEN of Texas, Ms. ROS-LEHTINEN, Mr. LANGEVIN, Ms. KAPTUR, and Mr. CARNEY):

H. Res. 348. A resolution supporting the right of the people of Ukraine to freely elect their government and determine their future; to the Committee on Foreign Affairs.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. TROTT:

H.R. 2947.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, clause 3 of the United States Constitution, in that the legislation exercises legislative power granted to Congress by that clause ''to regulate Commerce with foreign Nations, and among the several States, and with Indian tribes;'' Article I, Section 8, clause 4 of the United States Constitution, in that the legislation exercises legislative power granted to Congress by that clause ''to establish . . . uniform Laws on the subject of Bankruptcies throughout the United States;'' Article I, Section 8, clause 9 of the United States Constitution, in that the legislation exercises legislative power granted to Congress by that clause ''to constitute Tribunals inferior to the Supreme Court;'' Article I, Section 8, clause 18 of the United States Constitution, in that the legislation exercises legislative power granted to Congress by that clause ''to make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof;'' and, Article III of the United States Constitution, in that the legislation defines or affects powers of the Judiciary that are subject to legislation by Congress.

By Mr. THOMPSON of California:

H.R. 2948.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 6

The Congress shall have Power . . . to make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. MCHENRY:

H.R. 2949.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1: The Congress shall have the Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

By Mr. TAKAI:

H.R. 2950.

Congress has the power to enact this legislation pursuant to the following:

Section I, Article VIII of the United States Constitution

By Mr. FARENTHOLD:

H.R. 2951.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

By Mr. BOUSTANY:

H.R. 2952.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the United States Constitution, to ''provide for the common Defence and general Welfare of the United States.''

By Mr. CARNEY:

H.R. 2953.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18

The Congress shall have Power * * * To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by the Constitution in the Government of the United States, or in any Department or Officer thereof.

Article I, Section 8, Clause 3

The Congress shall have Power * * * To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Mr. CRAWFORD:

H.R. 2954.

Congress has the power to enact this legislation pursuant to the following:

Article III, Section 1, which gives Congress the authority to ''ordain and establish'' courts inferior to theSupreme Court.

By Mr. DEUTCH:

H.R. 2955.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 of Section 8 of Article I of the U.S. Constitution and Clause 18 of Section 8 of Article I of the U.S. Constitution.

By Mr. GROTHMAN:

H.R. 2956.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the United States Constitution

By Mr. KIND:

H.R. 2957.

Congress has the power to enact this legislation pursuant to the following:

Article I Section 8.

By Mrs. KIRKPATRICK:

H.R. 2958.

Congress has the power to enact this legislation pursuant to the following:

Article 1. Section 8 (18) To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department ot Officer thereof.

By Mrs. NOEM:

H.R. 2959.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the United States Constitution: to provide for the common Defense and general Welfare of the United States

By Mr. POLIS:

H.R. 2960.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18 of US Constitution, to make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. TONKO:

H.R. 2961.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 1,

All legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives

By Mr. SMITH of Nebraska:

H.J. Res. 59.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the United States Constitution, specifically Clause 3 (related to regulation of commerce among the several states.)

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 20: Mr. AGUILAR.

H.R. 136: Ms. ROYBAL-ALLARD and Mr. ROYCE.

H.R. 140: Mr. WOODALL.

H.R. 156: Mr. GOSAR and Mr. PITTENGER.

H.R. 210: Mr. DUNCAN of Tennessee.

H.R. 213: Mr. PEARCE, Mr. PITTS, and Mr. PETERSON.

H.R. 244: Mr. BROOKS of Alabama and Mr. ABRAHAM.

H.R. 282: Mr. HARPER and Mr. MOULTON.

H.R. 343: Mr. JOHNSON of Ohio.

H.R. 353: Mr. LANCE.

H.R. 356: Ms. BORDALLO, Mrs. DINGELL, Mr. CARTWRIGHT, and Mr. MOULTON.

H.R. 358: Ms. NORTON, Mr. VEASEY, Mr. RUSSELL, Mrs. RADEWAGEN, Mrs. CAPPS, Mr. MCGOVERN, Mrs. COMSTOCK, Mr. FORTENBERRY, and Ms. JUDY CHU of California.

H.R. 376: Mr. ISRAEL.

H.R. 411: Ms. WILSON of Florida and Ms. WASSERMAN SCHULTZ.

H.R. 423: Mr. MARINO and Mr. CHABOT.

H.R. 427: Mr. HURD of Texas.

H.R. 430: Mr. AGUILAR.

H.R. 448: Mr. KILDEE and Mr. HIGGINS.

H.R. 475: Mr. JONES.

H.R. 540: Ms. SCHAKOWSKY, Mr. COLE, Ms. MOORE, and Mr. BRIDENSTINE.

H.R. 546: Mr. BRENDAN F. BOYLE of Pennsylvania and Mr. MOULTON.

H.R. 563: Mr. AL GREEN of Texas, Mr. DESAULNIER, and Mr. PETERSON.

H.R. 592: Mr. DESANTIS, Ms. TSONGAS, Mr. NUGENT, Mr. WALDEN, Mr. NEWHOUSE, Mr. SCHIFF, Ms. MOORE, and Mr. SCOTT of Virginia.

H.R. 605: Ms. JENKINS of Kansas.

H.R. 607: Mr. CÁRDENAS.

H.R. 612: Mrs. LOVE and Mr. CARTER of Georgia.

H.R. 619: Ms. TSONGAS.

H.R. 632: Mr. JOHNSON of Ohio.

H.R. 649: Mr. PERLMUTTER and Ms. MOORE.

H.R. 653: Mr. MESSER.

H.R. 662: Mr. TAKAI.

H.R. 667: Mr. MURPHY of Florida.

H.R. 671: Mr. KENNEDY.

H.R. 672: Mr. PALAZZO.

H.R. 675: Mr. JONES.

H.R. 680: Mr. LARSEN of Washington.

H.R. 684: Mr. DEFAZIO.

H.R. 700: Ms. MOORE and Mr. POCAN.

H.R. 702: Mr. HUDSON, Mr. RATCLIFFE, Mr. BENISHEK, Ms. GRANGER, and Mr. GUTHRIE.

H.R. 731: Ms. MCSALLY.

H.R. 746: Ms. VELÁZQUEZ, Mrs. WATSON COLEMAN, and Mr. TAKANO.

H.R. 757: Mr. STEWART.

H.R. 759: Mr. CICILLINE.

H.R. 775: Mr. MILLER of Florida and Mr. GIBBS.

H.R. 784: Ms. MATSUI.

H.R. 793: Mr. ABRAHAM.

H.R. 800: Mr. YOUNG of Iowa.

H.R. 815: Mr. WITTMAN.

H.R. 816: Mr. GRAVES of Louisiana, Mr. FLEMING, and Mr. DESJARLAIS.

H.R. 822: Mr. PETERSON and Mr. GRAVES of Missouri.

H.R. 840: Ms. WILSON of Florida.

H.R. 846: Ms. KAPTUR, Ms. LINDA T. SÁNCHEZ of California, and Mr. GUTIÉRREZ.

H.R. 858: Ms. SLAUGHTER.

H.R. 865: Mr. CRAMER.

H.R. 869: Mr. SMITH of Washington.

H.R. 879: Ms. GRANGER, Mr. JODY B. HICE of Georgia, Mr. MILLER of Florida, Mr. MEADOWS, Mr. JENKINS of West Virginia, Mr. CHAFFETZ, Mr. FRANKS of Arizona, Mr. COLLINS of Georgia, and Mr. WILLIAMS.

H.R. 907: Mr. LAMBORN and Mr. KLINE.

H.R. 915: Mr. LYNCH and Ms. ESHOO.

H.R. 921: Ms. SINEMA.

H.R. 923: Mr. CARTER of Texas.

H.R. 969: Mr. DESAULNIER and Mr. BARR.

H.R. 985: Mr. SARBANES, Ms. KUSTER, Mr. CALVERT, Mr. MULLIN, and Mr. HIGGINS.

H.R. 989: Mr. RYAN of Ohio.

H.R. 990: Mr. HUFFMAN.

H.R. 997: Mr. FLEMING.

H.R. 1073: Mrs. HARTZLER.

H.R. 1091: Mr. CURBELO of Florida.

H.R. 1148: Mr. MCKINLEY.

H.R. 1151: Mr. REED and Mr. ABRAHAM.

H.R. 1188: Mr. YOUNG of Alaska.

H.R. 1197: Ms. BASS and Mr. KILDEE.

H.R. 1209: Mr. DESJARLAIS, Mr. FATTAH, Mrs. BROOKS of Indiana, and Mr. KILMER.

H.R. 1211: Mr. THOMPSON of Mississippi and Ms. MICHELLE LUJAN GRISHAM of New Mexico.

H.R. 1218: Mr. BLUMENAUER and Mr. BARLETTA.

H.R. 1221: Mr. SHIMKUS, Mr. ROE of Tennessee, Mr. FOSTER, Mr. CONNOLLY, and Ms. TSONGAS.

H.R. 1232: Ms. DELAURO.

H.R. 1233: Mrs. BROOKS of Indiana.

H.R. 1247: Mr. LOWENTHAL.

H.R. 1248: Mr. CRAWFORD.

H.R. 1274: Ms. VELÁZQUEZ.

H.R. 1283: Ms. NORTON and Ms. SLAUGHTER.

H.R. 1299: Mr. ROONEY of Florida and Mr. JOYCE.

H.R. 1300: Mr. DELANEY.

H.R. 1310: Mr. PASCRELL.

H.R. 1312: Mr. MCGOVERN, Mr. JOHNSON of Georgia, Ms. MATSUI, Mr. HECK of Nevada, Mr. BLUMENAUER, Mr. FINCHER, Ms. DUCKWORTH, and Mr. KILDEE.

H.R. 1321: Mr. DEFAZIO and Mrs. NAPOLITANO.

H.R. 1336: Mr. TIBERI.

H.R. 1338: Mr. THORNBERRY and Mr. LIPINSKI.

H.R. 1342: Miss RICE of New York, Ms. CLARKE of New York, Mr. FITZPATRICK, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. THOMPSON of Pennsylvania, and Mr. CARSON of Indiana.

H.R. 1344: Mr. BURGESS.

H.R. 1354: Mr. CICILLINE.

H.R. 1384: Mr. CARNEY and Mr. GUTHRIE.

H.R. 1434: Ms. SEWELL of Alabama.

H.R. 1462: Mr. SEAN PATRICK MALONEY of New York, Mr. CÁRDENAS, Mr. LOEBSACK, Ms. MATSUI, and Mr. KILMER.

H.R. 1466: Mr. HONDA.

H.R. 1467: Mr. RENACCI.

H.R. 1475: Mr. ISRAEL, Mr. STIVERS, Ms. MCSALLY, and Ms. NORTON.

H.R. 1479: Ms. JENKINS of Kansas, Mr. YODER, and Mr. TOM PRICE of Georgia.

H.R. 1514: Mrs. BUSTOS.

H.R. 1516: Mr. SMITH of Missouri, Mrs. NAPOLITANO, and Mrs. KIRKPATRICK.

H.R. 1523: Mr. MULVANEY, Mr. DUNCAN of Tennessee, Mr. CRAMER, Mr. PEARCE, Mr. ROSS, Mr. ABRAHAM, Mr. MESSER, and Ms. STEFANIK.

H.R. 1526: Mr. AMODEI.

H.R. 1533: Mr. FOSTER.

H.R. 1550: Mr. STIVERS.

H.R. 1552: Ms. MENG and Mr. LIPINSKI.

H.R. 1555: Mr. AMODEI and Mr. CHAFFETZ.

H.R. 1559: Mr. FORBES, Mr. LARSEN of Washington, Ms. KELLY of Illinois, Ms. WASSERMAN SCHULTZ, Mrs. DINGELL, Mr. GALLEGO, and Ms. JACKSON LEE.

H.R. 1566: Mr. GRAVES of Missouri.

H.R. 1567: Ms. ROS-LEHTINEN, Ms. KELLY of Illinois, Mr. FOSTER, Mr. NEAL, and Mr. Polis.

H.R. 1571: Mr. YOUNG of Iowa and Ms. MATSUI.

H.R. 1598: Ms. LEE.

H.R. 1610: Mr. CRAWFORD.

H.R. 1611: Mr. PETERSON, Mr. HINOJOSA, and Mr. LOEBSACK.

H.R. 1624: Mr. YOUNG of Indiana, Mr. THOMPSON of California, Mr. WALDEN, and Mrs. BLACK.

H.R. 1632: Mr. MACARTHUR.

H.R. 1635: Mr. GRAVES of Louisiana.

H.R. 1643: Mr. HASTINGS.

H.R. 1671: Mr. WESTMORELAND and Mr. BILIRAKIS.

H.R. 1684: Ms. PINGREE.

H.R. 1694: Mr. FLORES and Mr. FORTENBERRY.

H.R. 1708: Mr. BLUMENAUER.

H.R. 1714: Mrs. BEATTY.

H.R. 1718: Mr. GOODLATTE.

H.R. 1726: Mr. JOHNSON of Georgia, Mr. WALDEN, and Mr. COSTELLO of Pennsylvania.

H.R. 1728: Mrs. BEATTY, Ms. WILSON of Florida, Mr. PALLONE, and Ms. SPEIER.

H.R. 1737: Mrs. BROOKS of Indiana, Mr. TAKAI, Mr. KATKO, Mr. COSTA, Mr. GROTHMAN, and Mr. JORDAN.

H.R. 1752: Mr. BROOKS of Alabama and Mr. WALDEN.
H.R. 1763: Mr. ELLISON, Mr. FOSTER and Mr. CICILLINE.
H.R. 1768: Mr. BISHOP of Utah.
H.R. 1769: Mr. POSEY, Mr. NEAL, Mr. CARNEY, Ms. BROWNLEY of California, Mr. ROUZER, and Mr. SMITH of New Jersey.
H.R. 1779: Ms. DELBENE.
H.R. 1786: Ms. WILSON of Florida, Mr. CARSON of Indiana, Mr. CICILLINE, Mr. SARBANES, Ms. SPEIER, and Mr. KENNEDY.
H.R. 1836: Mr. MULVANEY.
H.R. 1854: Mr. JEFFRIES, Mr. QUIGLEY, and Mr. KENNEDY.
H.R. 1855: Mr. MURPHY of Florida and Mr. COHEN.
H.R. 1861: Ms. SINEMA.
H.R. 1887: Miss RICE of New York.
H.R. 1901: Mr. MURPHY of Pennsylvania, Mr. BRIDENSTINE, Mr. BROOKS of Alabama, and Mr. BARR.
H.R. 1910: Ms. LEE.
H.R. 1919: Mr. RUIZ, Mr. JOHNSON of Georgia, Mr. LIPINSKI, Mr. BEYER, Mr. GOWDY, and Mr. BOUSTANY.
H.R. 1933: Mr. WELCH and Mr. RYAN of Ohio.
H.R. 1940: Mr. YOHO and Mr. MURPHY of Florida.
H.R. 1953: Mr. FLEMING.
H.R. 1961: Mr. KILMER.
H.R. 1964: Mr. ROSS.
H.R. 1974: Mr. ELLISON.
H.R. 1977: Mr. ISRAEL.
H.R. 1978: Mr. KILMER.
H.R. 1994: Mr. BARR and Mr. GARRETT.
H.R. 2030: Mr. GUTIÉRREZ.
H.R. 2050: Ms. CLARKE of New York and Mr. TAKAI.
H.R. 2061: Mr. DUNCAN of Tennessee, Mr. FORBES, Mr. PERLMUTTER, Mr. COFFMAN, and Mr. DANNY K. DAVIS of Illinois.
H.R. 2067: Mr. WELCH and Mr. TED LIEU of California.
H.R. 2076: Ms. LEE.
H.R. 2096: Mr. WALZ.
H.R. 2125: Mr. AGUILAR.
H.R. 2133: Mr. JONES.
H.R. 2140: Mr. MCCAUL and Mr. POSEY.
H.R. 2141: Mr. YOUNG of Iowa.
H.R. 2156: Mr. VEASEY, Mr. KING of Iowa, and Mr. WESTERMAN.
H.R. 2191: Mr. HONDA.
H.R. 2201: Mr. CARNEY.
H.R. 2211: Ms. FOXX.
H.R. 2237: Mr. COFFMAN.
H.R. 2253: Mrs. KIRKPATRICK.
H.R. 2257: Mr. DELANEY.
H.R. 2280: Ms. SCHAKOWSKY.
H.R. 2283: Ms. CLARK of Massachusetts, Mr. COURTNEY, Ms. DEGETTE, Mr. DESAULNIER, Mr. DEUTCH, Mr. GRIJALVA, Mr. HONDA, Mr. LEVIN, Mr. MEEKS, and Ms. SPEIER.
H.R. 2287: Mr. BARR and Mr. DAVID SCOTT of Georgia.
H.R. 2290: Mr. ROE of Tennessee.
H.R. 2295: Mr. THOMPSON of Pennsylvania.
H.R. 2302: Mr. TED LIEU of California.
H.R. 2315: Ms. JENKINS of Kansas, Mr. HECK of Nevada, Mr. WELCH, Mr. CHABOT, Ms. GRANGER, Ms. SINEMA, Mr. BROOKS of Alabama, Mr. RATCLIFFE, Mr. FLEMING, Mr. VEASEY, Mrs. KIRKPATRICK, Mrs. BLACKBURN, Ms. ESHOO, Mr. FRANKS of Arizona, Mr. DUNCAN of South Carolina, Mr. COHEN, Mr. KELLY of Pennsylvania, and Mr. FRELINGHUYSEN.
H.R. 2329: Mr. SMITH of Texas.
H.R. 2342: Ms. JUDY CHU of California.
H.R. 2380: Ms. PINGREE and Mr. GUTIÉRREZ.
H.R. 2400: Mr. EMMER of Minnesota.
H.R. 2403: Mr. ROKITA, Mr. MACARTHUR, and Mr. CONNOLLY.
H.R. 2404: Mr. JOYCE, Mr. VEASEY, Mr. LANGEVIN, Mr. BILIRAKIS, Mr. COSTELLO of Pennsylvania, Mr. CUMMINGS, and Mr. KILMER.
H.R. 2410: Mr. SCHIFF, Mrs. BEATTY, Ms. BASS, and Mr. RICHMOND.
H.R. 2429: Ms. WILSON of Florida.
H.R. 2460: Miss RICE of New York, Mr. ISRAEL, and Ms. MENG.
H.R. 2461: Mr. HASTINGS.
H.R. 2477: Mr. WILSON of South Carolina.
H.R. 2493: Ms. KAPTUR, Ms. SCHAKOWSKY, Mrs. LOWEY, Ms. VELÁZGUEZ, and Mr. GUTIÉRREZ.
H.R. 2494: Mr. KILMER, Mr. TED LIEU of California, Ms. MCSALLY, Mr. COLLINS of New York, Mr. TROTT, and Mr. MEADOWS.
H.R. 2498: Mr. PETERS.
H.R. 2520: Ms. MCCOLLUM and Mr. GUTHRIE.
H.R. 2530: Mr. SERRANO, Mr. POCAN, and Mr. BLUMENAUER.
H.R. 2540: Ms. WILSON of Florida, Mrs. ELLMERS of North Carolina, Mr. ENGEL, and Mr. LOEBSACK.
H.R. 2602: Ms. WILSON of Florida, Ms. ESHOO, Mr. MCGOVERN, and Mr. LEWIS.
H.R. 2607: Mr. REED.
H.R. 2615: Mr. BRADY of Pennsylvania, Ms. MAXINE WATERS of California, Ms. ADAMS, Mr. COHEN, Mrs. CAROLYN B. MALONEY of New York, Mr. HINOJOSA, Mr. ENGEL, and Ms. DUCKWORTH.
H.R. 2627: Mr. COLLINS of New York and Ms. FUDGE.
H.R. 2643: Mr. OLSON, Mr. SESSIONS, and Mr. COLE.
H.R. 2646: Mr. BARLETTA, Mr. WALZ, Mr. THOMPSON of Mississippi, Ms. BROWN of Florida, and Mr. JOYCE.
H.R. 2669: Mrs. ELLMERS of North Carolina and Mr. BEN RAY LUJÁN of New Mexico.
H.R. 2680: Mr. AL GREEN of Texas.
H.R. 2689: Mr. SCHIFF.
H.R. 2698: Mr. RIBBLE.
H.R. 2704: Mr. LOWENTHAL.
H.R. 2716: Mr. JORDAN, Mr. COLLINS of Georgia, Mr. FRANKS of Arizona, and Mr. LOUDERMILK.
H.R. 2719: Mr. POCAN and Ms. SLAUGHTER.
H.R. 2722: Mr. JOYCE.
H.R. 2726: Ms. CASTOR of Florida, Ms. JACKSON LEE, Ms. EDWARDS, Mr. BROOKS of Alabama, Mr. LAMBORN, Mr. ROGERS of Alabama, Ms. SEWELL of Alabama, Mr. ADERHOLT, Mr. COFFMAN, and Mr. BYRNE.
H.R. 2734: Ms. BROWNLEY of California.
H.R. 2737: Mrs. RADEWAGEN, Mr. FITZPATRICK, Mr. COFFMAN, Mr. KILMER, and Ms. JUDY CHU of California.
H.R. 2738: Ms. KAPTUR.
H.R. 2739: Mr. FRELINGHUYSEN and Ms. LOFGREN.
H.R. 2740: Mr. SARBANES.
H.R. 2742: Ms. MOORE and Mr. TAKANO.
H.R. 2752: Mr. COLE, Ms. SLAUGHTER, and Miss RICE of New York.
H.R. 2761: Mr. COLE.
H.R. 2762: Ms. KAPTUR.
H.R. 2773: Ms. EDWARDS, Ms. KAPTUR, Mr. POLIS, and Mrs. NAPOLITANO.
H.R. 2775: Mr. RENACCI, Mr. VEASEY, and Mr. PETERS.
H.R. 2777: Mr. BLUM.
H.R. 2788: Mr. PAULSEN.
H.R. 2794: Ms. MENG.
H.R. 2798: Mr. POCAN, Mr. CÁRDENAS, and Mr. CARSON of Indiana.
H.R. 2799: Mr. RANGEL.
H.R. 2802: Mr. FLORES, Mr. SCALISE, Mr. FORBES, Mr. FLEISCHMANN, Mr. POSEY, Mr. ROE of Tennessee, Mr. ROHRABACHER, Mr. MESSER, Mr. MURPHY of Pennsylvania, Mr. ABRAHAM, Mr. CALVERT, Mr. STUTZMAN, Mr. WITTMAN, Mr. RATCLIFFE, Mr. ROGERS of Alabama, Mr. BURGESS, Mr. WENSTRUP, and Mr. DUNCAN of Tennessee.
H.R. 2805: Mrs. COMSTOCK.
H.R. 2810: Mr. JOYCE.
H.R. 2811: Ms. MICHELLE LUJAN GRISHAM of New Mexico and Ms. PINGREE.
H.R. 2820: Mr. ROSKAM, Mr. HARRIS, Mr. DEFAZIO, and Mr. ADERHOLT.
H.R. 2835: Mr. KATKO.
H.R. 2836: Ms. LINDA T. SÁNCHEZ of California, Mr. GRIJALVA, and Ms. MICHELLE LUJAN GRISHAM of New Mexico.
H.R. 2838: Mr. CRAMER.
H.R. 2847: Mr. DOLD.
H.R. 2866: Mr. TAKANO, Mr. QUIGLEY, Mr. ENGEL, and Ms. DELBENE.
H.R. 2867: Ms. WILSON of Florida, Mr. TAKAI, Mr. LARSON of Connecticut, Mr. SIRES, Mr. CICILLINE, Mrs. NAPOLITANO, and Mr. LEVIN.
H.R. 2871: Mr. JOHNSON of Georgia, Mr. FARR, Ms. SLAUGHTER, Mr. HASTINGS, and Mr. MCGOVERN.
H.R. 2875: Mr. CARSON of Indiana and Ms. SLAUGHTER.
H.R. 2894: Mrs. RADEWAGEN.
H.R. 2897: Mr. GRIJALVA.
H.R. 2902: Mr. CURBELO of Florida, Ms. SINEMA, Mr. VAN HOLLEN, Ms. MCCOLLUM, Mr. HINOJOSA, Mr. CÁRDENAS, Mrs. DAVIS of California, Mr. CONNOLLY, Mrs. NAPOLITANO, Mrs. KIRKPATRICK, Ms. DELBENE, Mr. GUTIÉRREZ, Mr. SCHIFF, Ms. MATSUI, Ms. PINGREE, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Ms. JACKSON LEE, Mr. SMITH of Washington, Mr. BEN RAY LUJÁN of New Mexico, Mr. BRENDAN F. BOYLE of Pennsylvania, Miss RICE of New York, Mr. MURPHY of Florida, Mr. PASCRELL, and Mr. CARSON of Indiana.
H.R. 2903: Mr. KILMER.
H.R. 2906: Mr. GRIJALVA.
H.R. 2909: Mr. GRAVES of Missouri.
H.R. 2915: Ms. JACKSON LEE.
H.R. 2916: Ms. BONAMICI, Ms. JUDY CHU of California, Ms. HAHN, Mr. ENGEL, Mr. MCGOVERN, and Ms. BROWNLEY of California.
H.R. 2917: Mr. ENGEL and Mr. MCGOVERN.
H.R. 2919: Mr. BUCK.
H.R. 2920: Ms. HAHN, Ms. TSONGAS, Ms. SLAUGHTER, Mr. CONNOLLY, Mr. RANGEL, Ms. NORTON, Ms. FRANKEL of Florida, Mr. CONYERS, Ms. CLARK of Massachusetts, Mr. CAPUANO, Mr. VAN HOLLEN, Mr. CARTWRIGHT, Mr. GRIJALVA, Ms. CLARKE of New York, Mr. DELANEY, Mr. SIRES, and Mr. JONES.
H.R. 2922: Mr. WILSON of South Carolina, Mr. POE of Texas, Mr. SMITH of New Jersey, Mr. KELLY of Pennsylvania, and Mr. HIGGINS.
H.R. 2927: Ms. ROS-LEHTINEN, Mr. HARDY, Mr. CURBELO of Florida, Mr. COFFMAN, and Mr. DIAZ-BALART.
H.R. 2934: Mr. STEWART.
H.R. 2937: Mr. HECK of Nevada, Mr. MESSER, and Mr. COSTELLO of Pennsylvania.
H.R. 2938: Mr. KILMER.
H.R. 2939: Ms. CLARK of Massachusetts.
H.R. 2942: Mr. HUNTER, Mr. BROOKS of Alabama, Mr. DUNCAN of Tennessee, Mr. FLEMING, Mr. SESSIONS, Mr. MULVANEY, and Mr. WEBER of Texas.
H.J. Res. 1: Mr. SESSIONS, Mr. HUDSON, and Ms. MCSALLY.
H.J. Res. 2: Mr. SESSIONS, Mr. JOYCE, Mr. HUDSON, Mr. CALVERT, and Mr. FITZPATRICK.
H.J. Res. 32: Mr. COLLINS of Georgia.
H.J. Res. 50: Mr. JORDAN.
H.J. Res. 52: Mr. POLIS, Mr. DOGGETT, Ms. ESHOO, and Ms. SINEMA.
H. Con. Res. 17: Mr. MEEKS, Mr. NEWHOUSE, and Mr. STUTZMAN.
H. Con. Res. 19: Mr. THOMPSON of California and Ms. JENKINS of Kansas.
H. Con. Res. 49: Mr. MILLER of Florida and Ms. ESTY.
H. Con. Res. 53: Mrs. LOWEY.
H. Con. Res. 56: Mr. COSTELLO of Pennsylvania.
H. Con. Res. 59: Mr. ENGEL, Mr. GRIJALVA, and Mr. MCGOVERN.
H. Res. 12: Mr. THOMPSON of Mississippi.
H. Res. 17: Mr. FLORES.
H. Res. 112: Ms. TSONGAS.
H. Res. 147: Ms. JUDY CHU of California and Mr. CONNOLLY.
H. Res. 193: Mr. HUNTER.
H. Res. 209: Mr. SHERMAN and Mr. WOMACK.
H. Res. 210: Mr. YOUNG of Iowa, Mr. HIMES, and Mr. POCAN.
H. Res. 230: Ms. MCSALLY, Mrs. HARTZLER, Mrs. MCMORRIS RODGERS, Mr. JEFFRIES, Ms. SPEIER, and Mrs. BLACK.

H. Res. 236: Mr. CARNEY.

H. Res. 270: Mr. CLAWSON of Florida, Mr. MILLER of Florida, Mr. COSTELLO of Pennsylvania, Mr. JOHNSON of Ohio, Mr. JORDAN, and Mr. HENSARLING.

H. Res. 279: Mr. JEFFRIES.

H. Res. 289: Mr. HASTINGS, Ms. KELLY of Illinois, Mr. CICILLINE, Ms. JUDY CHU of California, Mr. RUSH, Mr. ELLISON, Ms. EDWARDS, and Mr. HONDA.

H. Res. 290: Mr. GOWDY.

H. Res. 291: Ms. CLARKE of New York, Mr. THOMPSON of Mississippi, Ms. JACKSON LEE, Mr. PIERLUISI, Mr. BRADY of Pennsylvania, Ms. MAXINE WATERS of California, Ms. ADAMS, Mr. COHEN, Mrs. CAROLYN B. MALONEY of New York, Mr. HINOJOSA, Mr. ENGEL, and Ms. DUCKWORTH.

H. Res. 293: Mr. CLAWSON of Florida, Mr. WEBER of Texas, Mr. GRAYSON, and Mr. ISRAEL.

H. Res. 310: Mr. AL GREEN of Texas, Ms. ESTY, Mr. GENE GREEN of Texas, Mr. HANNA, Mr. CURBELO of Florida, Mr. DESJARLAIS, Ms. ESHOO, Ms. JUDY CHU of California, Mr. BEYER, Mrs. LOWEY, Mr. DANNY K. DAVIS of Illinois, Mr. TONKO, Mr. VAN HOLLEN, and Mr. POLIS.

H. Res. 318: Mr. FLEMING, Mr. ZELDIN, Mr. ROSKAM, Mrs. BROOKS of Indiana, and Mr. MCKINLEY.

CONGRESSIONAL EARMARKS, LIMITED TAX BENEFITS, OR LIMITED TARIFF BENEFITS

Under clause 9 of rule XXI, lists or statements on congressional earmarks, limited tax benefits, or limited tariff benefits were submitted as follows:

OFFERED BY MR. BISHOP OF UTAH

The amendment I filed for H.R. 2647, the Resilient Federal Forests Act of 2015, does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 or rule XXI.

The amendment to be offered by Representative POLIS or a designee, to H.R. 2647, the Resilient Federal Forests Act of 2015, does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

PETITIONS, ETC.

Under clause 3 of rule XII,

15. The SPEAKER presented a petition of Mr. Gregory D. Watson, Austin, Texas, relative to requesting the enactment of legislation by Congress to create a new $25 denomination of United States paper currency bearing the likeness of former Member of Congress Jeannette Rankin of Montana on the front of that new denomination and mandating that the image of Alexander Hamilton remain intact on the existing $10 American paper currency denomination; which was referred to the Committee on Financial Services.

AMENDMENTS

Under clause 8 of rule XVIII, proposed amendments were submitted as follows:

H.R. 2822

OFFERED BY: MS. TSONGAS

AMENDMENT NO. 40: At the end of the bill (before the short title), insert the following:

LIMITATION ON USE OF FUNDS TO IMPLEMENT OR ENFORCE SPECIFIC SECTIONS

SEC. ____. None of the funds made available by this Act may be used to implement or enforce section 117, 121, or 122.

H.R. 2822

OFFERED BY: MR. ROUZER

AMENDMENT NO. 41: At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available by this Act may be used to implement, administer, or enforce the rule entitled ''Standards of Performance for New Residential Wood Heaters, New Residential Hydronic Heaters and Forced-Air Furnaces'' published by the Environmental Protection Agency in the Federal Register on March 16, 2015 (80 Fed. Reg. 13671 et seq.).

H.R. 2822

OFFERED BY: MS. EDWARDS

AMENDMENT NO. 42: Strike section 438.

H.R. 2822

OFFERED BY: MS. CASTOR OF FLORIDA

AMENDMENT NO. 43: At the end of the bill (before the short title), insert the following:

LIMITATION ON USE OF FUNDS TO CONSIDER A PETITION TO RECLASSIFY THE WEST INDIAN MANATEE

SEC. ____. None of the funds made available by this Act may be used to consider a petition to reclassify the West Indian manatee from an endangered species to a threatened species under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.).

H.R. 2822

OFFERED BY: MS. CASTOR OF FLORIDA

AMENDMENT NO. 44: At the end of the bill (before the short title), insert the following:

LIMITATION ON USE OF FUNDS TO CARRY OUT OUTER CONTINENTAL SHELF OIL AND GAS LEASE SALE 226

SEC. ____. None of the funds made available by this Act may be used to carry out oil and gas lease sale 226 for the Eastern Gulf of Mexico Outer Continental Shelf Planning Area.

H.R. 2822

OFFERED BY: MR. ENGEL

AMENDMENT NO. 45: At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available by this Act may be used by the Department of the Interior, the Environmental Protection Agency, or any other Federal agency to lease or purchase new light duty vehicles for any executive fleet, or for an agency's fleet inventory, except in accordance with Presidential Memorandum—Federal Fleet Performance, dated May 24, 2011.

H.R. 2822

OFFERED BY: MR. PEARCE

AMENDMENT NO. 46: At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available by this Act may be used to increase the rate of any royalty required to be paid to the United States for oil and gas produced on Federal land, or to prepare or publish a proposed rule relating to such an increase.

H.R. 2822

OFFERED BY: MS. SPEIER

AMENDMENT NO. 47: At the end of the bill (before the short title), insert the following:

LIMITATION ON USE OF FUNDS

SEC. ____. None of the funds made available by this Act may be used to implement, administer, or enforce the final rule following the Supplemental Environmental Impact Statement for the Dog Management Plan (Plan/SEIS), Golden Gate National Recreation Area (GGNRA), California (78 Fed. Reg. 55094; September 9, 2013).

H.R. 2822

OFFERED BY: MR. GOODLATTE

AMENDMENT NO. 48: At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available by this Act may be used by the Environmental Protection Agency to take any of the backstop actions referred to in enclosure B of the December 29, 2009, letter from EPA's Regional Administration to the States in the Watershed and the District of Columbia in response to the development or implementation of a State's watershed implementation plan.

H.R. 2822

OFFERED BY: MR. YODER

AMENDMENT NO. 49: At the end of the bill (before the short title), insert the following:

LIMITATION ON USE OF FUNDS TO IMPLEMENT OR ENFORCE THREATENED SPECIES LISTING OF THE LESSER PRAIRIE CHICKEN

SEC. ____. None of the funds made available by this Act shall be used to implement or enforce the threatened species listing of the lesser prairie chicken under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.).

H.R. 2822

OFFERED BY: MR. GARAMENDI

AMENDMENT NO. 50: At the end of the bill (before the short title), insert the following:

None of the funds made available by this Act may be used in contravention of Executive Order 13693.

H.R. 2822

OFFERED BY: MR. GARAMENDI

AMENDMENT NO. 51: At the end of the bill (before the short title), insert the following.

LIMITATION ON USE OF FUNDS

None of the funds made available by this Act for California drought response or relief may be used by the Administrator of the Environmental Protection Agency or the Secretary of the Interior in contravention of implementation of Division 26.7 of the California Water Code (the Water Quality, Supply, and Infrastructure Improvement Act of 2014), as approved by the voters of California in California Proposition 1 (2014).

H.R. 2822

OFFERED BY: MR. JEFFRIES

AMENDMENT NO. 52: At the end of the bill (before the short title), insert the following:

LIMITATION ON USE OF FUNDS

SEC. ____. None of the funds made available to the National Park Service by this Act may be used for the purchase or display of a confederate flag with the exception of specific circumstances where the flags provide historical context as described in the National Park Service memorandum entitled ''Immediate Action Required, No Reply Needed: Confederate Flags'' and dated June 24, 2015.

H.R. 2822

OFFERED BY: MRS. NOEM

AMENDMENT NO. 53: At the end of the bill (before the short title), insert the following:

LIMITATION ON USE OF FUNDS TO CLOSE OR MOVE FISHERIES ARCHIVES

SEC. 441. None of the funds made available by this Act may be used to close or move the D.C. Booth Historic National Fish Hatchery and Archives.

H.R. 2822

OFFERED BY: MR. NEWHOUSE

AMENDMENT NO. 54: At the end of the bill (before the short title), insert the following:

LIMITATION ON USE OF FUNDS TO TREAT GRAY WOLVES IN WASHINGTON, OREGON, AND UTAH AS ENDANGERED SPECIES OR THREATENED SPECIES

SEC. ____. None of the funds made available by this Act may be used by the Department of Interior or the United States Fish and Wildlife Service to treat any gray wolf (*Canis*

lupus) in Washington, Oregon, or Utah as an endangered species or threatened species under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.).

H.R. 2822

OFFERED BY: MR. HUFFMAN

AMENDMENT NO. 55: At the end of the bill, before the short title, insert the following:

SEC. ____. None of the funds made available by this Act may be used to enter into a new contract or agreement or to administer a portion of an existing contract or agreement with a concessioner, a cooperating association, or any other entity that provides for the sale in any facility within a unit of the National Park System of a non-educational item that depicts a Confederate flag on it.

H.R. 2822

OFFERED BY: MR. HUFFMAN

AMENDMENT NO. 56: At the end of the bill, before the short title, insert the following:

SEC. ____. None of the funds made available by this Act may be used to permit, authorize, or allow any grave in any Federal cemetery to be decorated with a Confederate flag.

H.R. 2822

OFFERED BY: MR. GALLEGO

AMENDMENT NO. 57: At the end of the bill, before the short title, insert the following:

SEC. 441. None of the funds made available by this Act may be used to issue a grazing permit or lease in contravention of section 4110.1 or 4130.1-1(b) of title 43, Code of Federal Regulations.

H.R. 2822

OFFERED BY: MR. BURGESS

AMENDMENT NO. 58: At the end of the bill (before the short title) insert the following new section:

SEC. ____. None of the funds made available by this Act may be used by the Administrator of the Environmental Protection Agency to hire or pay the salary of any officer or employee of the Environmental Protection Agency under subsection (f) or (g) of section 207 of the Public Health Service Act (42 U.S.C. 209) who is not already receiving pay under either such subsection on the date of enactment of this Act.

H.R. 2822

OFFERED BY: MR. LAMALFA

AMENDMENT NO. 59: At the end of the bill (before the short title), insert the following:

LIMITATION ON USE OF FUNDS FOR ATTORNEY FEES

SEC. ____. None of the funds made available by this Act may be used to pay attorney fees in a civil suit under section 11(g) of the Endangered Species Act of 1973 (16 U.S.C. 1540(g)) pursuant to a court order that states such fees were calculated at an hourly rate in excess of $125 per hour.

H.R. 2822

OFFERED BY: MR. NEWHOUSE

AMENDMENT NO. 60: At the end of the bill (before the short title), insert the following:

SEC. _____. None of the funds made available by this Act may be used by the Administrator of the Environmental Protection Agency to issue any regulation under the Solid Waste Disposal Act (42 U.S.C. 6901 et seq.) that applies to an animal feeding operation, including a concentrated animal feeding operation and a large concentrated animal feeding operation, as such terms are defined in section 122.23 of title 40, Code of Federal Regulations.

H.R. 2822

OFFERED BY: MR. ROKITA

AMENDMENT NO. 61: At the end of the bill (before the short title), insert the following new section:

ENFORCEMENT OF THE ENDANGERED SPECIES ACT REGARDING CERTAIN MUSSELS

SEC. ____. None of the funds made available by this Act may be used by the United States Fish and Wildlife Service to enforce the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) with respect to the Clubshell, Fanshell, Rabbitsfoot, Rayed Bean, Sheepnose, or Snuffbox mussels.

H.R. 2822

OFFERED BY: MR. WESTMORELAND

AMENDMENT NO. 62: At the end of the bill (before the short title), insert the following:

SEC. ____. None of the funds made available by this Act may be used to pay legal fees pursuant to a settlement in any case, in which the Federal Government is a party, that arises under—

(1) the Clean Air Act (42 U.S.C. 7401 et seq.);

(2) the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.); or

(3) the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.).

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PROCEEDINGS AND DEBATES OF THE 114th CONGRESS, FIRST SESSION

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Senate

The Senate met at 2:30 p.m. and was called to order by the President pro tempore (Mr. HATCH).

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Almighty God, by whose providence our forebears brought forth this Nation conceived in liberty and dedicated to equal justice for all, fill our lawmakers with a similar passion for life and liberty. May their smaller successes prompt larger undertakings for human betterment. Lord, guide them with Your higher wisdom so that Your will may be accomplished on Earth, even as it is in Heaven. Give our Senators the moral and spiritual stamina to walk with integrity that they may fulfill their high calling in service to this land we love. Use them also to advance Your Kingdom on Earth.

We pray in Your powerful Name. Amen.

PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER (Mr. HOEVEN). The majority leader is recognized.

MEASURE PLACED ON THE CALENDAR—S. 1698

Mr. MCCONNELL. Mr. President, I understand there is a bill at the desk that is due for a second reading.

The PRESIDING OFFICER. The clerk will read the bill by title for the second time.

The senior assistant legislative clerk read as follows:

A bill (S. 1698) to exclude payments from State eugenics compensation programs from consideration in determining eligibility for, or the amount of, Federal public benefits.

Mr. MCCONNELL. Mr. President, in order to place the bill on the calendar under the provisions of rule XIV, I object to further proceedings.

The PRESIDING OFFICER. Objection having been heard, the bill will be placed on the calendar.

LEGISLATIVE PROCESS IN THE SENATE

Mr. MCCONNELL. Mr. President, I wish to share a few lines from an opinion piece Speaker BOEHNER wrote last week. It began:

In November, the American people decided to entrust Republicans with control of the U.S. Senate, where common-sense jobs bills too often went to die in recent years. Now, since the start of this year, the Republican majority of the U.S. House finally has a willing partner in our work on behalf of the American people. It is an opportunity we haven't let go to waste.

The Speaker is hardly the only one who feels good about a new Senate that is back to work for the American people. The State work period was a good reminder of just that. Over the past week, Kentuckians repeated similar sentiments at events I attended across the Commonwealth.

It is no surprise our constituents feel this way because the American people see more signs of more open debate in the new Senate. They see more opportunities for Senators in both parties to take a stake in the legislative process. They see us passing bills. They see committees working again. Quite a bit of bipartisan reform legislation has emerged from committees already, often with strong support from both parties.

EVERY CHILD ACHIEVES ACT

Mr. MCCONNELL. Mr. President, this week we will begin floor debate on yet another such bipartisan measure, the Every Child Achieves Act.

Many Washington pundits assumed that Congress could never agree on a workable solution to replace a broken No Child Left Behind law, and they certainly didn't believe one would receive unanimous committee support from both Republicans and Democrats. But many of those folks didn't think Washington could reform the Medicare payment system or pass trade legislation either. So it is a good thing Chairman ALEXANDER and Ranking Member MURRAY didn't listen to them. The new Congress has proved the pundits wrong already. If the senior Senator from Tennessee and his Democratic counterpart from Washington State have their way, the new Congress will prove them wrong yet again.

The Every Child Achieves Act aims to assure we are helping students to succeed instead of helping Washington to grow, and it recognizes an obvious truth; that the needs of a student in Eastern Kentucky aren't likely to be the same as those of students in South Florida or downtown Manhattan. The bill would give States the flexibility to develop systems that work for the needs of their students rather than the one-size-fits-all mandate of Washington, taking decisions out of the hands of Federal bureaucrats and putting them into the hands of real experts: parents, teachers, and State and local leaders.

I will be talking more about the bipartisan Every Child Achieves Act later this week. But the fact that we are even on the floor today discussing yet another important reform solution to yet another seemingly intractable problem is one more reminder that this is a new Congress that is focused on solutions for the American people.

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

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RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The minority leader is recognized.

REPUBLICAN FILIBUSTERS

Mr. REID. Mr. President, I appreciate the Republican leader for taking credit for passage of bills they filibustered. He led the filibusters on these the last 4 years. It is unfortunate, but any one of those, with rare exception, would have been passed had we not had filibusters by the Republicans—the SGRs, and we could go through the whole list.

But I appreciate we are doing some things that are important because we are not filibustering. Remember, every one that we tried to do was stopped dead in its tracks and, as a result of that, we had to file hundreds of motions to invoke cloture. So my friend the Republican leader should be very happy we are not doing the same thing to him that was done to us.

DEADLINES PASSED

Mr. REID. Mr. President, all Americans face deadlines. Ask any student or any working professional, and they will tell you they have to meet deadlines to be successful. It is part of life.

Senate Republicans, though, seem to reject the idea of finishing work on time. Instead, the Republican leader has repeatedly taken the Senate to the brink. Already the first few months of this year, Republicans have botched deadlines for funding the Department of Homeland Security, the Federal Intelligence Surveillance Court—that was a real debacle—and, most recently, the Export-Import Bank, which is now out of business.

There were 165,000 people working as a result of the Bank who now—if not gone and looking for employment, they will have to do it very soon because the Republicans are boasting they were able to kill this business-oriented program that has been successful all over the world, allowing us to export things that we would not have been able to had that law not been in effect. As a result of our not doing things, other countries—China and other countries—are now picking up the slack where Ex-Im Bank worked before. There is a lot of business being lost for the American people, and it is very unfortunate because, again, Republicans are not meeting deadlines.

Every one of those crises is accompanied by consequences that hurt our country: lost productivity, a volatile stock market, and lapses in national security. Every time Republicans miss a deadline who gets hurt worse than anyone else? The middle class does and our Nation is less safe.

Now, I realize we have another vitally important, time-sensitive matter that requires the Senate's attention as soon as possible. At the end of this month, our Nation is faced with a looming expiration and insolvency of the highway trust fund. With 64,000 structurally deficient bridges and billions of dollars needed for construction projects across America—really, trillions of dollars. We have an infrastructure deficit in this country of about $3 trillion, and 64,000 bridges are structurally deficient. It is irresponsible for Republicans to be content to let the authorization of the highway program lapse or maybe they will come up with another solution like they have in the past, 33 separate short-term extensions of the highway bill.

And now I understand that the chairman of the Finance Committee is working on another short-term extension. How really insensitive to the needs of the American people. There are some States that can't do construction work on highways in the wintertime. It is cold. But that doesn't seem to matter. These short-term extensions are what has become part of the Republican mantra.

There is also an urgent need to reach a bipartisan budget agreement. In less than 3 months, unless we act, the government will shut down. To avoid that, we will need a budget agreement between two parties. That is going to take time and a lot of work, but to this point, the deadline seems to be meaningless to my Republican colleagues. They are doing nothing, not a conversation about it, and they led the charge in the past about how phony the overseas contingency funding was to pay the bills of this country, but now they seem to embrace it. But I guess their theory is—why not put off until tomorrow what you can do today? I don't understand why what we have around here is, putting off until tomorrow everything that should be done today.

There is no need to wait until the end of July to address our Nation's roads, bridges, and rails. That is what we are doing. There is no need to wait until September to come to a sensible agreement funding our government, but that is what they are doing.

Democrats are ready to work with Republicans on these two issues—and now.

PRESIDENTIAL NOMINATIONS

Mr. REID. Mr. President, another glaring deficiency is we are certainly ready to help Republicans fulfill their constitutional obligations to give due consideration to President Obama's judicial nominations and other nominations.

The Constitution gives the Senate the job to give its advice and consent to the President's nominations to the judiciary. So far, the Republican leader and his party are failing catastrophically. They are intent on delaying important confirmations, even in the face of increasing judicial emergencies all over this country.

Today marks the 182nd day of the 114th Congress. Yet today will be our first circuit court nomination. That means for almost 7 months, the Republican Senate has not confirmed a single appellate court judge, but today we are going to finally consider one, and that is important. We will be hopefully confirming the first Latina on the Federal Circuit.

Kara Farnandez Stoll is well qualified by every measure. Her nomination was reported out of the Judiciary Committee months ago. Yet no Republican can explain why she has waited this long to have a vote. It is all part of a disturbing trend, I am sorry to say, of neglecting constitutional duties.

According to the Congressional Research Service, the new Republican Senate has doubled the average time for the confirmation of the first circuit judge for any President in the modern era. The new Republican Senate is once again making history but for all the wrong reasons. The Republican leader and his party are on pace to confirm the fewest judicial nominations in half a century.

President Obama's Federal judges are not getting a fair shake. They are bottled up in the Judiciary Committee. They are focused on I don't know what in that committee, but it is certainly not moving the President's nominations. Nominations are forced to wait longer than in past Congresses on the floor.

I have spoken before about the nomination of one very well-qualified person from Philadelphia, Luis Felipe Restrepo—another extremely well-qualified judge-to-be. The junior Senator from Pennsylvania delayed his confirmation by not returning the blue slip to advance his nomination. Before we left for the recess, the Judiciary Committee delayed his hearing again. Yet the junior Senator from Pennsylvania said he is not responsible for the delay because he does not sit on the committee.

This good man, Luis Felipe Restrepo, has waited far too long. He has been nominated to fill a judicial emergency. Judicial emergencies have skyrocketed under Republicans' lack of leadership. Justice delayed is justice denied. The people of Pennsylvania deserve to have him confirmed. So why doesn't the junior Senator from Pennsylvania simply ask to confirm Judge Restrepo immediately? I am confident that if that happened we would have that matter on the calendar. We could confirm Judge Restrepo to the Third Circuit next week if Republicans would quit playing games with nominations.

Time and time again, Democrats have asked for the fair consideration of President Obama's judicial nominations. It is not too much to ask the new majority to match the numbers of confirmations Democrats gave George W. Bush the last 2 years of his administration. By this point, Democrats had confirmed 21 of President George W. Bush's judges-to-be. President Obama has only had four confirmed to date.

And according to the senior Senator from Texas, we should not expect a

change anytime soon. Here is what he said. Speaking of Republicans' desire to keep nominations at a trickle, the assistant Republican leader said last week: ''It'll be a slow, steady pace.'' The pace certainly has been slow, but not steady—more like nonexistent. One circuit court nominee in more than 6 months is an embarrassment. That puts the Senate on pace to confirm fewer than four circuit court nominees this entire Congress. It does not matter that there are judicial emergencies all over the country.

But Republicans' inaction on nominees is not just hurting our judicial system; it is also hurting our Nation's ability to combat terrorism, including ISIS. One way to help stop ISIS and other terrorist organizations is to go after their funding. Republicans know that. But listen to this, Mr. President. Since April, Adam Szubin, President Obama's nominee to the Department of Treasury as Under Secretary for Terrorism and Financial Crimes, has remained in limbo. It is so important to this country. We have the situation going on with Iran. We need people in the Treasury Department to help figure out all that is going on in regard to terrorism there and other places in the world. Yet Republicans will not confirm this good man. He cannot get a vote. And who knows why. Ask Republicans.

By any objective measure, the Republican Senate is failing in their basic constitutional responsibility to provide advice and consent. The American people deserve better. They deserve a Senate that does its work responsibly and completes it on time.

Mr. President, will the Chair announce the business of the day.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

EVERY CHILD ACHIEVES ACT OF 2015

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to the consideration of S. 1177, which the clerk will report.

The senior assistant legislative clerk read as follows:

A bill (S. 1177) to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, if I could gain the attention of the Democratic leader for just a moment, before he leaves the floor. In a few moments, the Senator from Washington and I will make our opening statements on our proposed committee legislation to fix No Child Left Behind, but before we do that, I want to first express my appreciation to the majority leader for his putting it on the floor, bringing it up. I know the majority leader has a variety of other options, and he is giving us a chance to take our bill, which we will be describing in a few minutes, and put it on the floor.

I also want to acknowledge and thank the Democratic leader because he has allowed the bill to come to the floor without delay so that we can move to the bill and allow Senators to begin to vote on it. We hope to begin having those votes tomorrow morning.

We have a good example of cooperation here with the majority leader bringing the bill to the floor, a unanimous bill by the committee. Senator MURRAY, a member of the Democratic leadership, played a major role in the legislation. In fact, it was her advice that I took which caused us I think to have success in the committee by presenting a bipartisan bill. But I specifically want to thank Senator REID for his attitude on the bill. I think that will create the environment in which we will have to frankly work through some contentious issues. This is not an issue-free piece of legislation. We are 7 years overdue. It should have been passed in the last two Congresses. But we have made a good start.

I thank both leaders for giving Senator MURRAY and me a chance to try to work in the next few days with other Senators to continue the amendment process, allow Senators to have their say, get a result, and work with the House to send a bill to the President that he is willing to sign.

The PRESIDING OFFICER. The minority leader.

Mr. REID. Mr. President, my friend from Tennessee is an expert in education. Not only was he the Governor of the great State of Tennessee, he was also the Secretary of Education. He knows education. And he has a good partner to work with, PATTY MURRAY. The senior Senator from Washington is a legislator first class, and the work they have done as leaders of this important committee has been very, very good.

I appreciate the kind words of my friend from Tennessee, but this is an example of what I talked about a few minutes ago. We are not treating Republicans the way they have treated us. I repeat, every piece of legislation I brought to the floor we had to file a motion to proceed on—with extremely rare exception, everything. We wasted months going through this senseless 2 days, 30 hours, and on and on with all the time spent on this. It was an effort to embarrass President Obama, and they did their best to do that. But as cynical as it was, it helped them in the 2014 elections, and I acknowledge that, and that is too bad. But it is too bad we had to go through all that because it has really hurt the country.

I say to my friend, I have great respect for this man from Tennessee. He is a good legislator, and I look forward to moving forward on this important piece of legislation involving elementary and secondary education. We have to do a better job, and I think there are no two better qualified people than the two managers of this bill to accomplish that.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, I thank the Democratic leader. Senator MURRAY and I will make our opening statements, but I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ALEXANDER. Mr. President, we begin debate today on a bill to fix the problems with No Child Left Behind, the Federal law that has been causing confusion and anxiety in 100,000 public schools in our country.

This week, Newsweek magazine called this the ''law that everyone wants to fix.'' There is a broad consensus about that, and, remarkably, there is a broad consensus about how to fix it. This is the consensus: that we should continue the law's important measurements of students' academic progress but restore to States, school districts, classroom teachers, and parents the responsibility for deciding what to do about the results of those tests. In my view, this change should produce fewer tests and more appropriate ways to measure student achievement. We believe this is the most effective path toward higher standards, better teaching, and real accountability.

Our Health, Education, Labor and Pensions Committee—the Senate's education committee—obviously believes that too. The committee reported the bill unanimously. Senator MCCONNELL, the majority leader, noted earlier that committee has on it some of the Senate's most liberal Democrats and several of the Senate's most conservative Republicans. It was a surprise to many people that the committee reported it unanimously. But the committee understood that this was a problem we needed to solve and that we had a fair and open process, everyone had a chance to participate, and that the bill was good enough to come to the floor, where we could continue to work on it.

Not only is there a consensus about how to fix it within the U.S. Senate committee on education, there is outside of the Senate. This bipartisan bill, which has come to the Senate floor, has been supported by teachers, by school boards, by school superintendents, by chief State school officers, and by Governors.

The Presiding Officer is a former Governor, as am I. Both of us would have to go back a long time to remember something that was supported as enthusiastically by both the National

Governors Association and the major teachers unions, but this bipartisan proposal is.

Earlier I thanked the majority leader, Senator MCCONNELL, for putting the bill on the floor. That may seem like a small matter for those not involved in the Senate, but it is a big matter. He has a pretty big list of bipartisan legislation that is important to this country's future, and he could have chosen any of those to bring to the floor. But he saw the importance of education to our country and that we not only need a strong national defense, but we need to be strong at home.

So we are going to be dealing with legislation that affects 100,000 public schools, 50 million children, 3½ million teachers. It may not be big news every day in Washington, DC, but it sure is in Nashville, TN, in Maryville, TN, in Washington State, and in North Dakota.

If you go home, you hear quite a bit about Common Core. You hear quite a bit about the national school board. You hear quite a bit about whether the standards we have for our children are enough to help them get a job and to help them succeed in the world we have. So I thank the majority leader for putting it on the floor.

As I said before, I thank the Democratic leader, Senator REID. He has allowed the bill to come to the floor as rapidly as it could. There have been no delaying tactics whatsoever. We didn't have to have a motion to proceed and a cloture vote. I am grateful for that because that means we can work with other Senators and put this bill into shape and give more people a chance to have their say on behalf of their constituents at home.

I want to give my special thanks at the outset—and I probably will again during this debate more than once—to the Senator from Washington State, Mrs. PATTY MURRAY. She is a good partner to have in this, and I am glad I took her advice in dealing with this bill. I knew we had a problem because we tried in the last two Congresses to solve this problem, and we absolutely failed. We are 7 years overdue. But Senator MURRAY made the suggestion that she and I try to work together to create a bipartisan product that we could present to the committee and then work from that. I took that advice, and it turned out to be excellent advice. Her ability to be a forceful advocate for her positions but at the same time command respect within her caucus and among people around the country who know her and to make this work is a principal reason, if not the main reason, we had a unanimous report from the education committee. So I am grateful to her for that.

If you are a busy parent of one of the 50 million children attending public school today, you may not know your child has been going to school for the last 7 years under a broken and expired Federal education law. You may not know that the U.S. Department of Education is practically running your child's school, if you live in one of 42 States operating under waivers. You may have heard your child's teacher complain about how little flexibility he or she has to help your child and to innovate in the classroom, and you have probably seen your child's frustration at the number of tests he or she is taking.

You have no doubt heard of the frustration of other parents and teachers about Common Core, the academic standard most States have adopted. In 2009, the Department of Education created a $4.4 billion pot of money that States competed for. This was called Race to the Top. States got extra points for adopting Common Core. Race to the Top caused 30 States plus Washington, DC, to adopt Common Core so they could include that in their application.

Then along came the phenomenon of waivers, because we in Congress had failed to act since 2007. The original No Child Left Behind bill passed in 2001 became unworkable. It established a goal that by 2014 all of our children in 100,000 public schools would be proficient in math and science. We got to 2014—or were getting there—and the children weren't proficient. So all the schools—almost all our public schools—were labeled as failing. So to avoid that bizarre result the Secretary issued waivers. But at the same time he issued some requirements about what you had to do to get a waiver if you were the State of North Dakota or Tennessee or some other State.

So you are likely to have heard from teachers and school board members frustrated about the narrow definitions from Washington about exactly how to evaluate teachers and what to do about low performing schools. Those requirements came with the waivers.

You may be frustrated that your child doesn't have more options for school than the nearest public school. I believe this bill will end many of those frustrations. It will restore responsibility to States for deciding what academic standards to use and will restore responsibility to teachers to do what they do best, and that is to help your child learn what they need to know and be able to do.

It will stop the trend of taking too many tests by restoring to States the responsibility for deciding how to use Federal test scores in measuring school achievement. It will help States expand and replicate their best charter schools so more parents will have a choice of schools.

The Senate education committee adopted 29 amendments during its debate on the bill. Already Senator MURRAY and I are working with Democratic and Republican Senators on adopting a large number of other amendments. In fact, I will have a substitute amendment for our bill to offer a little later this afternoon that will include a number of those amendments, and we expect there to be a robust discussion and debate and votes on the Senate floor.

Now, just for some context about the debate we are having, when we talk about fixing No Child Left Behind, here is what we are talking about. We are talking about reauthorizing the Elementary and Secondary Education Act. We are talking about the spending in that act of about $23 billion, which the Federal Government distributes to States through the law's nine titles. The biggest title is what we call title I. It spends about $14.5 billion specifically to help low-income students.

Now, the $23 billion that is spent through this bill we are debating is a lot of money, but it is only about 4 percent of the total amount this Nation spends each year on kindergarten through 12th grade public education. The Federal Government contributes another 4 or 5 percent to K-through-12 education through various programs. But the rest of the money, about 90 percent, comes from State and local governments.

Why No Child Left Behind must be fixed: The problems have been created by a combination of Presidential action—but let us not forget our own responsibility and our own fault for this problem. That is called congressional inaction. So it is the combination of Presidential action and congressional inaction that has led us to a situation where we have a bill described by a major news magazine as ''the education law that everybody wants to fix.''

It started in 2001, when President George W. Bush and Congress enacted a bill called No Child Left Behind, which requires a total of 17 tests between reading and math and science during a child's elementary and secondary education. The results of these tests must be disaggregated and reported according to race, ethnicity, gender, disability, and other measures so parents, teachers, and the community can see which children are being left behind.

In other words, a typical third grader would have two tests, one in reading and one in math. Each test should last about 2 hours. Then that test for that school would be reported to the public, and you would break it down according to the groups I just mentioned, and we could see if any group of children in any community is being left behind.

That wasn't all the law did. The law also created Federal standards—created here in Washington—for whether a school is succeeding or failing, what a State or school district must do about that failure, and whether a teacher was highly qualified to teach in a classroom. Those are Washington, DC, definitions.

If fixing No Child Left Behind were a standardized test, Congress would have earned a failing grade for each of the last 7 years because No Child Left Behind expired in 2007. We have been unable to agree on how to reauthorize it. As a result, the law's original requirements stayed in place and gradually became unworkable. As I mentioned earlier, this would have caused all of

America's public schools—almost all of them—to be classified as failing schools under the terms of the law.

The reason for that was the law set up as a goal that by 2014 all children would be proficient in reading and mathematics. That sounded like a fair enough goal to have when you are looking at it from 2001. But the closer we got to 2014—even by some of the lowest and easiest definitions of proficiencies established by States—it was clear that most children and most schools wouldn't reach that goal. So President Obama's Education Secretary offered waivers from the terms of the law, and today 42 States operate their public schools under the terms of those waivers from the original provisions of No Child Left Behind.

But instead of just saying yes or no, here is a waiver, each of those waivers contains some requirements. The Secretary really had the State over a barrel. He said: If you want a waiver from these unworkable provisions, you are going to have to do a few things. One is to adopt certain academic standards. That turned out to be, in most cases, Common Core. One was to take prescribed steps to help failing schools. Another was to evaluate teachers in a defined way.

There was so much new Federal control of local schools over the last several years that this has produced a backlash against Common Core academic standards, a backlash against teacher evaluation, and against tests in general. Governors and chief State school officers complain about Federal overreach. Infuriated teachers say the U.S. Department of Education has become a national human resources department or, in effect, a national school board.

This doesn't just come from Republicans. This comes from Democratic chief State school officers who have come to my office and who have come to Senator MURRAY's office and have said: Please give us more flexibility. We are with the children. We are in our States. We think we know what to do.

They say it in different ways maybe if they are Republicans or Democrats, but they all basically have said the same thing, which is why we have this consensus, at least so far on how to fix this legislation, this law that everybody wants to fix.

So what is this remarkable consensus on how to fix the law? Here are nine things the bill does. No. 1, it strengthens State and local control. The bill gives responsibility for creating what we call accountability systems to States. Now, ''accountability systems'' simply means who is in charge of making sure the job gets done. Well, that goes to States, working with school districts, with teachers and with others to make sure all students are learning and preparing for success. The accountability systems will be State designed. They will meet minimum Federal parameters, including ensuring that all students and subgroups of students are included in the accountability system.

Disaggregating student achievement data—those are the tests I talked about earlier. In establishing challenging academic standards for all students, the Federal Government is prohibited from determining or approving State standards. So if you are in Alaska, Tennessee or Washington, the Federal Government says if you want the Federal money, you have to have challenging standards and you have to have a test of those standards. But those are your standards, and those are your tests. You need to publicize them so the world can know how kids in schools are doing, but the Secretary in Washington is specifically prohibited by this proposal of ours from determining or approving those standards.

No. 2, our legislation would end the Common Core mandate. The bill affirms that States may decide for themselves what academic standards they will adopt without interference from Washington, DC.

I mentioned a little earlier how the $4.4 billion pot of money caused as many as 30 States to immediately say: Yes, we will adopt Common Core. Now, maybe they were going to do it anyway, and we can talk about that more in just a minute, but that is what it did.

The Federal Government may not, under our proposal, mandate or incentivize States to adopt or maintain any particular set of standards, including Common Core. States will be free to decide what academic standards they will maintain in their States. If they want Common Core, they can have Common Core. If they want half of Common Core, they can have half of it. If they want uncommon core, States can have that. They simply have to have standards, and the Secretary is prohibited from telling them what those standards are.

No. 3, the bill would end the Secretary's waivers. The waiver provision was a small part of the original bill in 2001. I doubt if those who passed it ever expected it would be used the way it has been used by the current Secretary. The bill prohibits the Secretary, though, from mandating additional requirements for States or school districts seeking waivers from Federal law.

In other words, if I come as Governor of Tennessee to the Secretary of Education and say: I would like to have a waiver. He can say yes or he can say no, but he can't say: Well, you can get a waiver if you will evaluate teachers this way, adopt these standards, and fix these performing schools in that way. That is up to the State. The bill limits the Secretary's authority to disapprove a waiver request as well.

No. 4, the bill maintains important information for parents, teachers, and communities. No issue has stirred as much controversy in our discussion as testing. No Child Left Behind required students to take 17 standardized tests over the course of their kindergarten through 12th grade education, and it attached high stakes for schools, school districts, and States to the results. As we studied the problem, as we listened to teachers and Governors and people of both political parties, it became obvious to us that it wasn't so much those 17 federally required tests but the stakes attached to them.

A third grader, for example, is required to take only one test in math and one test in reading. The testimony of the Denver school superintendent was that each of those tests takes about 2 hours. If you take two tests in the third grade and two in the fourth grade—and those are the tests that are publicized so people can tell whether the school is succeeding or the child is succeeding or children are being left behind—that is not very much time out of the school year. But the accountability system for what to do about the test results contributed to the exploding number of State and local tests. Many of them were given to prepare students for the high-stakes Federal tests.

Our proposal maintains the federally required two annual tests in reading and math in grades 3 through 8 and once in high school, as well as science tests given three times between grades 3 and 12.

These important measures of student achievement need to be reported publicly so parents can know how their child is performing. It is important the results be disaggregated so we know if any particular group of students is being ignored or left behind. It can also help teachers support students who are struggling to meet State standards.

We have included in our proposal before the Senate an amendment from Senator COLLINS and Senator SANDERS for a pilot program which would allow States additional flexibility to experiment with innovative assessment systems—meaning tests—that might replace the kind of standardize tests used today. It is important to point out that the Federal requirement isn't for a particular test. It simply says the State has to have one and the State has to publicize it in a special way.

No. 5, our proposal ends Federal test-based accountability. We discovered that the problem is the Federal Government's accountability system for what to do about the results of these tests, which has contributed to the exploding number of State and local tests. Said another way, it is the ''made in Washington'' decision about what a qualified teacher is, how to evaluate a teacher, and what is adequate yearly progress in a school. All of that is what seems to have caused the exploding number of tests we have heard about so much.

To give an example, in testimony it was said to us that Fort Myers, FL, had 183 tests for children in the kindergarten through 12th grade career of a child. We know only 17 of those are Federal tests under No Child Left Behind. So where are the rest of the tests coming from? They are State and local

tests. Once the spotlight was shown on Fort Myers, FL, and their 183 tests, it became clear it wasn't No Child Left Behind causing that—or at least it wasn't Federal tests but State and local tests that were causing this. Then the number of tests quickly went down.

Because of this, our proposal ends the high-stakes Federal test-based accountability system of No Child Left Behind and restores the accountability system to State and local responsibility to hold schools and teachers accountable.

Teachers are in the assessment business. They said to us: Look, there are many different types of tests and assessments. We do this all the time. We have pop quizzes, we have end-of-the-year tests, we have standardized tests, we have multiple choice tests, and we have open-ended questions. We need to be deciding what those assessments should be, and we need to be deciding what weight each of those has in deciding how this child is doing or how this school is doing or how this group of children are doing. So they don't really object to having a standardized test as one of the measurements. What they object to is having a single standardized test—set in Washington, DC—count for so much and to pretend that here we can make a decision about what may be going on in native schools in Alaska or the mountains of Tennessee or schools in Harlem.

States must include these standardized tests in their accountability system, but States will determine the weight of these tests. States will also be required to include graduation rates, another measure of academic success for elementary schools, English proficiency for English learners, and one other State-determined measure of school success or student support.

States may also include other measures of student and school performance in their accountability systems in order to provide teachers, parents, and other stakeholders with a more accurate determination of school performance.

State accountability systems must meet limited Federal guidelines, including challenging academic standards for all students, but the Federal Government is prohibited in this proposal from determining or approving State standards. So whether a State adopts common core or any other academic standard is entirely the State's decision.

This transfer of responsibility for determining what to do about the results of tests is why we believe our proposal will result in fewer and more appropriate testing for children.

There are three more things that our proposal does. No. 6, it strengthens the charter school program. The bill provides grants to State entities and charter management organizations to start new charter schools and to replicate or expand high-quality charter schools, including by developing facilities, preparing and hiring teachers, and providing transportation. It also provides incentives for States to adopt stronger charter school authorizing practices, increases charter school transparency so we can know what is going on, and improves community engagement in the operation of charter schools.

Charter schools are public schools. I remember in 1992, when I was Education Secretary, the last thing I did was that I wrote a letter to all the school superintendents in the country in all the different school districts—I guess there are 14,000 or 15,000—and asked them to consider creating in their school district one of the new start-from-scratch schools that had been created in the State of Minnesota by the Democratic-Farmer-Labor government. There were 10 of them, and they called them charter schools. Those were the first 10 charter schools.

There are 6,700 charter schools today. About 6 percent of all public school students go to charter schools. Charter schools, in my view, are nothing more than public schools in which teachers have the freedom to give children what those children need, and parents have the freedom to choose the school that their child attends. I think any teacher would much prefer to have that sort of arrangement and that sort of freedom—freedom from State regulations, freedom from Federal regulations, freedom from some union rules—so they can provide for the children who come to that school and who choose to go to that school the kind of education those children deserve.

No. 7, our proposal would help States fix the lowest performing schools. The bill includes Federal grants to States and school districts to help improve low-performing schools identified by State accountability systems. School districts will be responsible for designing evidence-based interventions for low-performing schools with technical assistance from the States. The Federal Government is prohibited from mandating, prescribing or defining the specific steps school districts and States must take to improve these schools.

Why would one do that? Let me give an example of what goes on today. Under the waiver requirements, if you have a low-performing school, you have to identify a certain number. That is prescribed by Washington. Then you have six ways you can fix the school. I insisted a couple of years ago that we add a seventh. Showing my old Governor biases, I said: Let's allow a State to come up with a seventh way of improving a low-performing school, and that would be whatever the Governor thinks would be the best way to do it. That was adopted by the Congress. About 12 months later, out came a regulation from the U.S. Department of Education defining, limiting, and explaining what a Governor could do about it.

The whole purpose of the exercise was to get rid of that sort of instruction from here and to recognize that Governors themselves might feel like their principal responsibility might be to improve a low-performing schools. I always did when I was there. And I, with all respect, didn't really need advice from Washington, DC, about how to do it.

No. 8, it helps States support teachers. The bill provides resources to States and school districts to implement activities to support teachers, principals, and other educators, including through high-quality induction programs for new teachers and ongoing rigorous professional development opportunities. The bill allows—but doesn't require—States to develop and implement teacher evaluation systems.

I know I am using some of my own experiences here, but that is how I have learned. I believe that teacher evaluation is the holy grail of public education. Parents are more important than teachers, but I have yet to figure out how to pass a better parents law.

Most of the evidence we know about shows that the single most important way to help a child succeed is to put that child in the presence of a really exceptional teacher. So in 1984, Tennessee became the first State to pay teachers more for teaching well. That included a 1½-year brawl with the National Education Association, which objected to it.

President Reagan was President then. He came to Tennessee not to tell us to do it and not with any Federal dollars but just to say this is important to do and this is good to do. That helped me greatly in passing it in the legislature, which was Democratic at the time, and this kind of leadership began the process across the country that has spread—the evaluation of teachers—to identify the better teachers, to encourage them, to reward them, and to try to keep them in the teaching profession.

It was assumed when I came here that because I was so involved in teacher evaluation, I would want to come to Washington and say: OK, now everybody has to do what Tennessee did. But I have done just the reverse. The last thing we needed in Tennessee when we were trying to do teacher evaluation in a fair way was Washington looking over our shoulder, making it more difficult and complicated.

Evaluating good teachers, particularly rewarding outstanding teaching, is not easy to do. It sounds simple, but it is hard. It needs something teachers can buy into that may be different in Alaska and Tennessee and Washington, and it needs to respect what the circumstances are in each place. The goal is to reward outstanding teachers and make teaching more professional and to recognize that excellent teachers of math have great opportunities at IBM or some other company. I want to encourage that. This does that, but it doesn't mandate it from Washington.

No. 9, finally, this helps States improve the fragmentation of early childhood programs. I suspect we will hear a

lot about this from Senator MURRAY because we heard a great deal about it in the committee from her. She is a preschool teacher. Her mother was as well. I think one of the things Senator MURRAY learned as a preschool teacher was how to work well with others, which is what 5-year-olds learn. She is a passionate advocate for early childhood education—more than we have in this bill. But we have an important step forward in this bill, in my opinion, that Senator MURRAY and Senator ISAKSON offered as an amendment. It was approved by the committee.

It will provide competitive planning grants to help States expand quality early childhood education by addressing the fragmentation of spending of Federal dollars currently through early childhood education programs. We spend about $8 billion on Head Start. We spend about another $6 billion or $7 billion on child development block grants. That total amount of money is as much money as we spend in the entire title I program for kindergarten through the 12th grade. We spend another $8 billion or $10 billion throughout different parts of the Federal Government for early childhood education. Then there is State funding for early childhood education. Then there is local funding. Then there is private funding.

For example, the testimony from the superintendent of education from Louisiana was that, as much as more money, what would help create more educational opportunities for children ages 2, 3, and 4, is for States and local governments to be able to spend the money we are already spending more effectively. He said: There are too many silos. You can't use the Head Start money in conjunction with this money or that money or in conjunction with this money. This proposal in our bill would be a step toward helping States use Federal dollars more effectively in early childhood education.

Finally, I said earlier that if fixing No Child Left Behind was a standardized test, Congress would have earned a failing grade for the last 7 years. In each of the last two Congresses, the Senate committee that Senator MURRAY and I head produced bills to fix No Child Left Behind. But these bills divided our committee along party lines. Even so, two Congresses ago, Senator ENZI, Senator KIRK, and I voted with the Democratic majority to report a bill out of committee so that the full Senate could act.

In the last Congress, the committee majority passed a partisan bill without any Republican votes, but I committed to support Chairman Harkin in taking the bill to the floor if there would be an open amendment process.

Unfortunately, these bills never reached the floor. We needed, obviously, to do something different, which is where Senator MURRAY's leadership became so important. She suggested the way that we proceeded, which allowed us to create a bridge across the partisan divide so that we could recommend to the full committee a bipartisan solution upon which they could build and upon which the full Senate could build.

I accepted her suggestion, and I have repeatedly thanked her for it. She and I have listened carefully to our Senate colleagues, to teachers, principals, Governors, chief State school officers, students and parents, and to the business and civil rights communities, and we have listened to each other. I am grateful that the majority leader has put the bill on the floor and that the Democratic leader has allowed it to come to the floor expeditiously.

Senators with amendments will have a chance to have a vote on those amendments. Already in our Senate education committee, we considered 58 amendments, and we have adopted 29. We have had a fair and open process, which I believe is the main reason the committee vote was unanimous.

I would like to say this: Senator MURRAY and I have exercised restraint. Neither of us has insisted on forcing into the bill every proposal about which we feel strongly. We know that to get a result we have to achieve consensus. We know that in the Senate, ''consensus'' means at least 60 votes. We know that if we succeed here, we will have to deal with our friends in the House of Representatives. After that, if we want a result, which we do, we want the President's signature. We want to fix No Child Left Behind—not just make a political statement.

The only major objection to this bill that I have heard is one from some groups that believe the path to higher standards, the path to better teaching, and the path to real accountability is through Washington, DC, instead of State by State.

I would like to offer three reasons why I think this is wrong and why I believe our consensus to restore decisions to those closest to the children is right.

No. 1, States are better prepared today to set higher standards, to evaluate teachers, to develop good assessments, and to develop good accountability systems than they were when No Child Left Behind passed in 2001. President Bush and President Obama can take some credit for that and should.

No. 2, the national school board—as I call it—which has been created over the last 10 years as we move more and more responsibility from States to Washington, DC, has created a backlash. It has made it harder to have higher standards. It has made it harder to evaluate teachers. It has showed conclusively that the better path to higher standards, better teaching, and accountability is through the States and not through Washington.

No. 3, most Americans understand that you don't get wiser and more caring simply by getting on a plane and flying to Washington. In fact, the people closer to the children are usually better equipped to make decisions about their well-being.

I have, principally because of age, a long view of this whole process. States are better prepared today than they used to be. I was Governor when Terrel Bell, President Reagan's Education Secretary in 1983, issued ''A Nation at Risk,'' saying that our schools were in such a shape that if a foreign country had done that to our country, we would have considered it an act of war.

I worked together with other Governors—the Governors who were elected adjacent to me, especially Governor Clinton, Governor Riley, and Governor Graham—and the National Governors Association. In 1985 and 1986, Governor Clinton and I caused all of the Governors to work on something we called ''Time for Results'' to begin to move State by State toward more achievement for our students. Then in 1989, President George H. W. Bush called the Governors together to a summit and set national education goals.

That never happened before in our country. It may sound like an easy thing to do, to say let's have goals of all children being proficient in math, science, English, history, and geography. But just to pick those subjects was a controversial topic. Just to spend that time on it was a great step forward.

Then ''America 2000'' in 1991 and 1992, when I was Education Secretary, was the way to reach the goals. That is where we began to see this debate again. Is the best way to do it State by State, community by community or is the best way to do it through Washington, DC? President George H. W. Bush believed the best way to do it was State by State, community by community. He advocated voluntary national standards, but they were voluntary. He advocated voluntary national tests, but they were voluntary. He advocated accountability systems, but they were voluntary as well. He advocated more choices for parents of low-income children and an expansion of charter schools.

What the Governors have done since that time is worked together State by State to create our standards, better tests, and better accountability systems. The Governors have also agreed that States would take the so-called NAEP test, the National Assessment of Educational Progress, which is a sample test. Not all students take it. But it keeps the Governor of Tennessee from setting a low standard, which we once did so we looked good when we achieved that standard. Now we can know whether Alaska and Tennessee are really comparable because that test is public and we take it.

The second point I made about this was about the backlash. It may seem counterintuitive to say that it is harder to create higher standards because of the Common Core debate, but you would understand it pretty well if you ran for the Senate in a Republican primary or even in a general election,

which I did last year. Common Core was an issue both in the primary and in the general election. What I said was this: Wait a minute; I think Washington should stay entirely out of it. But people were so upset with Common Core, not really so much because of what is in it but because Washington was requiring it or at least it seemed to them that it was Washington taking over local schools.

The truth of the matter was that Common Core began with Bill Bennett, a former Education Secretary and a leading conservative, when he was head of the National Endowment for the Humanities here in Washington, DC. He sponsored research by E.D. Hirsch in Virginia, who wanted to put more rigor in academic curriculum.

When the first President Bush called the Governors together and said we want to set these high goals and Governors begin to talk about what the standards for the proposed goals are, Governors began to work together on something called Achieve. There were some who said: Let's have Washington do it.

But the Governor said: No, you stay out of it; we will do it together.

It was out of this that the Common Core academic standards came together. It was basically a bunch of conservative Governors working together to add rigor to the system. But what spoiled it was that Washington's involvement in it in the 1990s created this enormous backlash and now Governors are backpedaling. At a time when, for example, in our State we have advanced manufacturing coming in and workers need to know a lot in order to get a job, we are arguing about whether to have high standards because of the backlash against Common Core. We need to get Washington out of the Common Core debate and let Tennessee and every other State make their own decisions about what their academic standards should be. Then, if you don't like what your child is learning, you can go talk to your Governor or your legislature and they have 100 percent of the authority to decide whether that is good or whether that is bad.

Then there is teacher evaluation. As I said, I spent a lot of time on that in the 1980s and since. It is hard to do. It is hard enough to do without adding a new element, and the new element is the highly prescriptive method that is defined from Washington about how to do a teacher evaluation. That produced a backlash.

Teachers unions are up in arms. When they are up in arms, that makes it harder to put in a teacher evaluation system. If you believe, as I do, that high standards and teacher evaluation are the underpinnings of a great education system and are the way that you help children learn what they need to know and are able to do, you do not want to create a backlash to those efforts by insisting on prescriptive definitions from Washington, DC.

Finally, it is a strange idea, as I mentioned earlier as well, to suggest that those of us who fly from Knoxville to Washington—or Senator MURRAY flies a long way each week and goes all the way to the West Coast and back, but almost all of us go home almost every weekend—get that much smarter and that much wiser on the plane flying here. I may get a little less smart and a little less wise on the plane flight here. It doesn't help me to know any more about what is going on in the Tennessee mountains or the native areas of Alaska or in eastern Washington State by being here in Washington, DC.

We spend 4 percent of the Nation's education dollars through this bill we are debating today. I think we have a right to ask: How are these children doing? Take a test, report the results, and let us see if children are being left behind. But we shouldn't presume then to say: Here then is what you ought to do about it. We are going to decide who is succeeding, who is failing, what the right way to fix that is. We can't do that with 50 million children, 100,000 schools, and 3.5 million teachers. All those are better done by men and women who are closer to the children.

One of the most eloquent statements of what I just said came from Carol Burris, New York's 2013 High School Principal of the Year. She wrote us after we began work on our proposal and put it online and this is what she said:

> Remember that the American public school system was built on the belief that local communities cherish their children and have the right and responsibility, within sensible limits, to determine how they are schooled.
>
> While the federal government has a very special role in ensuring that our students do not experience discrimination based on who they are or what their disability might be, Congress is not a National School Board.

That is the principal of the year in New York State saying that.

She went on to say:

> Although our locally elected school boards may not be perfect, they represent one of the purest forms of democracy that we have. Bad ideas in the small do damage in the small and are easily corrected. Bad ideas at the federal level result in massive failure and are far harder to fix.

That is advice from the New York Principal of the Year. In other words, our well-intentioned guidance from Washington is usually not as effective as a decision made in the home, classroom, and community by those closest to the children.

What we heard over and over from Democrats as well as Republicans was that while continuing measurements of academic progress are important in holding schools and teachers accountable, we should respect the judgments of those closest to the children and leave to them most decisions about how to help 3.4 million teachers help 50 million children in 100,000 public schools.

A little humility on our part is an important part of the recipe for a successful fix of No Child Left Behind. I look forward to this debate. I particularly look forward to fixing this law that everybody seems to agree has to be fixed, and that most people seem to agree on how to fix it.

If Senators were in a classroom, none of us would expect to receive a passing grade for unfinished work. Seven years is long enough to continue fixing No Child Left Behind.

I yield the floor.

The PRESIDING OFFICER (Mr. SULLIVAN). The Senator from Washington.

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Senator from New Jersey, Mr. BOOKER, follow my remarks on the floor.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mrs. MURRAY. Mr. President, since our Nation's founding, the idea of a strong public education for every child has been a part of the fabric of America because when all students have the chance to learn, we strengthen our future workforce, our country grows stronger, and we empower the next generation of Americans to lead the world. A good education can provide a ticket to the middle class, so improving education is an important part of what it means to grow our economy from the middle out, not from the top down.

Today marks the first day of debate on our bipartisan bill to strengthen our education system by reauthorizing the Nation's K–12 education law, the Elementary and Secondary Education Act, or ESEA. This work is a chance to recommit ourselves to the promise of a quality education. For every child, it is an opportunity to finally fix the current law, No Child Left Behind.

I have been very proud to partner with the senior Senator from Tennessee throughout this process, and I commend Chairman ALEXANDER for working with me to create this bipartisan bill and for passing the Every Child Achieves Act through the education committee with unanimous support.

I think it is important at the onset to discuss why we need to fix the current law. I also would like to lay out what we accomplished in the Every Child Achieves Act and go through how I think we can best strengthen this bill and pass it through the Senate with bipartisan support.

I wish to acknowledge my committee members as well. This bill is better thanks to their hard work and commitment to their priorities and their communities.

Nearly everyone agrees that No Child Left Behind is badly broken. For one, the current law required States to set standards for schools but then didn't give the schools the resources they needed to meet those standards. Second, across the country we are still seeing inequality in education, where some schools simply don't offer the same opportunities as others, and some

schools still have very large achievement gaps.

I have seen firsthand how this law is not working for my home State of Washington. No Child Left Behind has become so unworkable that the Obama administration began issuing waivers to exempt States from the law's requirements. Washington State had received a waiver but lost it last year, and now most of the schools in my State are categorized as failing.

A few months back, I stood here on the Senate floor and told the story of a mom from Shoreline, WA. Her name is Lillian. Last year her son was going into the fourth grade in the same school district where I once served as a school board member. Lillian's son had a learning disability. With the help of teachers and specialists at his elementary school, he showed great signs of progress. But then Lillian got a letter in the mail 2 weeks before school started, and that letter described her son's school as failing. That left her worried about the kind of education her son was getting, and she said it gave her a wave of uncertainty over the coming school year.

I have traveled around Washington State over the past decade and I have heard from a lot of my constituents, from teachers in the classrooms, to moms at the grocery stores, to tech company CEOs. They all have the same message: We need to fix the No Child Left Behind law. I was very glad that earlier this year we got to work on a bipartisan basis to find common ground to do just that, and I remain convinced that the only way to advance a bill to fix this broken law is with a bipartisan approach. Students, teachers, and parents are counting on us to do this, and now it is time to take the next step as we debate the Every Child Achieves Act here on the Senate floor.

This bill is a strong step in the right direction to finally fixing No Child Left Behind and making sure all of our students have access to a high-quality public education. It addresses the high-stakes testing. I have heard from parent after parent, teacher after teacher in Washington State that students are taking too many tests. The current law overemphasized test scores to measure how students are doing in school. Our bill will give flexibility to States to use multiple measures—not just a single test score—to determine how well a school is performing. The bill will create a pilot program for States to design new assessments, and that will provide our States with a lot of flexibility for innovation. Those steps will reduce the pressure on our students, our teachers, and our parents so they can focus less on test prep and more on learning.

The bill eliminates the one-size-fits-all provisions of No Child Left Behind that have been so damaging to our schools districts. Instead, the bill allows our communities, parents, and teachers to work together to improve schools and to ensure that every child receives a well-rounded education.

The bill maintains Federal protections to help students graduate from high school college- and career-ready. The bill also requires States to identify schools that do need improvement.

When the education committee debated the bill, I was also proud, as the Senator from Tennessee mentioned, to work on a bipartisan amendment with Senator ISAKSON to expand and improve early learning programs. As a former preschool teacher, I have seen the kind of transformation early learning can inspire in a child, so I am proud that this bill will help us expand access to high-quality early childhood education so more of our kids can start kindergarten ready to learn.

There are a few key ways that I want to continue to improve this bill. First of all, I believe we should strengthen the accountability requirements in the bill. Too many schools have failed too many of our children for too many years. When we don't hold the schools and States accountable for educating every child, it is the kids from our low-income backgrounds, kids with disabilities, kids who are learning English, and kids of color who too often do fall through the cracks. Before No Child Left Behind, it was easy for schools to overlook the performance of these vulnerable groups of students. Before 2002, as long as the school's overall performance was OK, it didn't matter if students of color or students from low-income backgrounds struggled to make progress year after year. The overall average of all students allowed achievement gaps to be swept under the rug even as some students fell further and further behind. We cannot go back to those days, and we can't backtrack on holding our schools accountable for helping all of our students learn.

States should still be required to identify the schools that are struggling the most so they can get the help and resources they need to improve. States need to identify the schools where some groups of students aren't making enough progress. These schools should get the support and locally designed interventions they need to better serve their students. Let's remember that holding States accountable for all students will only work if schools get the resources they need to promote students' success.

Unfortunately, some schools simply don't provide the same educational opportunities as others. Oftentimes students of color don't even have the option to take an AP course or use up-to-date technology in the classroom. African-American and Latino students are significantly less likely to attend a high school that offers advanced math or art classes, and, on average, kids from low-income neighborhoods don't have access to qualified and experienced teachers like students from wealthier neighborhoods often do. A ZIP Code should never determine a student's academic success. We need to make sure all students have equitable resources.

In the 1800s, Horace Mann, who is often called the father of American education, worked to make it universal and free for all. He famously said: ''Education . . . is the great equalizer.'' I believe that is true but only if we continue to hold ourselves accountable for providing educational opportunities to all students. The Every Child Achieves Act takes some very important steps to do that. As we debate this bill, I hope we can build on the progress and continue to move in the right direction.

I do believe there are important ways we should be able to work together to improve the bill, but there are other ideas out there that may derail any chance of passing this bill and fixing No Child Left Behind. I know some of my Republican colleagues are interested in making title I funding ''portable.'' That name sounds innocuous enough, but that proposal would allow funds to be taken away from schools that need the help the most, and it would defy the original purpose of our Federal K–12 education law. ESEA was meant to help level the playing field for students growing up in poverty. Efforts to backtrack on our country's commitment to target funds to the highest needs schools and instead give funding away to our more affluent schools is a nonstarter.

Others are interested in voucherizing the public school system. That would undermine the basic goals of public education by allowing funding designated for the most average students to flow out of the public school system and into mostly unaccountable private schools. Vouchers are unacceptable to me and would jeopardize our bipartisan work.

I am looking forward to our debate to make this bill even better. Half a century ago President Lyndon Johnson directed Congress to improve education for our Nation's students. In January of 1965, in what would be just months before signing the original ESEA into law, President Johnson said that when it comes to education, ''nothing matters more to the future of our country,'' and that remains true today. The future of our country hinges on our students' ability to one day lead the world, and a high-quality education for every student is one of the best investments our country can make to ensure we have broad-based and long-term economic growth.

Finishing this process we are working on today and getting a bill signed into law isn't going to be easy. Nothing in Congress ever is. But students, parents, teachers, and communities across our country, including in my home State of Washington, are looking to us here in Congress to fix this broken law. We cannot let them down.

We need to work across the aisle to help our students and our schools and our teachers get some much needed relief from No Child Left Behind. We need to give our States flexibility while strengthening accountability and

resource equity. We need to work together to reaffirm our Nation's commitment to ensuring that all students have access to a quality education regardless of where they live or how they learn or how much money their parents make. By doing so, we will help our Nation grow stronger for generations to come.

I again thank the Senator from Tennessee for his tremendous leadership in getting us to this point and for working with us to make sure we get this bill to the President and signed into law so that we can all go home and say we fixed a badly broken law.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. BOOKER. Mr. President, I rise today to discuss the reauthorization of the Elementary and Secondary Education Act. I rise today with the understanding that I have been a Senator for just a short while—about 19 months—and with the knowledge that I stand in a body full of champions for our Nation's kids. I am proud of the conversations I have had on both sides of the political aisle and see the earnestness and hard work to ensure that America is a place where all children can thrive.

I wish to give a special thanks to Senators ALEXANDER and MURRAY, the chairman and ranking member of the Senate HELP Committee. They have worked tirelessly in an effort to expand educational opportunities for children, and I have no doubt that they have already made lasting contributions to the lives of our children. In addition to that, they have taken a flawed legislative reality in No Child Left Behind and have already made significant strides in improving it. It should be applauded. They have done good work. In a nation that has been overcome with test craziness, they lowered those ridiculous bars and barriers that are being put up at the local level to achieving high education.

I am proud to see a bipartisan consensus forming to correct the ills of No Child Left Behind which have been foisted upon school districts all over our country and which have made the quest for educational excellence more difficult, not easier or more empowering.

I say all of that, but I must also say that I am here because there is an enormous amount of work still to do. This body must confront the dark places in our country where the ideals of the American educational system and where the dream of this country of equal access to opportunity is being failed. We have work to do. There is a moral urgency in this country, and that is what I am worried about today.

It is deeply disconcerting to me that I cannot stand in the well of the Senate before you today and say that a child born in any ZIP Code in America will have access to a quality education and an equal shot in this Nation at learning the skills they need to make the most out of their lives, to contribute to our country, and to live their American dream.

It is troubling that I cannot stand here in the well of this auspicious body and say that we are leading our peers around the globe when it comes to the number of our kids—percentage of the population—who graduate from high school ready to succeed as part of the global economy.

It is shameful and ignominious that I cannot stand here today and say that we are doing everything we can to ensure that all of our students can succeed and that we are holding those schools that are performing the worst in our Nation—those schools that often deal with the poorest of our country, the most marginalized of our country—that we are doing everything we can to serve them.

There should be standards to which we hold ourselves accountable. For this Senator, it is this America where children are still struggling for the basic foundations of our ideals that concerns me.

It was back in 1967 at Stanford University—my alma mater—that Martin Luther King stood and gave a speech about the other America. Sadly, we are a nation that still reflects these words from decades ago. He talked about a great America where children have quality schools, quality housing, and opportunities to succeed. That is the majority of our Nation. It makes us all proud and honored to serve this country that is an example to the globe of what is possible in a vibrant and strong democracy. But in that speech, Martin Luther King also talks about the other America. It is in this America, he said, that people are poor by the millions. ''They find themselves perishing on a lonely island of poverty in the midst of a vast ocean of material prosperity,'' King said.

He said:

> In a sense, the greatest tragedy of this other America is what it does to little children. Little children in this other America are forced to grow up with clouds of inferiority forming every day in their little mental skies. And as we look at this other America, we see it as an arena of blasted hopes and shattered dreams.

He details this other America by saying that ''many people of various backgrounds live in this other America. Some are Mexican-Americans, some are Puerto Ricans, some are Indians.'' Millions of them are White. ''But probably the largest group in this other America in proportion to its size in the population is the American Negro.''

We are moving now on education legislation, but let's tell the truth of what is happening in this other America—that there is still a dark underside where lack of achievement and lack of opportunity in this other America must be addressed.

I have visited schools all over New Jersey. We are a State that is the envy of America in the quality of our schools. We have reached heights of educational attainment, and New Jersey youngsters go to great, prestigious universities all over our State and our country. I am proud that we are one of the greatest education States in America. But I also know that even New Jersey has some schools—particularly in vulnerable places of high poverty—that fail to serve the genius of our children.

I have also had the privilege to travel our Nation, having been invited to speak in cities from coast to coast, and, like New Jersey, I see signs of hope and signs of promise. I see kids going to schools in the toughest neighborhoods, but those schools are more than schools-they are cathedrals of learning that serve their genius. Yet I am still told by parents from New Jersey and in our Nation, who look me in the eye and know their schools are failing their kids—they don't need reports from any government body to let them know their kids are not getting the education they deserve and to know the even more painful truth that their children, should they not get the education they deserve, will have options for themselves that are lost and constricted in this greatly global economy we have.

I worry that if we put legislation forward which does not keep those children in the center of our hearts and our minds, the consequences of dashing those dreams are great for our Nation.

When I was a child, I heard this poem by Langston Hughes:

> What happens to a dream deferred?
> Does it dry up
> like a raisin in the sun?
> Or fester like a sore—
> And then run?
> Does it stink like rotten meat?
> Or crust and sugar over—
> like a syrupy sweet?
> Maybe it just sags
> like a heavy load.
> Or does it explode?

In our country, people who are in environments with schools that fail the genius of our kids witness the disastrous manifestation of that failure on a daily basis. We now know that in America, a young Black boy who does not graduate from high school has a 70 percent chance, without that diploma, of ending up in jail by his midthirties. We now know that in our prisons in this Nation, 67 percent of inmates are high school dropouts. We know that the national average spent for a student in our country is $12,643. Yet, somehow we allow funds to drain from the National treasure that are the kids in our schools, by spending almost $29,000, on average, to keep one person behind bars in federal prison.

If we deny poor children a quality education, there will be disastrous consequences. We now know that in our Nation, if you are born in poverty, you have a 9-percent chance of going to college. I will repeat that. If you are born in poverty, you have a 9-percent chance of going to college and graduating. This is unacceptable.

We cannot design legislation in this body that does not stand up to this reality. Indeed, the legislation we are

passing now has its roots in its initial focus on the disadvantaged.

Fifty years ago this past April, President Lyndon B. Johnson sat in front of what once was a one-room schoolhouse in Texas, next to a woman named Kate Deadrich Loney, and signed into law the Elementary and Secondary Education Act. It had a purpose to it. It had a mission.

Sitting next to his former teacher and in front of his former school, President Lyndon Johnson signed the law and said that this law ''represents a major commitment of the federal government to quality and equality in the schooling that we offer our young people. By passing this bill, we bridge the gap between helplessness and hope for more than five million educationally deprived children.''

That is not all he mentioned, but he specifically focused on those disadvantaged children—those 5 million in our Nation—who were not getting access to the American ideal, the American dream. Their dream was to be deferred or stolen or denied.

Today in America, 6 percent of high schools fail to graduate one-third of their students. We must do better by them. It is this issue in our country that we have to recognize.

As stated in President Johnson's words, the Federal Government's role in education has been that of a bridge between helplessness and hope, one that identifies the needs of the underserved and the most vulnerable students and the schools that are not serving them. Since 1965, the Federal Government has done a good job of playing a critical role in advancing equality and greater educational opportunity so that more children are included. The creation of Pell grants, title IX, and the first Education for All Handicapped Children Act are great strides our Nation has taken in being that bridge from helplessness to hope.

The reauthorization of the critical legislation that first established that ''bridge'' has taken different forms over the past 50 years. In certain instances, as in the case of No Child Left Behind, it took a step too far. That is why this Senator praises Senator ALEXANDER and Senator MURRAY for beginning to correct the inadequacies and deficiencies and harm that bill has done.

When it comes to reauthorization of the ESEA, we cannot allow for an overly prescriptive No Child Left Behind bill. We cannot afford to go back to that era. We must change. However, we cannot allow the pendulum to swing so far that we abdicate our responsibility to make sure every student—to make sure the students in that other America are being served by a quality school.

It is not overly prescriptive to ask schools that are failing to graduate a large share of their students to do something differently. It is not overly prescriptive to ask schools—these 6 percent of our schools that are dropout factories in our Nation—to make changes to honor the children, their beauty, their dignity, and their potential. And it is certainly not asking too much that we who are putting hundreds of millions of dollars from the Federal Government into a system—that there is some accountability for these dropout factors.

This body should be a steward of taxpayer dollars. Congress has a role when it comes to the investments we make in housing, when it comes to the investments we make in infrastructure, and when it comes to defense dollars, to make sure these dollars are serving the purpose to which they are extended—to make sure these investments produce returns for taxpayers. Today, the Federal Government and this body still have that critical role to play when it comes to making sure all American children have access to a quality education.

The status quo is unacceptable. Too many of our children are still stuck in failing schools—schools that are so bad that they put thousands of children into that world where they do not have a chance at a college education or even getting a high school degree. The students succeeding in our country's quality schools will have the opportunity to become the next generation of teachers, mayors, police, firefighters, doctors, and Senators. They will lead the globe. This is what I am proud of as an American. The students in our country's failing schools deserve to have that same opportunity.

I know this from traveling our country and traveling our State: that prodigy isn't bounded by geography and that genius is equally distributed in our country. Talent is as concentrated in one ZIP Code as it is in another. There are as many geniuses in Camden as there are in Princeton. The next Einstein or Gates or Hemingway is as likely to be growing up in Newark as they are in the Upper East Side of Manhattan. I have seen schools flourish in poor neighborhoods. I have seen great schools meet incredible challenges and succeed in educating our kids. We know it is possible, and we should expect better than we are seeing now.

Our moral test is whether we will be able to attain success everywhere it might be found, whether we will be able to nurture the genius in all of our kids. We owe it to every child in America to ensure that every door is open for them to demand better. We need to demand better for our kids. We need to keep them front and center as we consider this bill on the floor.

I want to conclude by saying that we cannot succeed as a nation, in an increasingly global competitive environment, if we leave genius on the sidelines. Our educational determination to help those children is not simply about them, it is about us. It is about whether we will get the full bounty of the strength and potential of our Nation or if we will cast many aside into those dark places, into that other America.

We cannot now be damned by the self-defeating stakes of low expectations for ourselves and all of our children. Kids who languish in this other America because of a lack of compassion and support and investment cannot afford to have less accountability for their success.

I know as we debate this bill there will be resistance to the idea that those failing most, those stuck in dropout factories, those in the other America don't deserve levels of accountability. But I know that if we focus on those children, to keep them at the center of our thoughts, as was done by President Johnson when this bill originated, I know we can be the America we want to be, a nation that when our children put their hands on their hearts and say those words, ''liberty and justice for all,'' that they are real, indeed, for all children.

The PRESIDING OFFICER. The Senator from Tennessee.

AMENDMENT NO. 2089

(Purpose: In the nature of a substitute)

Mr. ALEXANDER. Mr. President, I call up the Alexander-Murray substitute amendment No. 2089.

The PRESIDING OFFICER. The clerk will report the amendment.

The bill clerk read as follows:

The Senator from Tennessee [Mr. ALEXANDER] proposes an amendment numbered 2089.

Mr. ALEXANDER. I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

(The amendment is printed in today's RECORD under ''Text of Amendments.'')

The PRESIDING OFFICER. The majority whip.

WORK IN THE SENATE AND NUCLEAR AGREEMENT WITH IRAN

Mr. CORNYN. Mr. President, last week I had a chance to travel the State of Texas. Of course, the Presiding Officer can imagine, I had a chance to move around the State to listen to what people were saying and, frankly, to tell them what it is we have done on their behalf in the Senate so far this year. By and large, I heard that folks are happy to see the Senate back to work, under new management, and getting things done that they elected us to do.

I spent a good amount of time out in West Texas and in the panhandle and had a chance to speak to a number of farmers and ranchers in that part of the State. They are, frankly, very pleased to hear that they will soon have access to new markets in Asia now that the trade promotion authority bill has been passed and is the law of the land, and we are currently in the final stages of negotiating the Trans-Pacific Partnership.

The trade promotion authority, of course, passed last month and was

signed by the President, and it represents a true bipartisan accomplishment between Congress and the President. While it is true that I disagree with the President more often than I agree with him, in this case we can both agree that opening new markets for our farmers, ranchers, and our small business people is good for our States and good for the country.

Getting Texas beef, cattle, cotton, and other goods to new markets translates into better jobs, better wages, and a better economic climate for hard-working Texans. But of course passing the trade promotion authority legislation is just one example of what this Chamber has accomplished so far this year. Under new leadership, the Senate has made tremendous progress from what this Senate used to be. We have seen the return to regular order, functioning as a deliberate body that considers a wide range of legislation to benefit the everyday lives of the American people.

I think pointing out that we voted on more than 130 amendments, compared to just the 15 that were voted on last year, is a great indicator that this Chamber is actually back working the way it should. The good news is, whether you are in the majority or the minority, everyone is getting a chance to participate in this process, and regular voting on amendments brought by any of our Members is now typical and not the exception to the rule.

I mention we passed the trade legislation, but overall the Senate has passed more than 40 bipartisan bills. We have seen 22 of those already signed into law by President Obama. So the American people let their voices be heard last November 4. They sent us here to do their work. This week, we will take up another important piece of legislation. We will take up an education bill that will ultimately give school districts in Texas and across the country more flexibility and more power to make the best choices for their students.

I know the HELP Committee—the Health, Education, Labor and Pensions Committee—the committee of jurisdiction in education matters, has worked hard under the leadership of Chairman ALEXANDER and Ranking Member MURRAY. They brought this bill to the floor with a unanimous vote in the committee. So I and others look forward to an open amendment process and a vigorous debate over our Nation's education priorities and the important role the States play and local control plays in making sure all students have access to educational opportunities.

Later this week, we will likely have a chance to reconcile the language between the House and the Senate version of the Defense authorization bill, a bill that will help equip our Armed Forces with the resources and give them the authorities they need to keep our country safe. Of course, the Senate will also continue discussions on how to responsibly address the challenges facing the highway trust fund and find a way forward for our transportation networks.

I remain optimistic that this Chamber can ultimately take up appropriations bills that are needed to fund our troops on the battlefield and care for our veterans upon their return. Last month, our Democratic friends laid out a strategy, something they called the filibuster summer, saying unless they get 100 percent of what they want, that they are not going to allow the Senate to proceed to consider these appropriations bills.

Well, I would like to just remind them there is a lot of work we have to do that needs to be done, and if we could just get back in the spirit of this bipartisan cooperation, everybody can let their voice be heard and their vote will count, but pure partisanship will not get the job done. The many Texans I spoke to back home want this spirit of diligent, focused work to continue. They certainly want to see us provide the resources to our troops that they need to carry out their mission. So while we have a strong track record so far in the 114th Congress, we still have a lot of work to do. I hope my friends across the aisle will continue to work with us on behalf of the people who sent us here.

Separately, I know my colleagues and I are anxiously awaiting the news of the final outcome of Secretary Kerry's ongoing negotiations regarding Iran and its nuclear aspirations. As we all know, earlier this year, Congress passed the Iran Nuclear Agreement Review Act, which guarantees that Congress, on behalf of the American people, will have time to study, scrutinize, debate, and then ultimately vote on whether we approve or disapprove of the negotiated deal between Secretary Kerry and the administration and Tehran.

If the President reaches a deal with Iran by Thursday, then Congress will have up to 30 days to review it and then to vote on whether to approve it. As I have said all along, I have grave concerns about how the President has been negotiating with one of our foremost adversaries, a country that constantly threatens the American people and our allies and has done nothing to garner our trust or respect.

The broad outlines of the deal—of the potential deal—we have seen reported in the press don't look particularly promising. It seems to get actually worse by the day. So I strongly encourage the President and Secretary Kerry to remember that if you want a deal badly enough, that is exactly what you are going to get is a bad deal. So ''any deal at any cost'' is not the mantra of the American people who are understandably very wary of any agreement with Iran.

But, fortunately, the Senate has proved we will not stand by and watch the President as he makes far-reaching agreements without the consent of the American people through their elected representatives. So I look forward to working with my colleagues to give very careful scrutiny, certainly the sort of scrutiny this proposed deal deserves, to make sure our country's best interests are protected. If this deal does not protect our national security and the security of the region and our allies, Congress may have no other choice than to vote it down by passing a resolution of disapproval.

I yield the floor.

The PRESIDING OFFICER (Ms. AYOTTE). The Senator from Virginia.

Mr. WARNER. Madam President, I rise to speak in support of an amendment I have filed to the Every Child Achieves Act that will be brought up, I believe, later today. In the spirit of my friend the Senator from Texas I am glad he has joined me on this amendment. I know as we get into this terribly important education bill, I want to commend Senator ALEXANDER, Senator MURRAY for their leadership in bringing it to the floor and trying to wrestle through the right balance of between Federal, State, and local partnerships in education. I look forward to being a part of that debate.

While we will spend hours on the floor of the Senate debating issues around accountability and assessment, terribly important issues, there is one issue I believe all of us in this body can agree upon, to make certain we ensure that all dollars that are spent on education are spent appropriately and in an efficient way and that most of those dollars end up in the classroom.

This was a conversation I started when I was Governor of Virginia. When I looked around at the Commonwealth of Virginia, where we spend close to $9 billion a year on public education, I realized that many of the same debates we are having in the Chamber we were having in Virginia at that time. But again, one area where there was complete agreement was to make sure those dollars spent on education were spent efficiently.

Too often school divisions, quite honestly, didn't know how to spend using best practices in terms of bus routes, energy usage, back-office staffing. How do you make sure you can take best practices around—I mentioned this was being done in Virginia, from around the State—and make sure those dollars were better spent, more efficiently, in the classroom.

Well, we looked around the country and we actually found a program in Texas—again, why I am so grateful my friend the Senator from Texas, Mr. CORNYN, has joined me on this amendment. We put in place a program to bring better accountability to our school divisions.

As I mentioned, too many school divisions don't have the ability to assess whether they are spending operational funds in the smartest way. My amendment helps school districts figure out how to be thoughtful about their operations budget, which again allows them to put more money back into their

classrooms. I mentioned this was an initiative I started as Governor back in 2003 in Virginia.

I mentioned as well that Virginia was spending a combined $9 billion in local, State, and Federal support for public schools. I felt it was very important we make sure that as much of those resources were spent in classroom instruction and not in back-office administrative functions. So, in Virginia, we asked our Department of Planning and Budget to design a school efficiency review program. Our public school divisions actually volunteered—a local school superintendent actually volunteered to work with the State Department of Education. It took some level of trust, but they volunteered to undergo a review of their noninstructional functions, things like human resources, purchasing, facilities, transportation, and food service.

So we launched this program, and over a decade reviews have been conducted in 41 localities around the Commonwealth, in rural, suburban, and urban districts. Over the course of the history of this program, Virginia's program has identified $45 million in annual potential savings. In Virginia, each review cost an average of about $110,000 and produced an average annual savings of $1.1 million, a return in investment of nearly 9-to-1, a return that allowed these dollars to be more valuably spent on instruction.

These reviews recommend commonsense steps: software programs to improve bus transportation routes, enterprise-wide facilities management, best practices in purchasing and personnel, and smart, responsible steps to conserve limited resources and direct those savings into the classroom.

As I mentioned, we initially borrowed this concept from Texas. Since that time, additional States, including Oklahoma, Minnesota, New York, Kansas, and Arizona, have implemented similar programs.

This commonsense best practice should be available to school districts nationwide. That is why I am proud, along with Senator CORNYN, to offer an amendment that will allow States to use their title IX consolidated administrative funds to pay for fiscal support teams. This proposal will empower localities with the information they need to better allocate limited resources so they get a maximum impact in the classroom. I encourage my colleagues on both sides of the aisle to support it. I believe this amendment will be brought up later by either Senator MURRAY or Senator ALEXANDER, and I look forward to its consideration tomorrow.

I yield the floor.

Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Ms. WARREN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

(The remarks of Ms. WARREN pertaining to the introduction of S. 1709 are printed in today's RECORD under ''Statements of Introduced Bills and Joint Resolutions.'')

Ms. WARREN. I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. HATCH. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HATCH. Madam President, I rise today as the Senate begins its consideration of the Every Child Achieves Act under the leadership of Chairman ALEXANDER and Ranking Member MURRAY—two great leaders who have done a great job on this bill. The HELP Committee, under their leadership, has produced a truly bipartisan effort to find solutions to the seemingly intractable problems facing our educational system. I commend our distinguished chairman and ranking member for their leadership and their commitment to prioritizing concrete results over partisan grandstanding.

While the nature of compromise means that this bill may not be perfect in each Senator's eyes, it represents an opportunity for meaningful reform for America's schools, and I urge my colleagues to support its swift passage.

Ensuring that every child has access to a high-quality education is a top priority shared by all Republicans and Democrats alike. In 2001, I joined 86 of my colleagues in supporting No Child Left Behind to address the shortcomings of our educational system. Despite the best of intentions, No Child Left Behind fell short of true success. Its testing requirements hamper learning by compelling students to take test after test to satisfy the law's various requirements. Its focus on metrics incentivizes schools to report higher graduation rates even if that means pushing out failing students unprepared for the working world. Because of these and other unintended consequences, of course, the current law is in desperate need of reform.

With the Every Child Achieves Act, Congress now has an opportunity to correct the shortcomings of No Child Left Behind. Instead of setting artificial and unattainable requirements, the new legislation allows States to set their own standards for success. It defers to local leaders to formulate goals that are realistic and effective for their districts. It puts parents and teachers in the driver's seat, not Washington bureaucrats.

For years, States have sought relief from burdensome Federal mandates in education, and many States find themselves in untenable positions thanks to Federal law. For example, my home State of Utah has struggled in the past few years with an impossible decision—either ask for a continuation of Department of Education waiver mandates or fall back on unattainable No Child Left Behind requirements and risk losing crucial Federal funding all together.

Under this new bill, States will continue to develop their own standards and will establish their own accountability systems linked to these standards. States will also be able to say what they want their accountability systems to measure and will be able to determine how well their students are doing based on a variety of important metrics. Maintaining the Federal requirement for statewide annual testing is necessary to ensure transparency on school performance and to set a bar by which States can measure themselves in a comparable fashion.

My colleagues and I were able to make significant improvements to this legislation through the committee and the committee's process. I was especially pleased to see two amendments I care deeply about adopted by voice vote during the committee markup: the Innovative Technology Expands Children's Horizons—or I-TECH—Program and the Education Innovation and Research Program.

Senator BALDWIN and I worked closely to develop I-TECH to ensure that technology in the classroom is coupled with teacher support to give students access to a wide range of personalized learning opportunities. By intertwining technology and traditional teaching methods, we can tailor each student's educational journey to his or her individual needs and learning style to boost achievement.

With the Education Innovation and Research Program, Senator BENNET and I created a flexible funding stream that would allow schools, districts, nonprofits, and small businesses to develop proposals based on the specific needs of students and the community. Funding for that program will be awarded based on an initial evidence-based proposal, with continued funding tied to demonstrated successful outcomes flowing from the project. It is time we start looking at new ways of investing in education, much like we do in other realms. Money should not be tied to what the U.S. Senate or the Federal Department of Education thinks is a good prescriptive idea. It should be tied to local innovation and clear outcomes.

Senator BENNET and I have expounded on that idea by pushing for Pay for Success Initiatives in the underlying bill, as well as in the amendment process on the floor. Pay for Success allows the government to pay only for programs that actually achieve meaningful results. I have offered an amendment to allow funding from the early childhood program to be used in this manner.

My home State of Utah has the first-ever Pay for Success Program designed to expand access to early childhood

education for at-risk children. The Utah High Quality Preschool Program delivers a high-impact, targeted curriculum that increases school readiness and academic performance among 3- and 4-year-olds. As children enter kindergarten better prepared, fewer students will need to use special education and remedial services in kindergarten through 12th grade, allowing schools and States to save money. We should build on this success and empower other States to do the same.

In addition to these cost-saving programs, technology will also improve the quality of education in our country, but advancements in technology must come side-by-side with a conversation on how best to protect our children's privacy. Education technology is a multibillion dollar industry, and it is important to balance the needs for innovation and expansion in schools with reasonable privacy safeguards.

To that end, I joined with the senior Senator from Massachusetts in filing an amendment to this legislation to create a structured commission to study important aspects of the convoluted world of student privacy. The primary law governing this realm—the Family Educational Rights and Privacy Act—was last updated in 2001. Since Congress last acted in this area, there have been significant changes in the way student information is stored and how outside parties use that information. These changes have led to the introduction of numerous proposals to update this outdated law.

The amendment Senator MARKEY and I have introduced strengthens student privacy by requiring a commission to report to Congress on the current mechanisms for transparency, parental involvement, research usage, and third-party vendor usage of student information. The Commission will also be tasked with providing suggestions for improvement. This process will allow privacy experts, parents, school leaders, and the technology industry to provide us with a clear consensus on how best to protect personal data while not hampering development in schools or access to the important data we garner from aggregated student information.

In addition to protecting student privacy, I have introduced another amendment crucial to ensuring success in all schools nationwide. The Every Child Achieves Act asks States to identify low-performing schools and to allow localities to intervene in these schools. One of the greatest tools Congress could give localities in this process would be the power to renegotiate contracts and to reallocate money and policies in more effective ways. Under my amendment, many failing schools would be permitted to ask relief from contracts from vendors and unions, among others. These schools would also be able to renegotiate the terms of these contracts.

Currently, school funding is trapped in a cobweb of unwieldy and complicated vendor contracts and collective bargaining agreements. Old, automatically renewing contracts with janitorial services, transportation vendors, teachers unions, and testing companies represent massive locked-in expenditures. Education leaders need flexibility to enable failing schools to get a fresh start—the same opportunity available to successful charter and private schools. Right now, local leaders' budgets and staffing decisions are largely shaped by forces beyond their control. My amendment will encourage more commonsense change from the Federal level to empower localities to act in the best interest of the students they serve.

The bill we are now considering will make significant improvements to the quality of education in this country and the ability of our students to compete in a global economy once they enter the workforce. I strongly urge my colleagues to support these efforts, and I again express my congratulations and my support to the distinguished chairman and ranking member on this committee, Senator ALEXANDER and Senator MURRAY, who have done a really good job in the best interests of children all over this society.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Madam President, I thank the Senator from Utah for his remarks and his contribution to the committee's legislation. He is a former chairman of the Senate's education committee—we call it the Health, Education, Labor and Pensions Committee—and his contributions in this legislation on early childhood education and other matters are awfully important, and I thank him for his work.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. REED. Madam President, let me just state that this legislation before us is of vital national importance, and I would like to commend Chairman ALEXANDER and Senator MURRAY for their commitment to an open and inclusive debate. They and their staffs have been unfailingly responsive, helpful, and thoughtful throughout the process. I was a long-standing member of the education committee, having served on the Education and Labor Committee in the other body, and on the Health, Education, Labor and Pensions Committee for 14 years in this body. And I have had the privilege of working with my colleagues over the last two reauthorizations of the Elementary and Secondary Education Act.

So, again, I must commend Senators ALEXANDER and MURRAY for the extraordinary work they have done and also my colleague Senator WHITEHOUSE, who has been a major contributor to this effort. I am hopeful and confident, because of the leadership of Senators ALEXANDER and MURRAY, that we will reach a strong bipartisan outcome on this very important piece of legislation.

I appreciate the opportunity to continue to work with the committee on issues that are very important. The fair and equitable access to the core resources for learning, access to effective school library programs, professional development for teachers and principals, family engagement, and environmental education are all topics I think are critical, and I am very appreciative my colleagues also thought they were important and gave them very thorough and very fair consideration.

I am convinced, if you provide the resources, if you support teachers and principals and you engage families, students will thrive. This legislation reflects that perspective, and I appreciate that very much.

Our challenges and our responsibilities are to create and support learning environments that enable young people to hone their talents, discover their skills, and pursue their passions. In some respects, education is about finding a child's talent—letting them find their talent. If you do that, then stand back, they will do wonderful things for themselves, their communities, and this Nation.

In fact, our Nation is very much dependent upon education to achieve our noblest ideals. As we create educational opportunities for all, we fulfill the basic aspiration of this country. While we know we still have work to do, I am very pleased at the work that has been done so far by the committee.

We are closing the gaps in high school graduation between minority and other students—majority students—but college education gaps are widening, and that is something that must be addressed. The debate we begin today is vital because the Elementary and Secondary Education Act is not just about elementary schools and high schools, it is about preparing young people for what comes next—for college, postsecondary education, for careers, and for contributions to their communities. We have to start at the beginning to get it right in the middle and in the end. Again, Senators ALEXANDER and MURRAY have brought this perspective, this bipartisan approach, and I commend them for it.

This bill is an improvement over current law. The Every Child Achieves Act maintains the critical transparency and high expectations for all students that were the hallmarks of the No Child Left Behind Act. It does so while updating the parts of the law that have become unworkable and counterproductive, such as the overly prescriptive approach to school improvement and corrective action.

I am pleased the Every Child Achieves Act continues Federal support in key areas for building strong and successful schools, including investments in literacy and school library programs, for professional development to strengthen educator effectiveness, and family engagement in education. From the beginning, access

to effective school library programs was a critical part of the Elementary and Secondary Education Act. The results from a recent National Center for Education Statistics survey shows there are still gaps in access to school libraries.

Effective school library programs are essential supports for educational success. Multiple education and literacy studies have produced clear evidence that school libraries staffed by qualified librarians have a positive impact on student achievement.

Now, Senator COCHRAN and I introduced the Strengthening Kids' Interest in Learning and Libraries—SKILLS—Act to ensure that school libraries continue to be a part of the Elementary and Secondary Education Act. The Every Child Achieves Act recognizes this need by including an authorization to provide funds to high-need school districts to support effective school library programs.

Soon we will be voting on an amendment that Senator COCHRAN and I are offering to further integrate school library programs into the core Elementary and Secondary Education Act formula grant programs. I encourage all our colleagues to vote yes on this bipartisan amendment that will support student learning.

I am also pleased that the Every Child Achieves Act recognizes the importance of ensuring that disadvantaged children have access to books in their homes from a very early age. Literacy skills are the foundation for success in school and in life. Developing and building these skills begins at home, with parents as the first teachers.

Senator GRASSLEY and I introduced the Prescribe A Book Act to help address this issue, and the Every Child Achieves Act includes some key provisions from this legislation.

We also know teachers and principals are two of the most important in-school factors related to school achievement. It is essential that teachers, principals, and other educators have a comprehensive system that supports their professional growth and development starting on day one and continuing throughout their careers.

Senator CASEY and I introduced the Better Education Support and Training Act to create such a system. Once again, I am extraordinarily pleased that the Every Child Achieves Act includes many of the provisions of that legislation, particularly the focus on equitable access to experienced and effective educators.

I remain concerned, however, that the failure to define an ''inexperienced teacher'' will mask inequities and will limit the usefulness of the reporting for parents and communities. I hope we can clarify this issue as we proceed forward.

Family engagement is another critical area this bill addresses. I hope we will be able to strengthen these provisions by increasing the resources that school districts dedicate to meaningful, evidence-based family engagement activities and by providing a statewide system of technical assistance that supports these efforts.

I have been working with Senators COONS and BENNET on amendments that make these additions to the bill based on the Family Engagement and Education Act that I introduced with Senators COONS and WHITEHOUSE in the past two Congresses.

Most fundamental to the question of whether we move closer to achieving our ideals for educational equity and excellence is resources. The grand bargain of the No Child Left Behind Act was greater accountability coupled with greater resources. We have fallen short on accountability for resources. The authorized level for title I for fiscal year 2007 was $25 billion. That is in the No Child Left Behind Act. Today, we are nowhere near that level—at only $14.4 billion.

We need to be just as concerned about opportunity gaps as we are about achievement gaps, and that is why the first bill I introduced this Congress was the Core Opportunity Resources for Equity and Excellence—CORE—Act to establish an accountability mechanism for resource equity. We must look to hold our educational system accountable for both results and for resources.

The Every Child Achieves Act includes some of what I proposed in the CORE Act by bringing some long-overdue transparency to resource equity, requiring States to report on key measures of school quality beyond student achievement on statewide assessments, including student access to experienced and effective educators, access to rigorous and advanced course work, availability of career and technical educational opportunities, and safe and healthy school learning environments.

However, transparency alone is not enough. I am pleased to be working with Senators KIRK, BALDWIN, and BROWN on the opportunity dashboard of core resources amendment, which will add further provisions from the CORE Act; namely, some accountability for action on disparities in access to critical educational resources.

With more than one in five school-aged children living in families in poverty and roughly half of our public school students eligible for free or reduced-price lunches, we cannot afford nor should we tolerate a public education system that fails to provide resources and opportunities for the children who need them the most.

Again, I thank Chairman ALEXANDER and Senator MURRAY for bringing this bill before us so thoughtfully, so carefully, and with so much effort and expertise, and their staffs also. I hope we can work together on this amendment to improve an already excellent bill.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Madam President, I simply wish to acknowledge the contributions of the Senator from Rhode Island. He may not officially be on the committee, but he stays actively interested in all of the education issues. He has made important contributions to the pending legislation in support of libraries, and we are working with him on a number of matters, including risk sharing and higher education. So I thank the Senator from Rhode Island for his leadership and his continued interest in better schools and better colleges and universities.

The PRESIDING OFFICER. The Senator from Pennsylvania.

PROTECTING STUDENTS FROM SEXUAL AND VIOLENT PREDATORS ACT

Mr. TOOMEY. Madam President, I rise to speak on S. 474, the Protecting Students from Sexual and Violent Predators Act.

This is a bipartisan bill that Senator JOE MANCHIN and I introduced some time ago. We have been working on this for a while now, and we intend to offer this legislation as an amendment to the pending legislation, the reauthorization of the Elementary and Secondary Education Act.

This is a commonsense bill, designed simply to protect children from child molesters and predators—predators who infiltrate our schools because they know that is where the kids are.

The vast overwhelming majority of school employees, we all know, are people who care very much about kids. It would never occur to them in a million years to do anything to harm the children in their care. But the fact is there are pedophiles in our society—there are predators in our society—and they do in fact look to find opportunities where they will find their prey. So we need protections against these people as they try to infiltrate our schools. These are protections I have been fighting for, for some time now, and I am not going to stop until we get this done.

There are lots of reasons to have this fight. For me, as for so many people, it is personal. I have three young children. They are 15, 13, and 5 years old. When I send my kids to school in the morning and watch my children get on the schoolbus, I have every right to know I am sending my children somewhere where they can be safe, where they can be cared for, where they can be in the safest possible environment, and every other parent deserves that too—every parent across Pennsylvania, every parent across America.

Unfortunately, too many children and too many families have discovered this is not always the case. The horrific story which brought my attention to this cause and my passion for this was the story about a little boy named Jeremy Bell.

The story begins in Delaware County, Pennsylvania. One of the schoolteachers was molesting boys. He was a serial pedophile. He raped a boy. The school officials discovered what was going on. They brought it to the attention of law enforcement, but law enforcement authorities never had

enough strong evidence to make a successful criminal case. The school decided they would dismiss the teacher for sexually abusing students. But, appallingly, the school also helped this teacher get a new job in West Virginia, where he became a teacher, in part because he got a letter of recommendation from the school that knew he was preying on their students. But they wanted him to be someone else's problem, so they gave him a letter of recommendation.

He went to a new school in a nearby State. Eventually, he became a principal. Along the way, of course, he continued his ways, culminating in the rape and murder of a 12-year-old boy named Jeremy Bell. Justice did finally catch up with that monster. He is now in jail serving a life sentence for the murder of Jeremy Bell, but for Jeremy Bell that justice came too late.

We would like to think this is a bizarre and isolated event that could never happen again. Unfortunately, that is not the case. Last year alone, there were 459 school employees arrested across America for sexual misconduct with the children they are supposed to be taking care of—459—and those were the ones where there was enough of a case that the arrest was actually made. It is more than one per day. Twenty-six of them were in my State of Pennsylvania.

Sadly, we are halfway through 2015 now, and we are doing even worse. In the first half of 2015, there have been 265 such arrests. We are on pace to have well over 500 school employees across America arrested for sexual misconduct with the children they are supposed to be taking care of.

Every single one of these stories has a terrible tragedy at the center: a little girl whose sexual abuse began at age 10 and only ended when at 17 years old she found herself pregnant with the teacher's child, a teacher's aide who raped a young, mentally disabled boy in his care, a kindergarten teacher who kept a child in during recess, then forced her to perform sexual acts on him.

This is hard stuff to talk about, but that doesn't make it go away. I think we need to confront it, and the cases are too many to ignore.

Senator MANCHIN and I decided it is time for Congress to act, to do something to make it more difficult for these predators to carry out these appalling acts, so we introduced the Protecting Students Act. It has two important goals, two protections, designed to prevent convicted sex offenders from infiltrating our country's schools. The first is a standard background check process that will catch those who have been convicted. The second feature in our legislation would end this terrible practice we saw in the Jeremy Bell case—the practice of a school knowingly helping a child molester find employment in a new school, a practice called passing the trash.

Now, both of these provisions, both of these ideas have very broad bipartisan support. The House of Representatives unanimously passed a bill including both protections last Congress, and just last fall Congress voted 523 to 1—both Houses combined voted unanimously, with only one dissenting voice—for even more expansive background check language enacted in the Child Care Development Block Grant that we all voted for, 523 to 1.

In addition, Senator MANCHIN's and my legislation, the Protecting Students Act, has been endorsed by numerous organizations in various categories.

First, child protection groups: National Children's Alliance, which oversees the Nation's Children's Advocacy Centers, the National Center for Missing and Exploited Children, the Pennsylvania Coalition Against Rape, the Children's Defense Fund, the Pennsylvania Partnerships for Children. Law enforcement organizations overwhelmingly support our legislation: the National Association of Police Organizations, the Federal Law Enforcement Officers Association. Prosecutors support Senator MANCHIN's and my bill. The Association of Prosecuting Attorneys and the National District Attorneys Association have both endorsed the bill. The medical professionals at the American Academy of Pediatrics and the Pennsylvania School Board Association, they all have endorsed this legislation, and they have said it has two essential features, two ways in which we would be protecting our kids.

The first is the criminal background check. Let me be clear. Every State in the Union performs some kind of background check already. That is true. That is a fact. The problem is that many of them are woefully inadequate. For instance, several States fail to check all the school workers. They check teachers, for instance, but not nonteachers, and others will check certain criminal databases, but they won't check others, and so they miss convictions.

Our legislation, Protecting Students Act, requires that if a school wants to accept Federal funds, it has to perform background checks on all adult workers who have unsupervised access to children. That would be both new hires and existing employees.

Many States have only recently adopted background check policies. Many employees were hired before they put the background check policies in place, so many of these employees were never subject to a background check.

Consider the case of 64-year-old William Vahey, who taught for decades across America and across the globe at some of the world's most elite schools. He would give his young students Oreo cookies laced with narcotics. While the boys slept, the teacher molested them and photographed them. Scores of children were sexually abused. This teacher had been convicted for sexual abuse of children in California when he was in his twenties, but he was hired before many States had background check requirements, and therefore he was grandfathered into the system. The Protecting Students Act ensures that convicted sex offenders like William Vahey will be discovered and they will not be hired.

It also would include contractors. There are 12 States that don't require background checks for contractors at all. This fact recently gave Montana parents a rude awakening.

An audit of Montana's busdrivers found that 123 drivers had criminal histories, including 1 driver whose conviction landed him on the Sexual and Violent Offender Registry and 1 with an outstanding arrest warrant.

Running checks is really only helpful if the checks are thorough enough to find all convictions. So our legislation would require the four major databases to be checked: the FBI fingerprint check in the National Crime Information Center database, the National Sex Offender Registry, the State criminal registry, and State child abuse and neglect registries. These background check requirements constitute the first part of our bill. As I said, this was passed unanimously in the House. I wouldn't think this would be controversial.

The second part of our bill is equally important, and that is the part which precludes passing the trash. It addresses the terrible acts that led to and made it possible for little Jeremy Bell to be raped and murdered. What this provision says is that if a school wishes to receive Federal funds, the school may not knowingly help a child molester obtain a new teaching job. I would think this would not be controversial. The practice, as I alluded to before, has become so common, sadly, that it has its own moniker. It is called passing the trash. It has become all too prevalent.

I see that the Senator from Tennessee would like to address the body.

Mr. ALEXANDER. Will the Senator yield——

Mr. TOOMEY. I will.

Mr. ALEXANDER. For the purpose of allowing me consent to take up several amendments, including Senator TOOMEY's amendment, which he has worked on so hard for a long period of time and he and I have discussed? This will take about 60 seconds, if he permits this. Senator MURRAY is here.

I thank the Senator for his indulgence.

I ask unanimous consent that the following amendments be offered by the two bill managers or their designees in the following order: Fischer, No. 2079; Peters, No. 2095; Rounds, No. 2078; Reed, No. 2085; and Warner, No. 2086.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

AMENDMENT NO. 2079 TO AMENDMENT NO. 2089

Mr. ALEXANDER. On behalf of Senator FISCHER, I call up amendment No. 2079 and ask unanimous consent that it be reported by number.

The PRESIDING OFFICER. Without objection, the clerk shall report the amendment by number.

The senior assistant legislative clerk read as follows:

The Senator from Tennessee [Mr. ALEXANDER], for Mrs. FISCHER, proposes an amendment numbered 2079 to amendment No. 2089.

The amendment is as follows:

(Purpose: To ensure local governance of education)

On page 800, between lines 17 and 18, insert the following:

SEC. 9115A. LOCAL GOVERNANCE.

Subpart 2 of part F of title IX (20 U.S.C. 7901 et seq.), as amended by sections 4001(3), 9114, and 9115, and redesignated by section 9106(1), is further amended by adding at the end the following:

"SEC. 9540. LOCAL GOVERNANCE.

''(a) RULE OF CONSTRUCTION.—Nothing in this Act shall be construed to allow the Secretary to—

''(1) exercise any governance or authority over school administration, including the development and expenditure of school budgets, unless otherwise authorized under this Act;

''(2) issue any regulation without first complying with the rulemaking requirements of section 553 of title 5, United States Code; or

''(3) issue any non-regulatory guidance without first, to the extent feasible, considering input from stakeholders.

''(b) AUTHORITY UNDER OTHER LAW.—Nothing in subsection (a) shall be construed to affect any authority the Secretary has under any other Federal law.''.

The PRESIDING OFFICER. The Senator from Washington.

AMENDMENT NO. 2095 TO AMENDMENT NO. 2089

Mrs. MURRAY. On behalf of Senator PETERS, I call up amendment No. 2095 and ask unanimous consent that it be reported by number.

The PRESIDING OFFICER. Without objection, the clerk shall report the amendment by number.

The senior assistant legislative clerk read as follows:

The Senator from Washington [Mrs. MURRAY], for Mr. PETERS, proposes an amendment numbered 2095 to amendment No. 2089.

The amendment is as follows:

(Purpose: To allow local educational agencies to use parent and family engagement funds for financial literacy activities)

On page 172, line 25, insert ''financial literacy activities and'' before ''adult education''.

AMENDMENT NO. 2078 TO AMENDMENT NO. 2089

Mr. ALEXANDER. On behalf of Senator ROUNDS, I call up amendment No. 2078 and ask unanimous consent that it be reported by number.

The PRESIDING OFFICER. Without objection, the clerk shall report the amendment by number.

The senior assistant legislative clerk read as follows:

The Senator from Tennessee [Mr. ALEXANDER], for Mr. ROUNDS, proposes an amendment numbered 2078 to amendment No. 2089.

The amendment is as follows:

(Purpose: To require the Secretary of Education and the Secretary of the Interior to conduct a study regarding elementary and secondary education in rural or poverty areas of Indian country)

On page 723, after line 23, insert the following:

SEC. 7006. REPORT ON ELEMENTARY AND SECONDARY EDUCATION IN RURAL OR POVERTY AREAS OF INDIAN COUNTRY.

(a) IN GENERAL.—By not later than 90 days after the date of enactment of this Act, the Secretary of Education, in collaboration with the Secretary of the Interior, shall conduct a study regarding elementary and secondary education in rural or poverty areas of Indian country.

(b) REPORT.—By not later than 270 days after the date of enactment of this Act, the Secretary of Education, in collaboration with the Secretary of the Interior, shall prepare and submit to Congress a report on the study described in subsection (a) that—

(1) includes the findings of the study;

(2) identifies barriers to autonomy that Indian tribes have within elementary schools and secondary schools funded or operated by the Bureau of Indian Education;

(3) identifies recruitment and retention options for highly effective teachers and school administrators for elementary school and secondary schools in rural or poverty areas of Indian country;

(4) identifies the limitations in funding sources and flexibility for such schools; and

(5) provides strategies on how to increase high school graduation rates in such schools, in order to increase the high school graduation rate for students at such schools.

(c) DEFINITIONS.—In this section:

(1) ESEA DEFINITIONS.—The terms ''elementary school'', ''high school'', and ''secondary school'' shall have the meanings given the terms in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

(2) INDIAN COUNTRY.—The term ''Indian country'' has the meaning given the term in section 1151 of title 18, United States Code.

(3) INDIAN TRIBE.—The term ''Indian tribe'' has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b).

AMENDMENT NO. 2085 TO AMENDMENT NO. 2089

Mrs. MURRAY. On behalf of Senator REED, I call up amendment No. 2085 and ask unanimous consent that it be reported by number.

The PRESIDING OFFICER. Without objection, the clerk shall report the amendment by number.

The senior assistant legislative clerk read as follows:

The Senator from Washington [Mrs. MURRAY], for Mr. REED, proposes an amendment numbered 2085 to amendment No. 2089.

The amendment is as follows:

(Purpose: To amend the Elementary and Secondary Education Act of 1965 regarding school librarians and effective school library programs)

On page 69, after line 25, insert the following:

''(ii) assist local educational agencies in developing effective school library programs to provide students an opportunity to develop digital literacy skills and to help ensure that all students graduate from high school prepared for postsecondary education or the workforce without the need for remediation; and''.

On page 107, between lines 17 and 18, insert the following:

''(B) assist schools in developing effective school library programs to provide students an opportunity to develop digital literacy skills and to help ensure that all students graduate from high school prepared for postsecondary education or the workforce without the need for remediation; and''.

On page 282, strike lines 18 and 19 and insert the following:

''(xiii) Supporting the instructional services provided by effective school library programs.''.

On page 305, strike lines 14 and 15 and insert the following:

''(M) supporting the instructional services provided by effective school library programs;''.

On page 364, line 9, insert ''school librarians,'' after ''personnel,''.

On page 365, line 10, insert ''school librarians,'' after ''support personnel,''.

On page 771, lines 12 and 13, strike ''and speech language pathologists,'' and insert '', speech language pathologists, and school librarians''.

AMENDMENT NO. 2086 TO AMENDMENT NO. 2089

Mrs. MURRAY. On behalf of Senator WARNER, I call up amendment No. 2086 and ask unanimous consent that it be reported by number.

The PRESIDING OFFICER. Without objection, the clerk shall report the amendment by number.

The senior assistant legislative clerk read as follows:

The Senator from Washington [Mrs. MURRAY], for Mr. WARNER, proposes an amendment numbered 2086 to amendment No. 2089.

The amendment is as follows:

(Purpose: To enable the use of certain State and local administrative funds for fiscal support teams)

On page 772, after line 23, insert the following:

SEC. _____. CONSOLIDATION OF STATE ADMINISTRATIVE FUNDS FOR ELEMENTARY AND SECONDARY EDUCATION PROGRAMS.

Section 9201(b)(2) (20 U.S.C. 7821 (b)(2)) is amended—

(1) in subparagraph (G), by striking ''and'' after the semicolon;

(2) in subparagraph (H), by striking the period and inserting ''; and''; and

(3) by adding at the end the following:

''(I) implementation of fiscal support teams that provide technical fiscal support assistance, which shall include evaluating fiscal, administrative, and staffing functions, and any other key operational function.''.

SEC. _____. CONSOLIDATION OF FUNDS FOR LOCAL ADMINISTRATION.

Section 9203(d) (20 U.S.C. 7823(d)) is amended to read as follows:

''(d) USES OF ADMINISTRATIVE FUNDS.—

''(1) IN GENERAL.—A local educational agency that consolidates administrative funds under this section may use the consolidated funds for the administration of the programs and for uses, at the school district and school levels, comparable to those described in section 9201(b)(2).

''(2) FISCAL SUPPORT TEAMS.—A local educational agency that uses funds as described in 9201(b)(2)(I) may contribute State or local funds to expand the reach of such support without violating any supplement, not supplant requirement of any program contributing administrative funds.''.

Mr. ALEXANDER. I ask unanimous consent that it be in order for Senator TOOMEY to offer amendment No. 2094 to background checks during today's session of the Senate, with side-by-sides by each bill manager, if applicable, and that no second-degree amendments be in order to the Toomey or side-by-side amendments.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. ALEXANDER. Madam President, I thank the Chair and the Senator from Pennsylvania. I interrupted his remarks, but I thought it was important to make sure that the full Senate consented to an ability to deal with an issue he has worked on for so long.

I thank the Senator.

Mr. TOOMEY. Madam President, I am claiming my time. I want to thank Senator ALEXANDER for the sincere effort we have been engaged in for some time to find our common ground on this. I appreciate his constructive efforts. I know they are continuing, and I hope we will be able to reach an agreement on this. I thank the Senator.

PROTECTING STUDENTS FROM SEXUAL AND VIOLENT PREDATORS ACT

I was talking about the second part of our legislation. The first part is requiring background check standards that would actually work. The second part is a provision that would forbid this terrible practice known as passing the trash. When we hear the idea that a school, a principal, a superintendent or a school district would knowingly and willfully recommend for hire a known predator, it strikes us as so morally repulsive that we think this couldn't really seriously happen except in the most bizarre and unusual circumstances. I wish that were the case. It is not the case. The fact is it happens.

Let me give you an example. In February, WUSA News 9 reported some really shocking news on the public school system of Montgomery County, Maryland. Since 2011, 21 Montgomery County public school workers have been investigated for child sexual abuse or exploitation. The news station learned that the Montgomery County school system ''keeps a 'confidential database' of personnel who demonstrate 'inappropriate or suspicious behavior' toward children—a watch list of suspected abusers who are working in area schools.''

WUSA 9 learned that the school system has a record of passing the trash. For example, elementary school teacher Daniel Picca abused children for 17 years. The school system knew. What did they do? The teacher was punished. You know what his punishment was? It was to assign him to another school again and again—17 years of passing a known child molester from one elementary school to another.

This is appalling. This has to stop. It has to stop now. The Federal Government can play a role in stopping it. Frankly, only the Federal Government can play a role because sometimes the passing the trash occurs across State lines, as in the case of Jeremy Bell.

Or, for example, more recently, a Las Vegas, NV, kindergarten teacher was arrested for kidnapping a 16-year-old girl and infecting her with a sexually transmitted disease. That same teacher had molested six children, all fourth and fifth graders, several years before while working as a teacher in Los Angeles, CA. The Los Angeles school district knew about these allegations. In fact, in 2009 the school district recommended settling a lawsuit—a suit that alleged that the teacher had molested the children. The school district wanted to settle.

When this teacher came across the State lines to Nevada to work, the Nevada school district specifically asked if there had been any criminal concerns regarding the teacher. The Los Angeles school direct not only hid the truth, not only hid what they knew about this molester, but it provided three references for the teacher.

For those folks who suggest that States can solve this problem on their own, I have a question: What in the world can Nevada do about the behavior that is occurring in California? Since when can the laws of one State reach into and be enforced in another State?

I know the answer. It can't. It doesn't work. The only way to deal with this cross-border abuse, this horrendous abuse of kids, is with Federal legislation.

The Toomey-Manchin bill that we are going to be offering as an amendment to this underlying legislation has a simple proposition: If a school district wants to take Federal tax dollars, it can't use that money to hire convicted sexual offenders of kids.

Is that really unreasonable? Is that really too much to ask? To accomplish that, the school district has to perform a criminal background check on those workers who have unsupervised access to children. The school district must prevent passing the trash. That has to be illegal. It has to be illegal to knowingly and willfully recommend for hire a pedophile who is molesting children. There is no one who can stand here and tell me these protections against child sexual predators are not urgently needed—not when more than one person is being arrested every day across America for committing sexual crimes against children and the rate at which these people are being arrested is accelerating.

What is more urgent than that? The Protecting Students Act has overwhelming bipartisan support. As I said earlier, the House passed this legislation unanimously last Congress—unanimously. How many things can pass the House unanimously? This did. The entire Congress, the House and Senate together, adopted that virtually identical background check requirements be imposed for kids at daycares, younger children, by a vote of 523 to 1.

We have already vetted this. We have already been down this road. This body and the House have expressed their support for this. I would remind my colleagues that the Protecting Students Act has been endorsed by many, many groups. I rattled off several of them: Child protection groups, law enforcement groups, prosecutors, the medical professionals at the American Academy of Pediatrics, and the Pennsylvania School Board Association. The Toomey-Manchin proposal is the only proposal that is endorsed by these groups.

We know there are going to be alternatives. There are going to be side-by-sides. Those alternatives do not have the endorsements of these organizations, for reasons that we may need to elaborate on later.

Finally, there are 459 arrests—more than one a day. Every single one of those represents a tragedy—a childhood that has been shattered, a family that has been torn by grief, by self-blame, by betrayal. The numbers aren't staying the same. The numbers are growing. The problem is getting worse.

How many more arrests do we need before the Senate decides that it is time that we do our part to protect these kids? Children of America have waited long enough, and I say no more waiting—no more passing child molesters into new schools so they can find new victims, no more defenseless children such as Jeremy Bell falling victim to a known child predator, no more excuses for not enacting a bill that the House of Representatives has passed unanimously over a year ago.

I urge my colleagues to support the Protecting Students from Sexual and Violent Predators Act and to vote aye when I offer it as an amendment this week.

AMENDMENT NO. 2094 TO AMENDMENT NO. 2089

Madam President, I ask to set aside the pending amendment in order to call up amendment No. 2094.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Pennsylvania [Mr. TOOMEY] proposes an amendment numbered 2094 to amendment No. 2089.

Mr. TOOMEY. I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To protect our children from convicted pedophiles, child molesters, and other sex offenders infiltrating our schools and from schools ''passing the trash''—helping pedophiles obtain jobs at other schools)

At the end of title IX, add the following:

SEC. _____. PROTECTING CHILDREN FROM CHILDREN FROM CONVICTED PEDOPHILES, CHILD MOLESTERS, AND OTHER SEX OFFENDERS.

Title IX (20 U.S.C. 7801 et seq.), as amended by this title, is further amended by adding at the end the following:

''PART H—SCHOOL EMPLOYEE BACKGROUND CHECKS

''SEC. 9651. SHORT TITLE.

''This part may be cited as the 'Protecting Students from Sexual and Violent Predators Act'.

''SEC. 9652. DEFINITION OF SCHOOL EMPLOYEE.

''In this part, the term 'school employee' means—

''(1) a person who—

''(A) is an employee of, or is seeking employment with, an elementary school, secondary school, local educational agency, or State educational agency, that receives funds under this Act; and

''(B) as a result of such employment, has (or will have) a job duty that results in unsupervised access to elementary school or secondary school students; or

''(2) a person, or an employee of a person, who—

''(A) has a contract or agreement to provide services with an elementary school, secondary school, local educational agency, or State educational agency, that receives funds under this Act; and

''(B) as a result of such contract or agreement, the person or employee, respectively, has a job duty that results in unsupervised access to elementary school or secondary school students.

''SEC. 9653. BACKGROUND CHECKS.

''(a) BACKGROUND CHECKS.—Not later than 2 years after the date of enactment of the Every Child Achieves Act of 2015, each State educational agency, or each local educational agency in any case where State law designates a local educational agency to carry out the requirements of this part, that receives funds under this Act shall, as a condition of receiving such funds, have in effect policies and procedures that—

''(1) require that a criminal background check be conducted for each school employee that includes—

''(A) a search of the State criminal registry or repository of the State in which the school employee resides;

''(B) a search of State-based child abuse and neglect registries and databases of the State in which the school employee resides;

''(C) a Federal Bureau of Investigation fingerprint check using the Integrated Automated Fingerprint Identification System; and

''(D) a search of the National Sex Offender Registry established under section 119 of the Adam Walsh Child Protection and Safety Act of 2006 (42 U.S.C. 16919);

''(2) prohibit the employment of a school employee as a school employee if such employee—

''(A) refuses to consent to a criminal background check under paragraph (1);

''(B) makes a false statement in connection with such criminal background check;

''(C) has been convicted of a felony consisting of—

''(i) murder;

''(ii) child abuse or neglect;

''(iii) a crime against children, including child pornography;

''(iv) spousal abuse;

''(v) a crime involving rape or sexual assault;

''(vi) kidnapping;

''(vii) arson; or

''(viii) physical assault, battery, or a drug-related offense, committed on or after the date that is 5 years before the date of such employee's criminal background check under paragraph (1); or

''(D) has been convicted of any other crime that is a violent or sexual crime against a minor;

''(3) require that each criminal background check conducted under paragraph (1) be periodically repeated or updated in accordance with State law or the policies of local educational agencies served by the State educational agency;

''(4) upon request, provide each school employee who has had a criminal background check under paragraph (1) with a copy of the results of the criminal background check;

''(5) provide for a timely process, by which a school employee may appeal, but which does not permit the employee to be employed as a school employee during such appeal, the results of a criminal background check conducted under paragraph (1) which prohibit the employee from being employed as a school employee under paragraph (2) to—

''(A) challenge the accuracy or completeness of the information produced by such criminal background check; and

''(B) establish or reestablish eligibility to be hired or reinstated as a school employee by demonstrating that the information is materially inaccurate or incomplete, and has been corrected;

''(6) ensure that such policies and procedures are published on the website of the State educational agency and the website of each local educational agency served by the State educational agency; and

''(7) allow a local educational agency to share the results of a school employee's criminal background check recently conducted under paragraph (1) with another local educational agency that is considering such school employee for employment as a school employee.

''(b) FEES FOR BACKGROUND CHECKS.—

''(1) CHARGING OF FEES.—The Attorney General, attorney general of a State, or other State law enforcement official may charge reasonable fees for conducting a criminal background check under subsection (a)(1), but such fees shall not exceed the actual costs for the processing and administration of the criminal background check.

''(2) ADMINISTRATIVE FUNDS.—A local educational agency or State educational agency may use administrative funds received under this Act to pay any reasonable fees charged for conducting such criminal background check.

''PART I—BAN ON AIDING AND ABETTING CHILD SEXUAL ABUSE THROUGH 'PASSING THE TRASH'

''SEC. 9661. BAN ON AIDING AND ABETTING CHILD SEXUAL ABUSE THROUGH 'PASSING THE TRASH'.

''Each State or State educational agency, or each local educational agency in any case where State law designates a local educational agency to carry out the requirements of this part, that receives funds under this Act shall, as a condition of receiving such funds, have in effect laws, regulations, or policies and procedures that prohibit any agency or person from transferring, or facilitating the transfer of, any school employee if the agency or person knows, or recklessly disregards information showing, that such school employee engaged in sexual misconduct with a minor in violation of law.''.

The PRESIDING OFFICER. The Senator from Vermont.

NOMINATION OF KARA FARNANDEZ STOLL

Mr. LEAHY. Madam President, today, we are finally, finally going to vote on the nomination of Kara Farnandez Stoll to serve as a judge on the United States Court of Appeals for the Federal Circuit. She is superbly qualified, and once confirmed, she will be the first woman of color to serve on the Federal Circuit.

She has the strong endorsement of the non-partisan Hispanic National Bar Association as well as from the Federal Circuit Bar Association, and the American Intellectual Property Law Association. In its letter of support to the Judiciary Committee, the Hispanic National Bar Association, HNBA, wrote that their due diligence has confirmed that Ms. Farnandez Stoll ''maintains the highest ethical and professional standards. She is also competent and hardworking. Her litigation experience, commitment to public service, and temperament make her an ideal candidate for a court appointment.'' I could not agree more. So why did it take so long for the Republican leadership to schedule a confirmation vote for this uncontroversial, highly qualified, and historic nominee?

The President nominated Ms. Farnandez Stoll last year—nearly 8 months ago. The Senate Judiciary Committee unanimously reported her nomination to the full Senate more than 2 months ago. There is no good reason why her confirmation vote has been stalled over and over again.

Unfortunately, the Republican majority's treatment of Ms. Farnandez Stoll's nomination is more pattern than aberration. Six months into this new Republican-led Congress that was supposed to move forward on things and the Senate has only confirmed a handful of judges. In fact, it has been more than 6 weeks since a vote was even scheduled by the majority leader for a single judicial nominee. This glacial pace of confirmations is a dereliction of the Senate's constitutional duty to provide advice and consent on judicial nominees. Many are concerned that such treatment threatens the functioning of our independent judiciary.

We have 11 other consensus judicial nominations pending on the Senate Executive Calendar in addition to Ms. Farnandez Stoll. No one can credibly claim that the majority's slow pace in scheduling confirmation votes is due to a lack of nominees. This group includes another nominee who has received the strong support of the HNBA—Armando Bonilla—one of five pending nominees to the U.S. Court of Federal Claims, CFC. Like Ms. Farnandez Stoll, Mr. Bonilla's confirmation will be an historic milestone—when confirmed he will be the first Hispanic judge to hold a seat on the CFC.

In less than 48 hours, the Judiciary Committee is expected to report out another HNBA-endorsed nominee, Luis Felipe Restrepo, who will fill a judicial emergency vacancy on the U.S. Court of Appeals for the Third Circuit. Judge Restrepo was unanimously confirmed 2 years ago by the Senate to serve as a district court judge in Pennsylvania. I have heard no objection to his nomination, yet it took 7 months just to get him a hearing. Once confirmed, Judge Restrepo will be the first Hispanic judge from Pennsylvania to ever serve on this court and only the second Hispanic judge to serve on the Third Circuit.

If Senate Republicans had an issue with any of the pending nominees or if they sought time to debate them on the floor, some of the delay might be understandable. But no Senator has spoken in opposition to any of the pending nominees. In fact, the Senate Judiciary Committee reported all 11 of them by voice vote. Instead of receiving timely consideration of their nominations, however, these uncontroversial nominees have not been treated fairly by the Senate majority.

There is a different way to lead. In the last 2 years of George W. Bush's term, Democrats came into the majority. Some thought we would slow up his judges. We did not. I served as chairman of the Judiciary Committee during those last 2 years of President George W. Bush's administration and we confirmed 68 district and circuit court judges during that time. In fact, by this time in the seventh year of the Bush administration, the Democratically controlled Senate had confirmed 21 judges—including 18 district and 3 circuit court judges. Compare that to this seventh year of the Obama administration under Republican control, in which the Senate has thus far confirmed just four district court judges this year. Just four. Now this is outrageous. It hurts. It politicizes the Federal bench. It hurts the rules of law in this country.

So under a Democratic majority with a Republican President, we confirmed five times more judges than the Senate Republican majority has allowed under their control of the Senate for a Democratic President. The disparity of treatment is clear, and it is wrong. Incidentally, that is the same way we did it when Democrats took over control of the Senate during the last 2 years of President Reagan's term. We moved judges at a much faster pace than anything Republicans have allowed us to do under President Obama. This is wrong. This is petty partisanship that hurts our independent judiciary. We are not asking for anything special but we are saying it would be nice if Republicans treated Democrats the same way we treated them.

We should also not forget the rising number of judicial vacancies in our Federal courts. At the start of this Congress, there were 44 vacancies, including 12 vacancies deemed ''judicial emergencies'' by the nonpartisan Administrative Office of the U.S. Courts. That number has climbed to 63 vacancies, including 27 ''judicial emergency'' vacancies on our district and circuit courts. The vast majority of these vacancies are concentrated in States with at least one Republican home State Senator. Of particularly concern are four circuit court ''judicial emergency'' vacancies: two in Texas, one in Alabama, and one in Kentucky. Each vacancy has been left open for well over a year, including one in Texas that has remained vacant for almost 3 years.

All Senators know that it is our constitutional duty to provide advice and consent on judicial nominees. When it comes to filling vacancies on the Federal courts in our State, we have unique insight into our States' legal communities to share with the President before he makes a nomination. Americans expect us to do our jobs and in the Senate that includes ensuring their access to the Federal courts. I urge all Senators to work with the President to fill the growing number of judicial vacancies in their States.

We will at least make some small progress today as we finally take up Ms. Farnandez Stoll's nomination. Her extensive experience on issues that come before the Federal Circuit will serve the court well. She is currently a partner at Finnegan, Henderson, Farabow, Garrett and Dunner, a law firm specializing in intellectual property law. Ms. Farnandez Stoll also teaches as an adjunct professor at George Mason University Law School. Before practicing law, Ms. Fernandez Stoll was a patent examiner in the U.S. Patent and Trademark Office. Ms. Farnandez Stoll received her B.S. in electrical engineering from Michigan State University in 1991 and her J.D. from Georgetown University Law School in 1997. Upon graduating from law school, she served as a law clerk to Federal Circuit Judge Alvin Schall. I trust that her background and the reputation she has earned in the legal community will serve her well as she begins this new chapter.

I congratulate Ms. Farnandez Stoll on what I expect will be her successful, albeit long overdue, confirmation. I urge the Senate leadership to act responsibly by scheduling votes for the other 11 uncontroversial judicial nominees still pending on the Executive Calendar.

I yield the floor.

EXECUTIVE SESSION

NOMINATION OF KARA FARNANDEZ STOLL TO BE UNITED STATES CIRCUIT JUDGE FOR THE FEDERAL CIRCUIT

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session to consider the following nomination, which the clerk will report.

The legislative clerk read the nomination of Kara Farnandez Stoll, of Virginia, to be United States Circuit Judge for the Federal Circuit.

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the nomination of Kara Farnandez Stoll, of Virginia, to be United States Circuit Judge for the Federal Circuit?

Mr. LEAHY. Madam President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Texas (Mr. CRUZ), the Senator from Arizona (Mr. FLAKE), the Senator from Ohio (Mr. PORTMAN), and the Senator from Florida (Mr. RUBIO).

Mr. DURBIN. I announce that the Senator from Maine (Mr. KING) is necessarily absent.

I further announce that, if present and voting, the Senator from Maine (Mr. KING) would vote ''yea.''

The PRESIDING OFFICER (Mr. GARDNER). Are there any other Senators in the Chamber desiring to vote?

The result was announced— yeas 95, nays 0, as follows:

[Rollcall Vote No. 221 Ex.]

YEAS—95

Alexander	Fischer	Murray
Ayotte	Franken	Nelson
Baldwin	Gardner	Paul
Barrasso	Gillibrand	Perdue
Bennet	Graham	Peters
Blumenthal	Grassley	Reed
Blunt	Hatch	Reid
Booker	Heinrich	Risch
Boozman	Heitkamp	Roberts
Boxer	Heller	Rounds
Brown	Hirono	Sanders
Burr	Hoeven	Sasse
Cantwell	Inhofe	Schatz
Capito	Isakson	Schumer
Cardin	Johnson	Scott
Carper	Kaine	Sessions
Casey	Kirk	Shaheen
Cassidy	Klobuchar	Shelby
Coats	Lankford	Stabenow
Cochran	Leahy	Sullivan
Collins	Lee	Tester
Coons	Manchin	Thune
Corker	Markey	Tillis
Cornyn	McCain	Toomey
Cotton	McCaskill	Udall
Crapo	McConnell	Vitter
Daines	Menendez	Warner
Donnelly	Merkley	Warren
Durbin	Mikulski	Whitehouse
Enzi	Moran	Wicker
Ernst	Murkowski	Wyden
Feinstein	Murphy	

NOT VOTING—5

Cruz	King	Rubio
Flake	Portman	

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motion to reconsider is considered made and laid upon the table and the President will be immediately notified of the Senate's action.

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will resume legislative session.

The Senator from Nebraska.

MORNING BUSINESS

Mrs. FISCHER. Mr. President, I ask unanimous consent that the Senate proceed to a period of morning business, with Senators permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

LOCAL GOVERNANCE IN EDUCATION

Mrs. FISCHER. Mr. President, this summer parents across the country will be preparing their children for the coming school year. Whether unwinding on a family break, purchasing school supplies, returning summer reading books to the library or finishing summer camp, it will almost be time to go back to school.

We owe so much to our hard-working educators. They are the role models for our children who provide invaluable

life lessons that go well beyond reading, writing, and arithmetic. Years before I served in the Nebraska legislature, I served on my local school board, as president of the Nebraska Association of School Boards, and on the Nebraska School Finance Review Committee. These experiences helped shape my views on education policy as a state lawmaker, and they continue to inform my work here in the Senate.

Nebraska is truly fortunate to have excellent schools. Each school district has unique strengths, and they face challenges that are specific to their schools and to the students. Because of this, parents, teachers, school boards, and communities are in the best position to know the needs of their students. They are an integral part of every child's academic success.

That is why I believe education decisions are best made at the State and especially at the local level. The role of the Federal Government should be to promote policies that will improve the ability of individual States to meet the needs of their specific communities. To that end, I have worked with my colleagues, Senator KING and Senator TESTER, to offer an amendment promoting local governance in education.

The purpose of this bipartisan amendment is simple: to ensure that our local school districts are not coerced into adopting misguided education requirements. It ensures that our local stakeholders have a stronger voice in both the regulatory and the guidance process. This amendment would ensure that communities have ultimate authority over their school districts. It also strengthens the relationship among school board members and parents.

These changes are long overdue. We must limit Federal intrusion into local education policy. As we prepare for the first day of school, Nebraska is focused on providing students with a well-rounded education. We must ensure that our public policy enhances the classroom experience, provides essential resources to student success, and helps place our students on the path for successful futures.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maine.

EVERY CHILD ACHIEVES ACT

Ms. COLLINS. Mr. President, I rise today to support the bipartisan Every Child Achieves Act. This bill is landmark legislation that would reform and reauthorize the Elementary and Secondary Education Act, also known as No Child Left Behind. This bill would improve our schools and strengthen the traditional roles played by our local communities, our educators, and our States.

I am proud to have joined every member of the Senate Health, Education, Labor and Pensions Committee in voting to report this bill and I applaud the chairman, Senator ALEXANDER, and the ranking member, Senator MURRAY, for their leadership.

Congressional action to remedy the serious problems with the law No Child Left Behind, while preserving its valuable parts, is long overdue. NCLB was a well-intentioned law, and its focus on the education of every child, greater transparency in school performance, and more accountability for results were welcome reforms. But some of its provisions were simply not achievable and thus discouraging to teachers, to parents, and to students alike.

The current system of unattainable standards and a patchwork of State waivers has led to confusion about Federal requirements. High-stakes testing and unrealistic 100-percent proficiency goals do not raise aspirations; they instead dispirit those who are committed to a high-quality education for our students. Responding to those concerns in 2004, along with then-Senator Olympia Snowe, I established the Maine NCLB Task Force to examine the issues facing Maine and to provide recommendations for changes to No Child Left Behind.

Our task force brought together individuals with a great deal of expertise, experience, and perspective on the law and on educational policy in general. The task force included teachers, principals, superintendents, school board members, parents, and State officials. It was cochaired by Leo Martin, a former commissioner of the Maine Department of Education, and Anne Pooler, a former professor and then-associate dean at the College of Education at the University of Maine. The task force completed its work in 2005.

Well, our Maine NCLB task force proved to be prescient in identifying the problems with implementing No Child Left Behind, and 10 years later its report is as relevant as ever.

Chief among the task force's final recommendations was the need for greater flexibility for the State department of education and for local school boards. The members pointed out that the principles of improved student performance and closing achievement gaps were completely compatible with according States more flexibility to design different accountability systems.

Reflecting that recommendation, the bill before us, the Every Child Achieves Act, would remove the high-stakes accountability system that has been proven unworkable under No Child Left Behind. Our bill would give States much-needed flexibility over how to improve the accountability of schools for student achievement. Recognizing also the critical importance of family engagement in education, the bill supports school districts in conducting parent outreach and participation activities.

The Every Child Achieves Act would also eliminate the burdensome definition of a ''highly qualified teacher'' which has proven to be unworkable in Maine's small, rural schools. In such schools, the reality is that teachers must often teach multiple subjects and are reassigned to different content areas because of low enrollment.

For example, on Maine's North Haven Island, there is one school that serves all students from kindergarten through the 12th grade. With fewer than 70 students, North Haven Community School is one of the smallest K-through-12 schools in my State. It is not surprising that the educators at the North Haven Community School teach multiple subject areas across the different grades because of the school's size.

Speaking of smaller schools, I am particularly pleased that the Every Child Achieves Act would extend the Rural Education Achievement Program, known as REAP, which I coauthored with former Senator Kent Conrad in 2002. Students in rural America should have the same access to Federal grant dollars as those who attend schools in large urban and suburban communities. Most Federal competitive grant programs, however, favor larger school districts because those are the districts that have the ability to hire grant writers to apply for these grants. If you are in a school district such as North Haven, which only has 70 students for all the grades, you don't have the luxury of extra funds to hire grant writers to apply for these competitive grant programs.

What REAP does is provides financial assistance to small and high-poverty rural districts to help them address their unique local needs and also to meet Federal requirements. This program has helped to support new technology in classrooms, distance learning opportunities, professional development for educators, as well as an array of other programs that benefit students and teachers in rural districts. Since the law was enacted, at least 120 Maine school districts have collectively received more than $42 million from the Rural Education Achievement Program. That is money which has made a real difference to these small, rural, high-poverty districts, and it is Federal funds that they would never have been able to successfully compete for when they were applying against large, urban school districts.

Maine's educators are working hard to develop high-quality assessments that better track student performance and growth. I am pleased that the Every Child Achieves Act includes a pilot program to support States that are designing alternative assessment systems based on student proficiency, not just traditional standardized tests. Such systems often give teachers, parents, and students a fuller understanding of each student's abilities and better prepare them for college or the career path they choose. The Federal Government should cooperate with States and school districts that are designing new assessment systems, and this pilot program is an important step in the right direction.

During the committee's consideration of this bill, I offered an amendment with Senator SANDERS to allow more States to participate in the innovative assessment program and to give participating school districts more time to scale up their systems statewide. Our amendment passed unanimously in committee, and I thank Chairman ALEXANDER and Ranking Member MURRAY for continuing to work with me to refine and improve this pilot program.

The bottom line is that Washington should not be imposing a top-down, one-size-fits-all approach to assessment. What works in Chicago may not be the answer for Turner, ME, which was named a Blue Ribbon School last year. Assessing the progress of our students is critical, but there are many effective ways to determine students' level of learning.

Fifty years ago and alongside significant civil rights legislation, Congress first passed the Elementary and Secondary Education Act to improve access to education, particularly for the students from low-income families. Providing a good education for every child must remain a national priority so that each child reaches his or her full potential, has a wide range of opportunities, and can compete in an increasingly global economy. The Every Child Achieves Act honors those guiding principles while returning greater control and flexibility to our States, to local school boards, and to educators.

Again, I thank the chairman and the ranking member of the committee for their work in crafting this bipartisan bill. I look forward to the debate on it in the week to come, and I urge my colleagues to support its passage.

I yield the floor.

The PRESIDING OFFICER. The Senator from Utah.

REMEMBERING ELDER BOYD K. PACKER

Mr. LEE. Mr. President, I rise today to pay tribute to Elder Boyd K. Packer, president of the Quorum of the Twelve Apostles of the Church of Latter-day Saints, who passed away on July 3, 2015, at the age of 90.

Boyd K. Packer was both a man of principle and a man who knew the power of principles. He taught that talking about principles and doctrines changes behavior far better than talking about behavior changes behavior. He boldly stood as a ''watchman on the tower,'' proclaiming the principles that lead to faithful families, strong communities, and ultimately better nations.

Trained as an educator, Elder Packer was truly a teacher first, last, and always. Whether interacting with an individual, speaking in front of thousands, writing one of his many insightful books, or simply spending time with one of his beloved children, he was forever teaching. And to be clear, he wasn't preaching; he was teaching—teaching principles that would instruct, inspire, and improve all who came within the sound of his distinct and powerful voice.

Boyd K. Packer understood the important influence of simple stories in teaching. He masterfully wove priceless principles into powerful modern-day parables, keen observations from everyday living, and spiritual lessons that were meaningful and memorable. Experiences such as tuning an old radio, getting his boys to stop wrestling in the living room, visiting a small church in Denmark, carving and painting birds, learning about crocodiles in Africa, or observing the pleadings for help from an orphan boy while serving as a serviceman in Japan, all emerged as foundational stories from which to teach life-changing principles.

Faith and family were always at the center of Elder Packer's teaching, and he often illustrated that the intersection of faith and family is where critical lessons are taught. He illustrated that this intersection between faith and family is precisely where critical lessons are taught and learned and where children are prepared to live nobly and serve selflessly.

In describing how to prepare children for the challenges of life, he thought that children should be provided with a shield of faith and that forming that shield of faith was of necessity a cottage industry. In his own words:

> We can teach about the materials from which a shield of faith is made: reverence, courage, repentance, forgiveness, compassion. . . . We can learn how to assemble and fit them together in many places. But the actual making of and fitting on of the shield of faith belongs in the family circle. Otherwise it may loosen and come off in a crisis.

As a ''watchman on the tower,'' Boyd K. Packer was perpetually ahead of his time. He could see around difficult societal corners and had a clear view of the blessings and benefits that flow from principled living. What some may have interpreted as a stern and serious speaking style was simply Elder Packer teaching out of both love and urgency because he could see and he could sense what was on the horizon.

It has been said that the ability to see ahead is both a blessing and a tremendous burden. It is a blessing because you can prepare, and it is a burden because often the people you are trying to help can't see what you can see. Elder Packer's ability to see ahead was unrivaled, occasionally underestimated, but always an unmatched lesson for those who chose to follow the visionary principles he taught.

Elder Packer was indeed a master teacher because he followed, he studied, and he came to know the Master Teacher.

I am confident that the principles Boyd K. Packer shared with the world will continue to impact and improve behavior for generations to come.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. DAINES). The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

TRIBUTE TO DR. JAMES BILLINGTON

Mr. LEAHY. Mr. President, at the end of this year, Congress will say farewell to Dr. James Billington, a dear friend who, for the last 28 years, has dedicated his life to ensuring that the Nation's most prominent library is an unparalleled resource for all who visit, either in person or online. Since his nomination by President Reagan in 1987 and subsequent confirmation by the United States Senate, Dr. Billington has led the Library of Congress into the digital era, and expanded its relationships internationally and with the private sector.

For almost three decades, Dr. Billington championed the National Digital Library program, which made millions of rare and one-of-a-kind historical and cultural documents readily available to the public. The National Digital Library was a colossal undertaking and one that students and scholars alike will utilize for many years to come.

In 1990, Dr. Billington created the James Madison Council, an advisory panel that serves as a liaison between the Library and the business community. The Council was the Library's first national private-sector advisory and support group, and has since helped to fund more than 360 projects. Dr. Billington's devotion to the growth and development of the Library of Congress has helped bring a national treasure into the 21st Century and improve access for people all over the country and the world.

Dr. Billington has also worked to expand the Library of Congress' online resources by collaborating with Russian libraries to establish a major bilingual website. He later completed similar joint projects with the national libraries of Brazil, Spain, France, the Netherlands, and Egypt. Dr. Billington spearheaded efforts to create the World Digital Library, which was successfully launched in April 2009. Today, the site contains cultural materials from all 193 countries in the United Nation's Educational, Scientific and Cultural Organization, UNESCO, with commentary in seven languages. As the Librarian of Congress, Dr. Billington led a delegation to Tehran, Iran, in October 2004, making him the most senior U.S. government official to visit Iran in 25 years and furthering his international leadership.

Throughout his 42 years in public service in Washington, Dr. Billington has collaborated on numerous programs such as the Veterans History Project, highlighting the great accomplishments of countless Americans

through oral histories, the National Book Festival, and the Gershwin Prize for Popular Song. Dr. Billington's brilliance, devotion, and vision throughout his career is unparalleled and incredibly appreciated.

Marcelle and I were happy to welcome Dr. Billington to Vermont in 2012, to celebrate the sesquicentennial of the historic Land Grant College Act, authored by Vermont Senator Justin Morrill in the 1800s. Like Justin Morrill, Dr. Billington and I share a profound regard for the importance of Federal investment in access to education. I have deeply appreciated Dr. Billington's commitment to preserving and advancing the incredible resource that is the Library of Congress. Marcelle and I both thank him for his service and wish he and his wife Marjorie well as he begins this new chapter.

THE LOST SHUL MURAL AT OHAVI ZEDEK SYNAGOGUE

Mr. LEAHY. Mr. President, I am proud to recognize Aaron Goldberg, Jeffrey Potash and the greater Ohavi Zedek community for their tireless efforts in relocating a treasured artifact in our State's Jewish community. For nearly two decades, the historically significant Shul Mural—a 105-year-old rare mural—has sat hidden behind the walls of Chai Adam Synagogue in Burlington's north end district. In May, after years of careful restoration and planning, the mural was safely moved to its new home, where it will finally be displayed to honor a prominent period in our State's Jewish history.

Burlington's Jewish history dates back to the mid-1880s, when a large influx of Lithuanian Jews traveled from Eastern Europe to settle in Vermont. Ohavi Zedek Synagogue was established in 1885 by the Lithuanians, and has since remained a thriving community stronghold for Burlington's Jewish population. In 1889, the Chai Adam Synagogue was created by a group of Orthodox Jews previously aligned with Ohavi Zedek. It is here the Shul Mural was created.

Stretching floor-to-ceiling, the Shul Mural depicts two lions and the Ten Commandments, two iconic symbols in the Jewish faith. The Shul Mural, painted by Ben Zion Black, uses a rare artistic style, one that dates back to before World War II and was prevalent in wooden synagogues across Eastern Europe. At that time, vast murals of iconic, hand-painted images sprawled entire walls and ceilings to capture the imagery held in Jewish Torah readings. The Shul Mural presents a rare folk design mixed with modern painting techniques, yet little is actually known about its genre, as most of these works were sadly destroyed during the Holocaust.

In 1939, Ohavi Zedek and Chai Adam rejoined, and the old Chai Adam was sold and used as retail space and later a rug store. It was here that Adam Goldberg, a volunteer and historian of Ohavi Zedek Synagogue, discovered the mural. Through the years, the Shul Mural sat uncovered and ill-preserved, until 1986 when the space was renovated to an apartment complex, and Mr. Goldberg along with Ohavi Zedek archivist, Jeffrey Potash, pleaded with the new owner to cover the mural with a false wall so that it would not bear further decay.

Over two decades later, when the apartment building was again sold in 2012, its new owner, Steven Offenhartz, agreed to donate the mural to Ohavi Zedek. The false wall that had covered the Shul Mural for more than 20 years was lifted, and the construction team worked with Constance Silver, a conservator from Brattleboro, to stabilize and recover what was lost. At that point, decades of deterioration had taken their toll, and the once vibrant paint began to dull and flake away. Piece by piece, Constance reinforced and restored the painting.

On May 6, 2015, after decades in hiding, the mural was successfully transported to Ohavi Zedek where it will be cleaned and further restored. The hard work and dedication of the entire team with the support of Burlington's community—which raised over $400,000 to support the restoration and transportation of this historic piece of art—made this incredible feat possible.

Adam Goldberg, Jeffrey Potash, Steven Offenhartz, Constance Silver, and the many other members of the Ohavi Zedek and greater Burlington community should be congratulated for their support and dedication to protecting and restoring one of our State's most significant treasures. This important piece of Burlington's Jewish history will finally be on proper display for all to enjoy.

I ask unanimous consent that that an article on the Shul Mural from the Burlington Free Press be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Burlington Free Press, May 14, 2015]

''LOST'' JEWISH MURAL FINDS NEW HOME

(By Zach Despart, Free Press Staff Writer)

When the project was done, it might have appeared to onlookers that a construction crew had no difficulty moving the Lost Shul Mural to a new home in the Old North End.

After all, the construction crew only had to remove the roof of a Hyde Street building, lift via crane a brittle, multi-panel, 105-year-old rare piece of art, place the mural on a flatbed truck, drive it nearly half a mile uphill and, with the strength of many workers, push the artwork, on rollers, into Ohavi Zedek Synagogue.

All in a day's work for a volunteer group of local residents, who for almost three decades have been trying to find a way to move the historic artifact from a hidden alcove on Hyde Street to more suitable location.

''I had hoped to someday move the mural, but it's been over 29 years we've been waiting for this time,'' Ohavi Zedek archivist Aaron Goldberg said Wednesday. ''It's a remarkable achievement for the community to have this here.''

The story of the lost work begins in 1910, when Burlington's Jewish community commissioned Lithuanian artist Ben Zion to paint a mural within the Chai Adam synagogue, which was built on Hyde Street in 1889. The floor-to-ceiling mural contains three panels that depict Jewish iconography, including two lions and the Ten Commandments.

In 1939, Chai Adam merged with Ohavi Zedek and vacated the Hyde Street building.

Congregants, in an effort to preserve the mural, hid the piece behind a false wall. The ownership of the building changed hands several times in the following decades, and a private owner in 1986 converted the building into apartments.

That year, Goldberg and other archivists persuaded the owner to wall off the mural permanently with Sheetrock, so the art would be safe for a later move. Many tenants over the next two decades never knew the mural was there.

But Burlington's Jewish community never forgot about the lost mural. In 2012, some 26 years since the mural disappeared from public view, the archivists of Ohavi Zedek worked with the owner of the building to uncover the artwork.

They decided to move the artifact to Ohavi Zedek and proudly display the mural in the lobby. For the next three years, a dedicated group of congregants developed a plan for the big move, and raised more than $400,000.

''This is a very innovative job,'' Goldberg said. ''This took two and a half years of planning.''

THE BIG MOVE

The moment Goldberg for decades had waited for arrived Wednesday. Shortly after 8 a.m. on the warm, calm morning, crews used a crane to lift off a pre-cut section of the roof of the synagogue-turned-apartment-building on Hyde Street, exposing the old cupola that held the mural.

The mural itself was not visible to onlookers. For protection, it was encased in cushioning made of Chinese silk and other materials. Bob Neeld, the structural engineer, said this project required special attention to minimize any vibrations that could damage the mural.

''Even a three-story building can be built to handle several inches of movement,'' Neeld said. For this move, Neeld added, the crew was hoping to limit movement ''to a couple thousandths of an inch.''

The mural itself is made of less than half an inch of plaster on a wood lathe. To stabilize the century-old material before the move, crews reinforced the artwork with mortar.

After the roof was off, the crane lifted the fragile mural, encased in a specially built steel frame, from the second floor of the structure and placed the artifact onto a flatbed truck. The mural and frame stood about feet tall and 15 feet wide, and weighed about 6,500 pounds.

Next came a slow parade through the Old North End, as the truck crept north on Hyde Street, east on Archibald Street and south on North Prospect Street, onto the lawn of Ohavi Zedek. A crowd of congregants, many of them with cameras, followed the informal procession. Burlington police blocked the intersections along the way. Perplexed motorists scratched their heads.

In front of the synagogue, another crane lifted the mural onto a makeshift bed of rollers on a wooden ''landing pad.'' Once there, about of dozen laborers pushed the 3–ton mural through an opening into the lobby. Next week, crews will hoist the mural above the lobby, where the art will hang for visitors to see, much as it did on Hyde Street 105 years ago.

Organizers planned the move to take 12 hours, but it took just three—a result engineers chalked up to good weather and meticulous planning.

COMMUNITY SIGNIFICANCE

Thousands of European synagogues—and the ornate murals within the places of worship—were destroyed by the Nazis during the Holocaust. The Lost Shul Mural is one of the few remaining murals from that time period in existence, said Goldberg, the Ohavi Zedek archivist.

Rabbi Joshua Chasan said the restoration of the lost mural was important not only to Burlington's Jewish community, but to Jews around the world.

''It's a benefit to the Jewish people internationally to have a piece of folk art from the world the Nazis destroyed,'' Chasan said. ''In that sense, it's a memorial to those who died in the Holocaust and . . . to that Jewish world that perished.''

Goldberg said that in addition to being a Jewish relic, the lost mural is an important connection to Burlington's rich history of hosting immigrants. Among the European immigrants who settled in Burlington during the 19th century were a group of Lithuanian Jews who moved into the city's North End, a neighborhood that for decades came to be known as Little Jerusalem.

''This is immensely important to the preservation immigration history in Vermont,'' Goldberg said. ''It is the only example of its kind we know of in the U.S., and one of the few remaining remnants in the world.''

Janie Cohen, director of the University of Vermont's Fleming Museum, said having such a rare piece of art in Burlington is remarkable.

''The fact there are so few of these left in the world, and we have one in Burlington—it's phenomenal,'' said Cohen, who watched the move Wednesday.

Former Vermont Gov. Madeleine Kunin, who helped raise money for the move and the restoration, walked with the crowd that followed the mural as the truck traveled through the Old North End.

''Today is so exciting, because many people thought it would never happen: How can you move something that's part of a wall?'' she said.

One man on the synagogue lawn had a special connection to the lost art. He remembers seeing the mural 76 years ago. Mark Rosenthal, 84, grew up in Burlington and remembers seeing the mural as a child at Chai Adam in the 1930s.

''My father and I would go on holidays,'' Rosenthal said. ''I remember the whole scene where the mural was, and I'm moved and touched by what is taking place today. I can't believe it's happening.''

REMEMBERING NORMAN RUNNION

Mr. LEAHY. Mr. President, I would like to take a moment to honor the memory of a longtime journalist and true friend, Norman Runnion, who passed away in a Vermont hospital last month at the age of 85. Norm was many things to many people, but as they say of those in the newspaper business, he had ink coursing through his veins. Norm was born into a news family and he loved to tell stories of his early days spent in newsrooms, watching his father work the trade. But when tragedy struck home—Norm's father was killed after falling under a train—the younger Runnion dedicated himself to the profession.

From his gritty beginnings working the night cop beat on Chicago's South Side, Norm worked his way up as a reporter and editor with United Press International, covering the biggest stories of the day, including the Cuban Missile Crisis and the Warren Commission report. By the mid-1960s, Norm made the wise decision to ply his skills in Vermont and settled in at the Brattleboro Reformer. He soon made his way to the managing editor post, where he earned deep respect from his community and his State over the next two decades. When newspapers lost a bit of luster for Norm, he turned to the seminary and became an Episcopal priest, further dedicating his life in public service.

In retelling the path of his colorful news career, Norm suggested that fate led to his successes. ''I was really incredibly lucky,'' he told a younger reporter who he once mentored. ''Everywhere I went was one after another of the biggest news stories of the world. Those were the most monumental news stories of my generation.''

I believe it was far more than luck that made Norm Runnion the talent that he was. It was devotion to a trade that he believed was worthy of that commitment. And his readers were incredibly lucky for that. I feel fortunate to have spoken with Norm shortly before his passing. Although weak, his spirit was still very much evident. In honor of that spirit, I ask unanimous consent to have printed in the RECORD a remembrance of Norm Runnion, which appeared on VTDigger.org.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From VTDigger.org, June 22, 2014]

VERMONT JOURNALIST NORMAN RUNNION DIES AT AGE 85

(By Kevin O'Connor)

Ask Norman Runnion for his life story and he'd point to a newspaper.

Take the old Kansas City Journal-Post, where he played as a child while his father pounded on a manual typewriter.

Or the Evanston (Ill.) Review, where he broke into journalism pasting up the sports page for $5 a week.

Or Vermont's Brattleboro Reformer and The Herald of Randolph, where he capped a globetrotting career covering the world for wire service desks in New York, London, Paris and Washington, D.C.

''I'm a newspaperman, my father was a newspaperman—I love that word, I grew up on that word. It would never have occurred to me to be anything else.''

''I'm a newspaperman, my father was a newspaperman—I love that word, I grew up on that word,'' he said in 1989. ''It would never have occurred to me to be anything else.''

Except an Episcopal priest, which he tried for a decade at midlife. But Runnion eventually returned to writing, which he did until shortly before his death Friday at Randolph's Gifford Medical Center at age 85.

When Newfane mystery novelist Archer Mayor wanted an interesting character name for his 1993 book ''The Skeleton's Knee,'' he borrowed Norm Runnion's. But fiction was no match for the real man's feats.

The lifelong scribe made his own headlines as recently as two years ago, when he wrote a widely circulated column recalling his work as Washington night news editor for United Press International when President John F. Kennedy was assassinated Nov. 22, 1963.

''For those of us who were around on that searing day in American history, it could have been yesterday, not 50 years ago,'' he recalled of an event for which UPI's coverage won a Pulitzer Prize. ''I can hear today the haunting sounds of the muffled drums as they passed below our windows, leading the solemn procession past the thousands of people who jammed the sidewalks to watch and mourn.''

Runnion went on to write the main story about the 888-page Warren Commission report on the shooting.

''The report was embargoed for a later release to give journalists time to absorb the contents instead of rushing out with the first available tidbits,'' he wrote. ''But the stark principal finding was right there: Oswald, acting alone, had murdered America's beloved president.''

Ask Runnion what sparked his interest in journalism and he'd rewind back to his birth in Kansas City, Mo., in 1929. His mother was a teacher; his father, like his grandfather, was a newspaperman.

''I grew up in a newsroom—quite literally,'' he told this reporter in a 1989 interview.

For Runnion, home was wherever his father worked. At age 12, his family moved to St. Louis and the Star-Times; in 1941, it was Chicago and the Sun.

Life changed in 1945 when Runnion's father fell underneath a commuter train and was killed. The next day, Runnion, then a high school junior, enrolled in a journalism course. Eventually receiving a degree from Northwestern University's Medill School of Journalism in 1951, he worked ''four godawful months'' at the Chicago City News Bureau, servicing a half-dozen metropolitan papers with crime reports.

''I was covering the night police beat in the south side of Chicago, which had the second highest crime rate in the world outside of Singapore at that time,'' he recalled. ''Earned 25 bucks a week for approximately an 80-hour week.''

Runnion went on to join United Press International, reporting and editing in New York starting in 1953, in London in 1955 (where he covered Winston Churchill), in Paris in 1957 (where he covered Charles de Gaulle) and in Washington, D.C., in 1960.

''Came in on the tail end of the '60 elections, spent the next three years covering Kennedy, the civil rights movement, covered Martin Luther King's march on Washington, got assigned to cover the space program, covered Alan Shepard's flight, covered John Glenn's flight,'' he recalled.

Runnion was also the lead writer of UPI's coverage of the Cuban missile crisis.

''I was really incredibly lucky,'' he said. ''Everywhere I went was one after another of the biggest news stories of the world. Those were the most monumental news stories of my generation. What the hell more do you want?''

In 1966, Runnion decided he needed a break. Moving to Vermont, he joined the Reformer in 1969 and became its managing editor in 1971. Working in Windham County for two decades, he both reported and made state news.

In 1983, for example, Runnion was the only journalist invited to the wedding of then Vermont House Speaker Stephan Morse—a ceremony presided over by then Gov. Richard Snelling—with explicit instructions not to write a word.

If the bride and groom didn't suspect Runnion had other thoughts when he arrived

with a camera, they knew it when they picked up the Reformer the next publication day and saw their nuptials splashed as an exclusive atop the front page.

Runnion, deemed by one competitor ''chief curmudgeon of the Vermont press corps,'' surprised readers in 1990 by leaving the paper to attend Virginia Theological Seminary, work as a seminarian assistant at the all-black St. Luke's Episcopal Church in Washington, and serve as rector of St. Martin's Episcopal Church in Fairlee.

Invited to address several New England press associations, the new priest condemned the media for ''growing ineptness'' he blamed on a loss of ethics and ''corporate obsession with the bottom line.''

''I don't think the First Amendment is a protective umbrella for the kind of sin journalism we are seeing in our culture today,'' he said at one event. ''I don't think picturing violence for the sake of money is what Thomas Jefferson and Alexander Hamilton had in mind. The fact is, the public has a right not to know a lot of the junk that is being tossed their way in the name of the 'right to know.' ''

Runnion would retire from the church in 2001 and return to journalism by writing for the weekly Herald of Randolph, near his Brookfield home. His column on the 50th anniversary of Kennedy's assassination was reprinted by the statewide news website VTDigger.org, spurring a flurry of public comment.

''Hey, Norm: Oswald did not do it,'' one reader posted.

''Good point—I agree,'' Runnion replied. ''It was ET and the aliens.''

Runnion will be remembered July 8 at a public service in Randolph to be led by Vermont Episcopal Bishop Thomas Ely, with specifics to come from that town's Day Funeral Home. (''He wrote a partial obituary and said, 'You can fill in the blanks,' '' his wife Linda said Monday.) He'll also live on through nearly seven decades of his published work.

''I personally witnessed much of this history and believe what I saw over what people who were not there claimed happened 20 or 30 or 50 years later,'' he recently posted to Internet readers sharing conspiracy theories. ''But hey, it's differences of opinion that make the world go around. Cheers, Norm.''

CELEBRATING WYOMING'S 125TH STATEHOOD ANNIVERSARY

Mr. BARRASSO. Mr. President, we will celebrate the 125th anniversary of the day Wyoming became a State on Friday, July 10, 2015.

Wyoming's journey to statehood was not without hurdles. In fact, the debate in Congress was contentious. The arguments centered upon one of our most proud accomplishments—a decision made long before Wyoming became a State. On December 10, 1869, the Wyoming territory was the first in the United States to grant women the right to vote.

Efforts to attain statehood finally came to fruition 20 years later. It was incumbent on our delegate to the U.S. House of Representatives, Joseph M. Carey, to convince his colleagues to support the statehood bill.

On March 26, 1890, the day of the statehood bill debate, Joseph Carey spoke passionately about Wyoming. His words still hold true today. He said that Wyoming was rich in agricultural possibilities. He explained Wyoming was one of nature's great storehouses of minerals. Joseph Carey also talked about grazing development, educational leadership, widespread railway construction, the model Constitution, and the unique opportunities for women.

Yet, opponents to our statehood did not support women having the right to vote. On the same day as Joseph Carey's impassioned speech, Representative William Oates of Alabama argued against our admittance to the Union. He said, ''Mr. Speaker, I do not hesitate to say that in my judgment the franchise has been too liberally extended. Should we ever reach universal suffrage this Government will become practically a pure democracy and then the days of its existence are numbered.''

The U.S. House of Representatives narrowly passed Wyoming's statehood bill with a vote of 139–127. Part of the narrow margin was due to Democrats in Congress fearing that Wyoming would be a Republican State. The U.S. Senate passed the bill on June 27, 1890.

President Benjamin Harrison signed the bill into law on July 10, 1890, which led to impromptu celebrations across the State. Newspapers reported a 44-gun salute in Laramie; Douglas celebrated ''louder than ever;'' and ''Rawlins Town is wild.''

The main celebration on July 23 featured a 2-mile parade in Cheyenne consisting of many floats. One float had 42 women representing the older States and a small carriage in which rode three little girls, representing the Goddess of Liberty, the State of Idaho—admitted July 3, and the State of Wyoming. The parade led to the Capitol where Esther Hobart Morris, the first female justice of the peace in the United States from Wyoming, presented a 44-star silk flag, purchased by women of the State of Wyoming to Governor Francis E. Warren.

After a 44-gun salute, Mrs. I.S. Bartlett read an original poem, ''The True Republic.'' Her poem ended with the following words:

Let the bells ring out more loudly and the deep-toned cannon roar,
Giving voice to our thanksgiving, such as never rose before,
For we tread enchanted ground today, we're glorious, proud and great;
Our independence day has come—Wyoming is a State!

As Wyoming marks 125 years of statehood, I encourage my colleagues to join me in celebrating Wyoming's rich heritage, geological wonders and genuine cowboy hospitality that provides a truly wonderful experience to visitors from all over the world.

RECOGNIZING FERDINAND, INDIANA ON ITS 175TH ANNIVERSARY

Mr. DONNELLY. Mr. President, today, I wish to honor the town of Ferdinand on its 175th anniversary and to recognize the many contributions of Ferdinand's citizens to the surrounding communities, the great State of Indiana, and to our country.

Ferdinand's history dates to the mid-1800s when Dubois County was known for its merchants and tobacco market. The town was established on January 8, 1840, as a resting point for travelers and was officially incorporated as a town in 1905. Ferdinand quickly began to grow and develop with the discovery of materials needed to make paint. The town began manufacturing paint and developed the largest foundry in the county. By the end of the 19th century, Ferdinand innovated as industries changed and grew to include manufacturing plants, small businesses, a mill, schools, churches, and a convent. Today, manufacturing continues to be its top industry.

Ferdinand is a community of 2,500 citizens located in the beautiful hills of southern Indiana. Throughout the year, outdoor enthusiasts visit Ferdinand to take advantage of its numerous natural wonders. Camping, hunting, swimming, fishing, and hiking are just a handful of the activities available to visitors. Since its founding, Ferdinand has remained the home to some of our State's most beautiful parks and forests, plus an expanding trail system. Ferdinand is home to the Ferdinand State Forest, a historic Benedictine monastery, and the Ferdinand Folk Festival. The community is also a short drive from Abraham Lincoln's boyhood home and the gravesite of his mother, Nancy Hanks Lincoln.

The strength of Ferdinand is rooted in an importance placed on community, family values, and quality education. Ferdinand Elementary School and Cedar Crest Intermediate School are both four-star academic institutions that provide quality education to young Hoosiers. Furthermore, the residents of Ferdinand are widely known for their strong work ethic, sense of community, and Hoosier hospitality. It is due to these enduring qualities that Ferdinand has been a contributor to Indiana's success. It is a great honor to represent the town of Ferdinand, also known as the ''gateway to Dubois County and a gateway to opportunity,'' in the Senate. On behalf of the State of Indiana, I congratulate each and every citizen of Ferdinand on the town's 175th anniversary and wish you continued success and prosperity in the future.

TRIBUTE TO GARY HOLLANDER

Ms. BALDWIN. Mr. President, today I wish to recognize and honor Gary Hollander of Milwaukee, WI, for 20 years of guiding Diverse & Resilient as its founder and CEO. I have known Gary for many years and have been proud to work with and support his efforts at Diverse & Resilient throughout that time. Gary has been a leader in the mental health and LGBT communities, and his passion for serving people will be missed by all who have

worked with him and who have benefited from his guidance and passion.

A licensed psychologist, Gary received his degrees in education and psychology from the University of Wisconsin—Milwaukee. His professional career began in the Milwaukee Public Schools, where he was a classroom teacher and school psychologist. He later served in the education division at Planned Parenthood of Wisconsin and later as an educational consultant to Planned Parenthood Federation of America. Gary developed an HIV mental health program and HIV clinic in conjunction with Aurora Health Care, a leading health care provider in Wisconsin. He later directed their medical education programs and was the founding administrator of the Center for Urban Population Health.

In 1995, Gary founded Diverse & Resilient as a way to build the capacity of LGBT groups across Wisconsin, filling a void in the public health sphere. Gary recognized that public health organizations and community groups were not rising to meet the needs of the LGBT community, and he became the driving force behind greater community engagement and recognition of the LGBT community in Wisconsin. During his tenure, Diverse & Resilient has expanded many times over and currently serves more than 5,000 LGBT people each year, helping them to thrive by living healthy, satisfying lives in safe, supportive communities.

His tireless work on behalf of Wisconsin's LGBT community has led to greater understanding, improved access to care, and new ways of looking at the unique and divers needs of the LGBT community. Gary and his team have focused their work in six priority areas: acceptance, cultivating leaders, mental health, sexual health, partner and community violence, and substance abuse—areas in which they hope to eliminate health disparities between LGBT people and the general population. They have made many impressive strides over the past 20 years, and I know that the future is bright for Diverse & Resilient, as well as Wisconsin's LGBT community, because of Gary's work.

I am proud to call Gary a friend, and I am grateful for his important contributions to our State and the LGBT community. I know that his passion and dedication to improving the lives of others will continue long after he steps down from his leadership role at Diverse & Resilient. I wish him all the best in his future endeavors.

ADDITIONAL STATEMENTS

RECOGNIZING BATH, NEW HAMPSHIRE ON ITS 250TH ANNIVERSARY

• Ms. AYOTTE. Mr. President, today I wish to pay tribute to Bath, NH—a town in Grafton County that is celebrating the 250th anniversary of its founding. I am proud to join citizens across the Granite State in recognizing this historic occasion.

Bath is surrounded by the Green Mountains to the west and White Mountains to the east and is situated at the furthest navigable point of the Connecticut River. Both the Ammonoosuc and Wild Ammonoosuc Rivers flow through Bath and are the source of the rich soil and ample water power responsible for Bath's thriving industrial and agricultural history.

The town of Bath is named for William Pulteney, first Earl of Bath, and was originally chartered by Colonial Governor Benning Wentworth in 1761 and later settled by John Herriman of Haverhill, MA, in 1765.

Bath is known as the Covered Bridge Capital of New England and is home to the Bath, Swiftwater, and Bath-Haverhill covered bridges. Bath's architectural history is represented by a well-preserved group of 18th and 19th century style buildings located within its villages. One of the most famous of these buildings is The Brick Store. Opened in 1824, this Bath landmark holds the distinction of being the oldest continuously operated general store in the United States.

As both statesmen and soldiers, Bath residents have been known throughout the town's history for their commitment and sacrifice in the service of our great Nation. United States Congressmen Harry Hibbard and James Hutchins Johnson both share ties to Bath, but it is New Hampshire's former District 1 executive councilor, Raymond S. Burton, who exemplified the meaning of public service. For over 30 years, Ray tirelessly advocated for his constituents throughout the North Country, and at the end of the day he always returned to his farm on River Road in Bath.

On behalf of all Granite Staters, I am pleased to offer my congratulations to the citizens of Bath on reaching this special milestone, and I thank them for their many contributions to the life and spirit of the State of New Hampshire.•

TRIBUTE TO BEN STEELE

• Mr. DAINES. Mr. President, I wish to recognize World War II veteran, teacher, and artist Ben Steele, for whom the new middle school in Billings, MT will be named. I had the distinct honor to meet Mr. Steele in Washington, DC, when he was in town for the Big Sky Honor Flight last year. Following the Fourth of July holiday celebrating our Nation's independence, it is fitting to recognize a man that understands the importance of freedom better than most. Mr. Steele served in the Philippines and survived the horrors of the Bataan Death March.

As a prisoner of war, Mr. Steele chronicled his experiences through drawings, and after the war, he received formal training as an artist. Receiving his master's degree in art from the University of Denver, he went on to teach art at several colleges including Montana State University in Billings. His paintings depict the haunting scenes of war, and remind us of the great sacrifices our military men and women make defending our freedom.

I want to express my deep gratitude to Mr. Steele for his service to our country and dedication to teaching and inspiring generations of Montana students.•

REMEMBERING JIM MALONE

• Mr. McCAIN. Mr. President, today I honor James ''Jim'' Malone, a retired Navy veteran from Chandler, AZ who tragically passed away at the young age of 55 after a hard-fought battle with Adenocarcinoma, a terminal form of cancer.

Jim served honorably in the U.S. Navy from 1977 to 1981 before retiring as a disbursing clerk second class. Having served during peacetime, Jim wrote that his most meaningful memory was pulling out of port and seeing the land disappear. ''I always got a charge over that,'' he said. ''When I was on watch, I would look out and realize that I was protecting family and loved ones back home.''

Before his untimely death, Jim received word that the Dream Foundation, a national dream-granting organization for adults and their families suffering from life-threatening illness, would help him achieve a life-long wish to visit Washington, DC. My office helped the foundation do everything we could to plan a memorable trip for Jim and his wife and son, including tours of the White House and U.S. Capitol and visits to historic landmarks around the city.

Jim was deeply proud of his military service, and looked forward to sharing the rich cultural history of the Nation's capital with his family, writing: ''I am hoping this trip will help them to fully understand why I felt the call to duty in my youth and why my service to this country is so important to me.'' He described his ''deep love of this country and its history'' and the importance of sharing that patriotic spirit with his family.

Tragically, Jim's health sharply declined in the week leading up to his trip, and he passed away the day before he was expected to depart for his dream experience. While Jim left this world far too early, we should all take comfort in knowing that his memory and selfless service has left a mark on Arizona and our Nation.

I am also comforted by the work that organizations like the Dream Foundation have and will continue to do to honor veterans like Jim through dream-granting programs that give dying veterans and their families the opportunity to make the most of the time they have left, while also improving their end-of-life care.

As Sheri, Jim's wife, explained, ''[My husband was] overwhelmed by the

Foundation granting him his dream. Even though he didn't get to go on the trip,'' she continued, ''it helped to restore his faith in the goodness of people.''

I hope we might all keep in our thoughts and prayers the Malone family as they mourn the loss of their beloved husband and father, whose service to our State and Nation will always be remembered.●

MESSAGES FROM THE HOUSE RECEIVED DURING ADJOURNMENT

Under the order of the Senate of January 6, 2015, the Secretary of the Senate, on June 25, 2015, during the adjournment of the Senate, received a message from the House of Representatives announcing that the House agreed to the following concurrent resolution, without amendment:

S. Con. Res. 19. Concurrent resolution providing for a conditional adjournment or recess of the Senate and an adjournment of the House of Representatives.

ENROLLED BILL SIGNED

Under the order of the Senate of January 6, 2015, the Secretary of the Senate, on June 25, 2015, during the adjournment of the Senate, received a message from the House of Representatives announcing that the Speaker has signed the following enrolled bill:

H.R. 533. An act to revoke the charter of incorporation of the Miami Tribe of Oklahoma at the request of that tribe, and for other purposes.

MESSAGE FROM THE HOUSE

At 2:34 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 1615. An act to direct the Chief FOIA Officer of the Department of Homeland Security to make certain improvements in the implementation of section 552 of title 5, United States Code (commonly known as the Freedom of Information Act), and for other purposes.

H.R. 2200. An act to amend the Homeland Security Act of 2002 to establish chemical, biological, radiological, and nuclear intelligence and information sharing functions of the Office of Intelligence and Analysis of the Department of Homeland Security and to require dissemination of information analyzed by the Department to entities with responsibilities relating to homeland security, and for other purposes.

MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 1615. An act to direct the Chief FOIA Officer of the Department of Homeland Security to make certain improvements in the implementation of section 552 of title 5, United States Code (commonly known as the Freedom of Information Act), and for other purposes; to the Committee on the Judiciary.

H.R. 2200. An act to amend the Homeland Security Act of 2002 to establish chemical, biological, radiological, and nuclear intelligence and information sharing functions of the Office of Intelligence and Analysis of the Department of Homeland Security and to require dissemination of information analyzed by the Department to entities with responsibilities relating to homeland security, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

MEASURES PLACED ON THE CALENDAR

The following bill was read the second time, and placed on the calendar:

S. 1698. A bill to exclude payments from State eugenics compensation programs from consideration in determining eligibility for, or the amount of, Federal public benefits.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC–2116. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency that was declared in Executive Order 13348 of July 22, 2004, relative to the former Liberian regime of Charles Taylor; to the Committee on Banking, Housing, and Urban Affairs.

EC–2117. A communication from the Chairman and President of the Export-Import Bank, transmitting, pursuant to law, a report entitled ''Report to the U.S. Congress on Global Export Credit Competition''; to the Committee on Banking, Housing, and Urban Affairs.

EC–2118. A communication from the Assistant Secretary, Energy Efficiency and Renewable Energy, Department of Energy, transmitting, pursuant to law, a report entitled ''Barriers to Industrial Energy Efficiency''; to the Committee on Energy and Natural Resources.

EC–2119. A communication from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting, pursuant to law, a report entitled ''Report to Congress on the Administration, Cost and Impact of Quality Improvement Organization (QIO) Program for Medicare Beneficiaries for Fiscal Year (FY) 2012''; to the Committee on Finance.

EC–2120. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Application Procedures for Approval of Benefit Suspensions for Certain Multiemployer Defined Benefit Pension Plans under Section 432(e)(9)'' (Rev. Proc. 2015–34) received in the Office of the President of the Senate on June 22, 2015; to the Committee on Health, Education, Labor, and Pensions.

EC–2121. A communication from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting, pursuant to law, a report entitled ''Health Profession Opportunity Grants (HPOG) Program and Evaluation Portfolio Interim Report to Congress''; to the Committee on Health, Education, Labor, and Pensions.

EC–2122. A communication from the Executive Director for Operations, Nuclear Regulatory Commission, transmitting, pursuant to law, the Uniform Resource Locator (URL) for the Commission's commercial activities inventory; to the Committee on Homeland Security and Governmental Affairs.

EC–2123. A communication from the Regulatory Coordinator, U.S. Immigration and Customs Enforcement, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Change to Existing Regulation Concerning the Interest Rate Paid on Cash Deposited to Secure Immigration Bonds'' (RIN1653–AA66) received in the Office of the President of the Senate on June 23, 2015; to the Committee on the Judiciary.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. JOHNSON, from the Committee on Homeland Security and Governmental Affairs, without amendment:

S. 1109. A bill to require adequate information regarding the tax treatment of payments under settlement agreements entered into by Federal agencies, and for other purposes (Rept. No. 114–76).

By Mr. THUNE, from the Committee on Commerce, Science, and Transportation, without amendment:

S. 1359. A bill to allow manufacturers to meet warranty and labeling requirements for consumer products by displaying the terms of warranties on Internet websites, and for other purposes (Rept. No. 114–77).

By Mr. BURR, from the Select Committee on Intelligence, without amendment:

S. 1705. An original bill to authorize appropriations for fiscal year 2016 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. BARRASSO (for himself, Ms. MURKOWSKI, Mr. TESTER, Mr. DAINES, Mr. MORAN, Mr. SCHATZ, Mr. UDALL, Ms. HEITKAMP, and Mr. HOEVEN):

S. 1704. A bill to amend the Indian Tribal Justice Act to secure urgent resources vital to Indian victims of crime, and for other purposes; to the Committee on Indian Affairs.

By Mr. BURR:

S. 1705. An original bill to authorize appropriations for fiscal year 2016 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes; from the Select Committee on Intelligence; placed on the calendar.

By Mr. RISCH (for himself and Mr. HEINRICH):

S. 1706. A bill to amend the Energy Independence and Security Act of 2007 to promote energy efficiency via information and computing technologies, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. BOOZMAN (for himself and Mr. COTTON):

S. 1707. A bill to designate the Federal building located at 617 Walnut Street in Helena, Arkansas, as the ''Jacob Trieber Federal Building, United States Post Office, and United States Court House''; to the Committee on Environment and Public Works.

By Mr. BROWN:

S. 1708. A bill to improve certain provisions relating to charter schools; to the Committee on Health, Education, Labor, and Pensions.

By Ms. WARREN (for herself, Mr. MCCAIN, Mr. KING, and Ms. CANTWELL):

S. 1709. A bill to reduce risks to the financial system by limiting banks' ability to engage in certain risky activities and limiting conflicts of interest, to reinstate certain Glass-Steagall Act protections that were repealed by the Gramm-Leach-Bliley Act, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. BROWN (for himself, Mr. COONS, and Mr. CASEY):

S. 1710. A bill to authorize a grant-matching program that strengthens and accelerates interventions in the lowest-performing elementary schools and secondary schools; to the Committee on Health, Education, Labor, and Pensions.

By Mr. SCOTT (for himself, Mr. DONNELLY, Mr. CRAPO, Mrs. SHAHEEN, Mr. HELLER, Mr. KING, Mr. ROUNDS, Mr. DAINES, Ms. AYOTTE, Mr. ROBERTS, and Mr. ISAKSON):

S. 1711. A bill to provide for a temporary safe harbor from the enforcement of integrated disclosure requirements for mortgage loan transactions under the Real Estate Settlement Procedures Act of 1974 and the Truth in Lending Act, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. BENNET:

S. 1712. A bill to amend the Small Tract Act of 1983 to expand the authority of the Secretary of Agriculture to sell or exchange small parcels of National Forest System land to enhance the management of the National Forest System, resolve minor encroachments, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. SANDERS (for himself and Mr. MERKLEY):

S. 1713. A bill to require the Secretary of Energy to provide loans and grants for solar installations in low-income and underserved areas; to the Committee on Energy and Natural Resources.

By Mr. MANCHIN (for himself, Mrs. CAPITO, Mr. CASEY, Mr. BROWN, Mr. KAINE, Mr. WARNER, and Mr. ROBERTS):

S. 1714. A bill to amend the Surface Mining Control and Reclamation Act of 1977 to transfer certain funds to the Multiemployer Health Benefit Plan and the 1974 United Mine Workers of America Pension Plan, and for other purposes; to the Committee on Finance.

ADDITIONAL COSPONSORS

S. 33

At the request of Mr. BARRASSO, the name of the Senator from Nevada (Mr. HELLER) was added as a cosponsor of S. 33, a bill to provide certainty with respect to the timing of Department of Energy decisions to approve or deny applications to export natural gas, and for other purposes.

S. 71

At the request of Mr. VITTER, the name of the Senator from Arkansas (Mr. BOOZMAN) was added as a cosponsor of S. 71, a bill to preserve open competition and Federal Government neutrality towards the labor relations of Federal Government contractors on Federal and federally funded construction projects.

S. 164

At the request of Mr. SCHATZ, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 164, a bill to increase the rates of pay under the General Schedule and other statutory pay systems and for prevailing rate employees by 3.8 percent, and for other purposes.

S. 271

At the request of Ms. MURKOWSKI, her name was added as a cosponsor of S. 271, a bill to amend title 10, United States Code, to permit certain retired members of the uniformed services who have a service-connected disability to receive both disability compensation from the Department of Veterans Affairs for their disability and either retired pay by reason of their years of military service or Combat-Related Special Compensation, and for other purposes.

S. 314

At the request of Mr. GRASSLEY, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 314, a bill to amend title XVIII of the Social Security Act to provide for coverage under the Medicare program of pharmacist services.

S. 389

At the request of Ms. HIRONO, the names of the Senator from Nevada (Mr. REID), the Senator from Massachusetts (Ms. WARREN), the Senator from Pennsylvania (Mr. CASEY) and the Senator from Wisconsin (Ms. BALDWIN) were added as cosponsors of S. 389, a bill to amend section 1111(h)(1)(C)(i) of the Elementary and Secondary Education Act of 1965 to require that annual State report cards reflect the same race groups as the decennial census of population.

S. 439

At the request of Mr. FRANKEN, the name of the Senator from Missouri (Mrs. MCCASKILL) was added as a cosponsor of S. 439, a bill to end discrimination based on actual or perceived sexual orientation or gender identity in public schools, and for other purposes.

S. 491

At the request of Ms. KLOBUCHAR, the name of the Senator from New Mexico (Mr. HEINRICH) was added as a cosponsor of S. 491, a bill to lift the trade embargo on Cuba.

S. 497

At the request of Mrs. MURRAY, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. 497, a bill to allow Americans to earn paid sick time so that they can address their own health needs and the health needs of their families.

S. 524

At the request of Mr. WHITEHOUSE, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of S. 524, a bill to authorize the Attorney General to award grants to address the national epidemics of prescription opioid abuse and heroin use.

S. 551

At the request of Mrs. FEINSTEIN, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 551, a bill to increase public safety by permitting the Attorney General to deny the transfer of firearms or the issuance of firearms and explosives licenses to known or suspected dangerous terrorists.

S. 564

At the request of Mr. MORAN, the names of the Senator from Idaho (Mr. RISCH) and the Senator from Minnesota (Mr. FRANKEN) were added as cosponsors of S. 564, a bill to amend title 38, United States Code, to include licensed hearing aid specialists as eligible for appointment in the Veterans Health Administration of the Department of Veterans Affairs, and for other purposes.

S. 571

At the request of Mr. INHOFE, the name of the Senator from Florida (Mr. RUBIO) was added as a cosponsor of S. 571, a bill to amend the Pilot's Bill of Rights to facilitate appeals and to apply to other certificates issued by the Federal Aviation Administration, to require the revision of the third class medical certification regulations issued by the Federal Aviation Administration, and for other purposes.

S. 599

At the request of Mr. TOOMEY, the name of the Senator from North Carolina (Mr. BURR) was added as a cosponsor of S. 599, a bill to extend and expand the Medicaid emergency psychiatric demonstration project.

S. 624

At the request of Mr. BROWN, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. 624, a bill to amend title XVIII of the Social Security Act to waive coinsurance under Medicare for colorectal cancer screening tests, regardless of whether therapeutic intervention is required during the screening.

S. 628

At the request of Ms. BALDWIN, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 628, a bill to amend the Public Health Service Act to provide for the designation of maternity care health professional shortage areas.

S. 637

At the request of Mr. CRAPO, the names of the Senator from South Dakota (Mr. THUNE), the Senator from Maryland (Ms. MIKULSKI) and the Senator from New Hampshire (Ms. AYOTTE) were added as cosponsors of S. 637, a bill to amend the Internal Revenue Code of 1986 to extend and modify the railroad track maintenance credit.

S. 654

At the request of Mr. ROBERTS, the name of the Senator from Nebraska (Mrs. FISCHER) was added as a cosponsor of S. 654, a bill to exempt certain class A CDL drivers from the requirement to obtain a hazardous material endorsement while operating a service vehicle with a fuel tank containing

3,785 liters (1,000 gallons) or less of diesel fuel.

S. 681

At the request of Mrs. GILLIBRAND, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 681, a bill to amend title 38, United States Code, to clarify presumptions relating to the exposure of certain veterans who served in the vicinity of the Republic of Vietnam, and for other purposes.

S. 696

At the request of Ms. BALDWIN, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 696, a bill to increase the number and percentage of students who graduate from high school college and career ready with the ability to use knowledge to solve complex problems, think critically, communicate effectively, collaborate with others, and develop academic mindsets, and for other purposes.

S. 700

At the request of Mr. DURBIN, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 700, a bill to amend the Asbestos Information Act of 1988 to establish a public database of asbestos-containing products, to require public disclosure of information pertaining to the manufacture, processing, distribution, and use of asbestos-containing products in the United States, and for other purposes.

S. 857

At the request of Ms. STABENOW, the names of the Senator from Kansas (Mr. MORAN), the Senator from Virginia (Mr. KAINE) and the Senator from Vermont (Mr. SANDERS) were added as cosponsors of S. 857, a bill to amend title XVIII of the Social Security Act to provide for coverage under the Medicare program of an initial comprehensive care plan for Medicare beneficiaries newly diagnosed with Alzheimer's disease and related dementias, and for other purposes.

S. 862

At the request of Ms. MIKULSKI, the name of the Senator from North Dakota (Ms. HEITKAMP) was added as a cosponsor of S. 862, a bill to amend the Fair Labor Standards Act of 1938 to provide more effective remedies to victims of discrimination in the payment of wages on the basis of sex, and for other purposes.

S. 901

At the request of Mr. MORAN, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 901, a bill to establish in the Department of Veterans Affairs a national center for research on the diagnosis and treatment of health conditions of the descendants of veterans exposed to toxic substances during service in the Armed Forces that are related to that exposure, to establish an advisory board on such health conditions, and for other purposes.

S. 911

At the request of Mr. CASEY, the name of the Senator from New Jersey (Mr. BOOKER) was added as a cosponsor of S. 911, a bill to direct the Administrator of the Federal Aviation Administration to issue an order with respect to secondary cockpit barriers, and for other purposes.

S. 976

At the request of Mrs. MURRAY, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. 976, a bill to promote the development of a United States commercial space resource exploration and utilization industry and to increase the exploration and utilization of resources in outer space.

S. 979

At the request of Mr. NELSON, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 979, a bill to amend title 10, United States Code, to repeal the requirement for reduction of survivor annuities under the Survivor Benefit Plan by veterans' dependency and indemnity compensation, and for other purposes.

S. 1013

At the request of Mr. SCHUMER, the names of the Senator from Colorado (Mr. BENNET) and the Senator from Oregon (Mr. MERKLEY) were added as cosponsors of S. 1013, a bill to amend title XVIII of the Social Security Act to provide for coverage and payment for complex rehabilitation technology items under the Medicare program, and for other purposes.

S. 1085

At the request of Mrs. MURRAY, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 1085, a bill to expand eligibility for the program of comprehensive assistance for family caregivers of the Department of Veterans Affairs, to expand benefits available to participants under such program, to enhance special compensation for members of the uniformed services who require assistance in everyday life, and for other purposes.

S. 1203

At the request of Mr. HELLER, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 1203, a bill to amend title 38, United States Code, to improve the processing by the Department of Veterans Affairs of claims for benefits under laws administered by the Secretary of Veterans Affairs, and for other purposes.

S. 1212

At the request of Mr. CARDIN, the name of the Senator from Arkansas (Mr. BOOZMAN) was added as a cosponsor of S. 1212, a bill to amend the Internal Revenue Code of 1986 and the Small Business Act to expand the availability of employee stock ownership plans in S corporations, and for other purposes.

S. 1239

At the request of Mr. DONNELLY, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. 1239, a bill to amend the Clean Air Act with respect to the ethanol waiver for the Reid vapor pressure limitations under that Act.

S. 1250

At the request of Ms. KLOBUCHAR, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 1250, a bill to encourage States to require the installation of residential carbon monoxide detectors in homes, and for other purposes.

S. 1333

At the request of Mr. GARDNER, the name of the Senator from Wisconsin (Mr. JOHNSON) was added as a cosponsor of S. 1333, a bill to amend the Controlled Substances Act to exclude cannabidiol and cannabidiol-rich plants from the definition of marihuana, and for other purposes.

S. 1347

At the request of Mr. ISAKSON, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. 1347, a bill to amend title XVIII of the Social Security Act with respect to the treatment of patient encounters in ambulatory surgical centers in determining meaningful EHR use, and for other purposes.

S. 1362

At the request of Mr. TOOMEY, the name of the Senator from North Carolina (Mr. BURR) was added as a cosponsor of S. 1362, a bill to amend title XI of the Social Security Act to clarify waiver authority regarding programs of all-inclusive care for the elderly (PACE programs).

S. 1387

At the request of Mr. BROWN, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. 1387, a bill to amend title XVI of the Social Security Act to update eligibility for the supplemental security income program, and for other purposes.

S. 1389

At the request of Mr. UDALL, the name of the Senator from New Mexico (Mr. HEINRICH) was added as a cosponsor of S. 1389, a bill to authorize exportation of consumer communications devices to Cuba and the provision of telecommunications services to Cuba, and for other purposes.

S. 1428

At the request of Mr. BARRASSO, the name of the Senator from Utah (Mr. HATCH) was added as a cosponsor of S. 1428, a bill to amend the USEC Privatization Act to require the Secretary of Energy to issue a long-term Federal excess uranium inventory management plan, and for other purposes.

S. 1454

At the request of Mrs. FISCHER, the name of the Senator from Idaho (Mr. CRAPO) was added as a cosponsor of S. 1454, a bill to enhance interstate commerce by creating a National Hiring Standard for Motor Carriers.

S. 1495

At the request of Mr. TOOMEY, the name of the Senator from North Carolina (Mr. TILLIS) was added as a cosponsor of S. 1495, a bill to curtail the use of changes in mandatory programs affecting the Crime Victims Fund to inflate spending.

S. 1512

At the request of Mr. CASEY, the name of the Senator from Vermont (Mr. LEAHY) was added as a cosponsor of S. 1512, a bill to eliminate discrimination and promote women's health and economic security by ensuring reasonable workplace accommodations for workers whose ability to perform the functions of a job are limited by pregnancy, childbirth, or a related medical condition.

S. 1513

At the request of Mr. LEAHY, the name of the Senator from New Jersey (Mr. BOOKER) was added as a cosponsor of S. 1513, a bill to reauthorize the Second Chance Act of 2007.

S. 1536

At the request of Mr. VITTER, the name of the Senator from South Carolina (Mr. SCOTT) was added as a cosponsor of S. 1536, a bill to amend chapter 6 of title 5, United States Code (commonly known as the Regulatory Flexibility Act), to ensure complete analysis of potential impacts on small entities of rules, and for other purposes.

S. 1562

At the request of Mr. WYDEN, the names of the Senator from Missouri (Mr. BLUNT) and the Senator from Wisconsin (Ms. BALDWIN) were added as cosponsors of S. 1562, a bill to amend the Internal Revenue Code of 1986 to reform taxation of alcoholic beverages.

S. 1598

At the request of Mr. LEE, the names of the Senator from Nebraska (Mrs. FISCHER), the Senator from Texas (Mr. CORNYN) and the Senator from North Dakota (Mr. HOEVEN) were added as cosponsors of S. 1598, a bill to prevent discriminatory treatment of any person on the basis of views held with respect to marriage.

S. 1617

At the request of Mrs. SHAHEEN, the names of the Senator from Kansas (Mr. ROBERTS), the Senator from South Dakota (Mr. ROUNDS), the Senator from Oregon (Mr. WYDEN), the Senator from Michigan (Mr. PETERS), the Senator from Arizona (Mr. MCCAIN), the Senator from Massachusetts (Mr. MARKEY), the Senator from Pennsylvania (Mr. TOOMEY), the Senator from Maine (Ms. COLLINS), the Senator from Minnesota (Ms. KLOBUCHAR) and the Senator from Ohio (Mr. PORTMAN) were added as cosponsors of S. 1617, a bill to prevent Hizballah and associated entities from gaining access to international financial and other institutions, and for other purposes.

S. 1636

At the request of Mr. KIRK, the name of the Senator from Oklahoma (Mr. LANKFORD) was added as a cosponsor of S. 1636, a bill to streamline the collection and distribution of Government information.

S. 1654

At the request of Mr. REED, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 1654, a bill to prevent deaths occurring from drug overdoses.

S. 1659

At the request of Mr. LEAHY, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of S. 1659, a bill to amend the Voting Rights Act of 1965 to revise the criteria for determining which States and political subdivisions are subject to section 4 of the Act, and for other purposes.

S. 1691

At the request of Mr. BARRASSO, the name of the Senator from Arizona (Mr. FLAKE) was added as a cosponsor of S. 1691, a bill to expedite and prioritize forest management activities to achieve ecosystem restoration objectives, and for other purposes.

S.J. RES. 15

At the request of Mr. CARDIN, the name of the Senator from New Mexico (Mr. UDALL) was added as a cosponsor of S.J. Res. 15, a joint resolution removing the deadline for the ratification of the equal rights amendment.

S. RES. 148

At the request of Ms. MURKOWSKI, her name was added as a cosponsor of S. Res. 148, a resolution condemning the Government of Iran's state-sponsored persecution of its Baha'i minority and its continued violation of the International Covenants on Human Rights.

S. RES. 200

At the request of Mrs. FEINSTEIN, the names of the Senator from Maine (Ms. COLLINS) and the Senator from Virginia (Mr. WARNER) were added as cosponsors of S. Res. 200, a resolution wishing His Holiness the 14th Dalai Lama a happy 80th birthday on July 6, 2015, and recognizing the outstanding contributions His Holiness has made to the promotion of nonviolence, human rights, interfaith dialogue, environmental awareness, and democracy.

S. RES. 216

At the request of Mrs. FEINSTEIN, the names of the Senator from Illinois (Mr. KIRK), the Senator from Nevada (Mr. HELLER) and the Senator from New York (Mr. SCHUMER) were added as cosponsors of S. Res. 216, a resolution recognizing the month of June 2015 as ''Immigrant Heritage Month'', a celebration of the accomplishments and contributions immigrants and their children have made in shaping the history, strengthening the economy, and enriching the culture of the United States.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. BOOZMAN (for himself and Mr. COTTON):

S. 1707. A bill to designate the Federal building located at 617 Walnut Street in Helena, Arkansas, as the ''Jacob Trieber Federal Building, United States Post Office, and United States Court House''; to the Committee on Environment and Public Works.

Mr. BOOZMAN. Mr. President, the Honorable Jacob Trieber, of Helena, AR, known as a ''genius lawyer and jurist,'' served as the first Jewish Federal judge in the United States. Born on October 6, 1853, in Raschkow, Prussia, a young Jacob Trieber and his family escaped the growing anti-Semitism in Prussia and moved to the United States. In a few short years they established their homestead and a family store in Helena, AR. In 1873, he began to study law, and 3 years later entered the Arkansas Bar. In 1897, he was appointed U.S. Attorney for the Eastern District of Arkansas in Little Rock. Three years later, on July 26, 1900, President William McKinley appointed Jacob Trieber to the Federal bench, where for 27 years Judge Trieber served on the U.S. Circuit Court for the Eastern District of Arkansas. Judge Trieber was committed to equal justice for all, and ruled for equality for African Americans and women. Judge Trieber had astounding foresight. Many of his rulings were important to civil rights and wildlife conservation. Judge Trieber was also committed to his local Arkansas community and served as an elected official on the Helena City Council and as the Phillips County treasurer. Judge Trieber played an influential role in saving the Old State House and establishing the Arkansas State Tuberculosis Sanatorium. In honor of Judge Jacob Trieber, Senator COTTON and I are introducing this legislation that designates the Federal Building in Helena-West Helena, Arkansas, the ''Jacob Trieber Federal Building, United States Post Office, and Court House.'' Judge Trieber's name will appropriately mark this building and stand as a symbol of his significant work for not only the people of Arkansas, but for the entire United States.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 1707

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

SECTION 1. JACOB TRIEBER FEDERAL BUILDING, UNITED STATES POST OFFICE, AND UNITED STATES COURT HOUSE.

(a) DESIGNATION.—The Federal building located at 617 Walnut Street in Helena, Arkansas, shall be known and designated as the ''Jacob Trieber Federal Building, United States Post Office, and United States Court House''.

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the Federal building referred to in subsection (a) shall be deemed to be a reference to the ''Jacob Trieber Federal Building, United States Post Office, and United States Court House''.

By Ms. WARREN (for herself, Mr. MCCAIN, Mr. KING, and Ms. CANTWELL):

S. 1709. A bill to reduce risks to the financial system by limiting banks' ability to engage in certain risky activities and limiting conflicts of interest, to reinstate certain Glass-Steagall Act protections that were repealed by the Gramm-Leach-Bliley Act, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

Ms. WARREN. Mr. President, I rise today to speak in support of the 21st Century Glass-Steagall Act. I am honored to join Senators MCCAIN, CANTWELL, and KING in introducing this bill.

Washington is a partisan place and this Congress has its share of partisan bills, but we have all joined together because we all want a more stable economy that works not just for those at the top but for everyone.

Seven years ago, Wall Street's high-risk bets brought our economy to its knees. The Dallas Fed estimates that the total cost of the crash was $14 trillion. Millions of families lost their homes. Millions of people lost their savings. Millions of people lost their jobs. And even today, millions of hard-working, play-by-the-rules people are still struggling to survive.

Over the past 7 years, we have made some real progress dialing back the risk of a future crisis. But despite that progress, the biggest banks continue to threaten the economy. The biggest banks are collectively much bigger today than they were 7 years ago. They continue to engage in dangerous, high-risk practices. And with each new headline and subsequent legal settlement, it becomes clearer that they keep chasing profits even if it means breaking the law.

The big banks weren't always allowed to take on big risks while enjoying the benefits of taxpayer guarantees. Four years after the 1929 Wall Street crash, Congress passed the Glass-Steagall Act, which is best known for separating investment banks and their risk-taking from commercial banks that manage savings accounts, checking accounts, and offer other banking services.

For 50 years, Glass-Steagall played a central role in keeping our country safe. Traditional banking stayed separate from high-risk Wall Street banking. There wasn't a single major financial crisis, and the financial sector helped contribute to a sustained, broad-based economic growth that helped build America's middle class. But the big traditional banks wanted the higher profits they could get from taking more risks, and investors in the big investment banks wanted access to the low-cost, insured deposits of traditional banks, so they teamed up to try to tear down Glass-Steagall's wall. Starting in the 1980s, regulators of the Federal Reserve and the Office of the Comptroller of the Currency buckled under industry pressure and began poking bigger and bigger holes in the wall between investment and commercial banking, and, after 12 separate attempts, Congress repealed most of Glass-Steagall in 1999.

The 21st Century Glass-Steagall Act will rebuild the wall between commercial banks and investment banks, separating traditional banks that offer savings and checking accounts and that are insured by the FDIC from their riskier counterparts on Wall Street. Banks can choose: Take big risks using investors' money or be very careful using depositors' money—but no more mixing the two.

The 21st Century Glass-Steagall Act also fills in the holes the regulators punched in the original Glass-Steagall, and it recognizes that the financial markets have become more complicated since the 1930s, so it covers products that did not exist when Glass-Steagall was originally passed.

By itself, the 21st Century Glass-Steagall Act will not end too big to fail and implicit government subsidies, but it will make financial institutions smaller, safer, and move us in the right direction. By separating depository institutions from riskier activities, large financial institutions will shrink in size and won't be able to rely on FDIC insurance as a safety net for their high-risk activities. It will stop the game these banks have played for far too long—heads, the big banks win and take all the profits; tails, the taxpayers lose and get stuck with the bill.

Our proposal has an added benefit—it is simple. It doesn't require thousands of pages of new rules. And better still, if we rebuilt the wall between commercial banks and investment banks, we could even cut back on some of the other rules we have in place to stop big banks from taking on too much risk.

If financial institutions actually have to face the consequences of their business decisions, if they cannot rely on government insurance to subsidize their riskiest activities, then the investors in those institutions will have a stronger incentive to closely monitor those risks before they get out of hand and take down the entire economy. Government regulators could play a more limited role, and that is an outcome everyone should like.

It has now been 7 years since the great financial crash. Most of the banks that were too big to fail in 2008 are even bigger now. Shortly after they were bailed out by the American taxpayers, these banks once again started raking in billions of dollars in profits. In fact, in 2014 they posted two of their most profitable quarters in the last 20 years. Between 2010 and 2013, the median compensation for a big-bank CEO was about $15 million a year while median household income in the United States during that same period—that is, income for the whole family—was barely above $50,000. The big banks and their executives have recovered handsomely from the crisis they helped create while too many other Americans are still scraping to get by.

We weren't sent to Washington to work for the big banks. It is time for a banking system that serves the best interests of the American people, not just those few at the top. The 21st Century Glass-Steagall Act is an important step in the right direction, and I ask my colleagues to join me in supporting this bipartisan measure to strengthen our economy.

AMENDMENTS SUBMITTED AND PROPOSED

SA 2078. Mr. ROUNDS (for himself and Mr. UDALL) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves.

SA 2079. Mrs. FISCHER (for herself, Mr. KING, and Mr. TESTER) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra.

SA 2080. Mr. HATCH (for himself and Mr. MARKEY) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2081. Mr. HATCH submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2082. Mr. HATCH (for himself and Mr. BENNET) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2083. Mr. GARDNER (for himself, Mr. PETERS, and Mr. ISAKSON) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2084. Mr. ALEXANDER submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2085. Mr. REED (for himself and Mr. COCHRAN) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra.

SA 2086. Mr. WARNER submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra.

SA 2087. Mrs. FEINSTEIN (for herself and Mr. PORTMAN) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2088. Mr. REED submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2089. Mr. ALEXANDER (for himself and Mrs. MURRAY) submitted an amendment intended to be proposed by him to the bill S. 1177, supra.

SA 2090. Mr. WHITEHOUSE submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the

bill S. 1177, supra; which was ordered to lie on the table.

SA 2091. Mrs. MCCASKILL submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2092. Mrs. MCCASKILL submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2093. Mr. FRANKEN (for himself, Ms. BALDWIN, Mr. BENNET, Mr. BOOKER, Mrs. BOXER, Mr. BROWN, Ms. CANTWELL, Mr. CARDIN, Mr. CARPER, Mr. CASEY, Mr. COONS, Mr. DURBIN, Mrs. FEINSTEIN, Mrs. GILLIBRAND, Mr. HEINRICH, Ms. HEITKAMP, Ms. HIRONO, Mr. KAINE, Ms. KLOBUCHAR, Mr. LEAHY, Mr. MARKEY, Mr. MANCHIN, Mrs. MCCASKILL, Mr. MENENDEZ, Mr. MERKLEY, Ms. MIKULSKI, Mr. MURPHY, Mrs. MURRAY, Mr. PETERS, Mr. REED, Mr. SANDERS, Mr. SCHATZ, Mr. SCHUMER, Mrs. SHAHEEN, Ms. STABENOW, Mr. TESTER, Mr. UDALL, Ms. WARREN, Mr. WHITEHOUSE, Mr. WYDEN, and Mr. KIRK) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2094. Mr. TOOMEY (for himself, Mr. MANCHIN, Mr. COTTON, Mr. MCCAIN, Mr. GARDNER, and Mr. VITTER) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra.

SA 2095. Mr. PETERS submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra.

SA 2096. Mr. KAINE (for himself, Mr. MERKLEY, Ms. AYOTTE, and Ms. BALDWIN) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2097. Mr. BROWN submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2098. Mr. BROWN submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2099. Mr. BROWN (for himself, Mr. MANCHIN, and Mrs. CAPITO) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2100. Mr. BROWN (for himself and Mr. MANCHIN) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2101. Mr. ENZI submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2102. Mr. MANCHIN (for himself, Mr. BROWN, and Mrs. CAPITO) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2103. Mr. MANCHIN (for himself and Mrs. SHAHEEN) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2104. Mr. MANCHIN (for himself and Ms. AYOTTE) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2105. Mr. BENNET submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2106. Ms. WARREN submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2107. Mr. TESTER submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2108. Mrs. GILLIBRAND (for herself and Ms. AYOTTE) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2109. Ms. HIRONO (for herself and Mr. HELLER) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2110. Mr. DAINES (for himself, Mr. GRASSLEY, Mr. CRUZ, Mr. VITTER, Mr. JOHNSON, Mr. LEE, Mr. LANKFORD, Mr. BLUNT, and Mr. CRAPO) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2111. Mr. MCCAIN (for himself and Mr. REID) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2112. Mr. BENNET submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2113. Mr. BENNET submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2114. Mr. BENNET submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2115. Mr. BENNET submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2116. Mr. BENNET submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2117. Mr. BENNET submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2118. Mr. KAINE (for himself, Mr. PORTMAN, and Ms. BALDWIN) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2119. Mr. GARDNER (for himself, Mr. CARPER, Mr. COONS, and Mrs. FEINSTEIN) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2120. Ms. WARREN (for herself and Mr. GARDNER) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2121. Mr. HELLER (for himself and Mr. MANCHIN) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 2078. Mr. ROUNDS (for himself and Mr. UDALL) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; as follows:

On page 723, after line 23, insert the following:

SEC. 7006. REPORT ON ELEMENTARY AND SECONDARY EDUCATION IN RURAL OR POVERTY AREAS OF INDIAN COUNTRY.

(a) IN GENERAL.—By not later than 90 days after the date of enactment of this Act, the Secretary of Education, in collaboration with the Secretary of the Interior, shall conduct a study regarding elementary and secondary education in rural or poverty areas of Indian country.

(b) REPORT.—By not later than 270 days after the date of enactment of this Act, the Secretary of Education, in collaboration with the Secretary of the Interior, shall prepare and submit to Congress a report on the study described in subsection (a) that—

(1) includes the findings of the study;

(2) identifies barriers to autonomy that Indian tribes have within elementary schools and secondary schools funded or operated by the Bureau of Indian Education;

(3) identifies recruitment and retention options for highly effective teachers and school administrators for elementary school and secondary schools in rural or poverty areas of Indian country;

(4) identifies the limitations in funding sources and flexibility for such schools; and

(5) provides strategies on how to increase high school graduation rates in such schools, in order to increase the high school graduation rate for students at such schools.

(c) DEFINITIONS.—In this section:

(1) ESEA DEFINITIONS.—The terms ''elementary school'', ''high school'', and ''secondary school'' shall have the meanings given the terms in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

(2) INDIAN COUNTRY.—The term ''Indian country'' has the meaning given the term in section 1151 of title 18, United States Code.

(3) INDIAN TRIBE.—The term ''Indian tribe'' has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b).

SA 2079. Mrs. FISCHER (for herself, Mr. KING, and Mr. TESTER) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; as follows:

On page 800, between lines 17 and 18, insert the following:

SEC. 9115A. LOCAL GOVERNANCE.

Subpart 2 of part F of title IX (20 U.S.C. 7901 et seq.), as amended by sections 4001(3), 9114, and 9115, and redesignated by section 9106(1), is further amended by adding at the end the following:

"SEC. 9540. LOCAL GOVERNANCE.

''(a) RULE OF CONSTRUCTION.—Nothing in this Act shall be construed to allow the Secretary to—

''(1) exercise any governance or authority over school administration, including the development and expenditure of school budgets, unless otherwise authorized under this Act;

''(2) issue any regulation without first complying with the rulemaking requirements of section 553 of title 5, United States Code; or

''(3) issue any non-regulatory guidance without first, to the extent feasible, considering input from stakeholders.

''(b) AUTHORITY UNDER OTHER LAW.—Nothing in subsection (a) shall be construed to affect any authority the Secretary has under any other Federal law.''.

SA 2080. Mr. HATCH (for himself and Mr. MARKEY) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

At the end of title I, add the following:

SEC. 1018. STUDENT PRIVACY POLICY COMMITTEE.

(a) ESTABLISHMENT OF A COMMITTEE ON STUDENT PRIVACY POLICY.—Not later than 60 days after the date of enactment of this Act, there is established a committee to be known as the ''Student Privacy Policy Committee'' (referred to in this section as the ''Committee'').

(b) MEMBERSHIP.—

(1) COMPOSITION.—The Committee shall be composed of—

(A) 3 individuals appointed by the Secretary of Education;

(B) not less than 8 and not more than 13 individuals appointed by the Comptroller General of the United States, representing—

(i) experts in education data and student privacy;

(ii) educators and parents;

(iii) State and local government officials responsible for managing student information;

(iv) education technology leaders in the State or a local educational agency;

(v) experts with practical experience dealing with data privacy management at the State or local level;

(vi) experts with a background in academia or research in data privacy and education data; and

(vii) education technology providers and education data storage providers; and

(C) 4 members appointed by—

(i) the majority leader of the Senate;

(ii) the minority leader of the Senate;

(iii) the Speaker of the House of Representatives; and

(iv) the minority leader of the House of Representatives.

(D) CHAIRPERSON.—The Committee shall select a Chairperson from among its members.

(E) VACANCIES.—Any vacancy in the Committee shall not affect the powers of the Committee and shall be filled in the same manner as an initial appointment described in subparagraphs (A) through (C).

(c) MEETINGS.—The Committee shall hold, at the call of the Chairperson, not less than 5 meetings before completing the study required under subsection (e) and the report required under subsection (f).

(d) PERSONNEL MATTERS.—

(1) COMPENSATION OF MEMBERS.—Each member of the Committee shall serve without compensation in addition to any such compensation received for the member's service as an officer or employee of the United States, if applicable.

(2) TRAVEL EXPENSES.—The members of the Committee shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under subchapter 1 of chapter 57 of title 5, United States Code, while away from their homes or regular places of business in the performance of services for the Committee.

(e) DUTIES OF THE COMMITTEE.—

(1) STUDY.—The Committee shall conduct a study on the effectiveness of Federal laws and enforcement mechanisms of—

(A) student privacy; and

(B) parental rights to student information.

(2) RECOMMENDATIONS.—Based on the findings of the study under paragraph (1), the Committee shall develop recommendations addressing issues of student privacy and parental rights and how to improve and enforce Federal laws regarding student privacy and parental rights, including recommendations that—

(A) provide or update standard definitions, if needed, for relevant terms related to student privacy, including—

(i) education record;

(ii) personally identifiable information;

(iii) aggregated, de-identified, or anonymized data;

(iv) third-party; and

(v) educational purpose;

(B) identify—

(i) which Federal laws should be updated; and

(ii) the appropriate Federal enforcement authority to execute the laws identified in clause (i);

(C) address the sharing of data in an increasingly technological world, including—

(i) evaluations of protections in place for student data when it is used for research purposes;

(ii) establishing best practices for any entity that is charged with handling, or that comes into contact with, student education records;

(iii) ensuring that identifiable data cannot be used to target students for advertising or marketing purposes; and

(iv) establishing best practices for data deletion and minimization;

(D) discuss transparency and parental access to personal student information by establishing best practices for—

(i) ensuring parental knowledge of any entity that stores or accesses their student's information;

(ii) parents to amend, delete, or modify their student's information; and

(iii) a central designee in a State or a political subdivision of a State who can oversee transparency and serve as a point of contact for interested parties;

(E) establish best practices for the local entities who handle student privacy, which may include professional development for those who come into contact with identifiable data; and

(F) discuss how to improve coordination between Federal and State laws.

(f) REPORT.—Not later than 270 days after the date of enactment of this Act, the Committee shall prepare and submit a report to the Secretary of Education and to Congress containing the findings of the study under subsection (e)(1) and the recommendations developed under subsection (e)(2).

SA 2081. Mr. HATCH submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

On page 63, beginning on line 22, strike ''and the'' and all that follows through the semicolon on line 25 and insert the following: ''and the steps the State will take to further assist local educational agencies, if such strategies are not effective, including an assurance that the State will make the determinations required under paragraphs (1)(A) and (2)(A) of section 1119(b);''.

On page 183, between lines 6 and 7, insert the following:

SEC. _____. REVIEWING POLICIES ON AUTOMATIC CONTRACT RENEWALS AND RENEGOTIATING CONTRACTS FOR FAILING LOCAL EDUCATIONAL AGENCIES AND SCHOOLS.

Subpart 1 of part A of title I (20 U.S.C. 6311 et seq.) is amended by adding at the end the following:

"SEC. 1119. REVIEWING POLICIES ON AUTOMATIC CONTRACT RENEWALS AND RENEGOTIATING CONTRACTS FOR FAILING LOCAL EDUCATIONAL AGENCIES AND SCHOOLS.

''(a) REVIEWING POLICIES ON AUTOMATIC CONTRACT RENEWALS.—Each State receiving funds under this part shall require that, beginning on the date of enactment of the Every Child Achieves Act of 2015, each local educational agency or public elementary school or secondary school in the State review their policies on entering into contracts that allows for the automatic renewal of the contract without affirmative action by the local educational agency or school, respectively.

''(b) RENEGOTIATING ABILITY.—Each State receiving funds under this part shall establish policies and procedures ensuring that—

''(1) each covered contract entered into by a local educational agency receiving assistance under this part allows the local educational agency, during any period for which the local educational agency is a failing local educational agency—

''(A) to renegotiate any of the terms or conditions of the covered contract at any point before the expiration of the term of the covered contract; and

''(B) after the State determines that the local educational agency has attempted to renegotiate in good faith but the parties have been unable to reach agreement, to be released from the contract; and

''(2) each covered contract entered into by a public elementary school or secondary school receiving assistance under this part allows the school, during any period for which the school is identified for intervention and support under section 1114(a)(1) and is served by a failing local educational agency—

''(A) to renegotiate, with approval by the local educational agency, any of the terms or

conditions of the covered contract at any point before the expiration of the term of the covered contract; and

''(B) after the State and local educational agency determine that the school has attempted to renegotiate in good faith but the parties have been unable to reach agreement, to be released from the contract.

''(c) DEFINITIONS.—In this section:

''(1) COVERED CONTRACT.—The term 'covered contract' means a contract or agreement that—

''(A) is entered into by a local educational agency, or by a public elementary school or secondary school, that receives assistance under this part; and

''(B) is entered into or renewed on or after the date of enactment of the Every Child Achieves Act of 2015.

''(2) FAILING LOCAL EDUCATIONAL AGENCY.—The term 'failing local educational agency' means a local educational agency for which not less than 40 percent of the public schools served by the local educational agency have been identified by the State as in need of intervention and support under section 1114(a)(1) for the applicable year.''.

SA 2082. Mr. HATCH (for himself and Mr. BENNET) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

On page 627, line 8, strike ''State.'' and insert ''State, such as pay for success initiatives that promote coordination among existing programs and meet the purposes of this part.''.

SA 2083. Mr. GARDNER (for himself, Mr. PETERS, and Mr. ISAKSON) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

On page 145, between lines 17 and 18, insert the following:

''(e) USE FOR DUAL OR CONCURRENT ENROLLMENT PROGRAMS.—

''(1) IN GENERAL.—A local educational agency carrying out a schoolwide program or a targeted assistance school program under subsection (c) or (d) in a high school may use funds received under this part—

''(A) to carry out—

''(i) dual or concurrent enrollment programs for high school students, through which the students are enrolled in the high school and in postsecondary courses at an institution of higher education; or

''(ii) programs that allow a student to continue in a dual or concurrent enrollment program at a high school for the school year following the student's completion of grade 12; or

''(B) to provide training for teachers, and joint professional development for teachers in collaboration with career and technical educators and educators from institutions of higher education where appropriate, for the purpose of integrating rigorous academics in dual or concurrent enrollment programs.

''(2) FLEXIBILITY OF FUNDS.—A local educational agency using funds received under this part for a dual or concurrent program described in clause (i) or (ii) of paragraph (1)(A) may use such funds for any of the costs associated with such program, including the costs of—

''(A) tuition and fees, books, and required instructional materials for such program; and

''(B) transportation to and from such program.

''(3) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed to impose on any State any requirement or rule regarding dual or concurrent enrollment programs that is inconsistent with State law.

SA 2084. Mr. ALEXANDER submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

On page 800, between lines 17 and 18, insert the following:

SEC. 9115A. CRIMINAL BACKGROUND CHECKS FOR SCHOOL EMPLOYEES.

Subpart 2 of part F of title IX (20 U.S.C. 7901 et seq.), as amended by sections 4001(3), 9114, and 9115, and redesignated by section 9106(1), is further amended by adding at the end the following:

''SEC. 9540. CRIMINAL BACKGROUND CHECKS FOR SCHOOL EMPLOYEES.

''(a) CRIMINAL BACKGROUND CHECK REQUIREMENTS.—

''(1) IN GENERAL.—Each State educational agency and local educational agency that receives funds under this Act shall have in effect policies and procedures that—

''(A) require a criminal background check for each school employee in each covered school served by such State educational agency and local educational agency consistent with State and Federal laws, including but not limited to the Civil Rights Act of 1964; and

''(B) establish an appeals process to permit a school employee to, among other things, challenge the accuracy of the findings of a criminal background check.

''(2) REQUIREMENTS.—A background check required under paragraph (1) shall be conducted and administered by—

''(A) the State;

''(B) the State educational agency; or

''(C) the local educational agency.

''(b) STATE AND LOCAL USES OF FUNDS.—A State, State educational agency, or local educational agency that receives funds under this Act may use such funds to establish, implement, or improve policies and procedures on background checks for school employees required under subsection (a) to—

''(1) expand the registries or repositories searched when conducting background checks, such as—

''(A) the State criminal registry or repository of the State in which the school employee resides;

''(B) the State-based child abuse and neglect registries and databases of the State in which the school employee resides;

''(C) the Federal Bureau of Investigation fingerprint check using the Integrated Automated Fingerprint Identification System; and

''(D) the National Sex Offender Registry established under section 119 of the Adam Walsh Child Protection and Safety Act of 2006 (42 U.S.C. 16919);

''(2) provide school employees with training and professional development on how to recognize, respond to, and prevent child abuse;

''(3) develop, implement, or improve mechanisms to assist covered local educational agencies and covered schools in effectively recognizing and quickly responding to incidents of child abuse by school employees;

''(4) develop and disseminate information on best practices and Federal, State, and local resources available to assist local educational agencies and schools in preventing and responding to incidents of child abuse by school employees;

''(5) develop professional standards and codes of conduct for the appropriate behavior of school employees;

''(6) establish, implement, or improve policies and procedures for covered State educational agencies, covered local educational agencies, or covered schools to provide the results of background checks to—

''(A) individuals subject to the background checks in a statement that indicates whether the individual is ineligible for such employment due to the background check and includes information related to each disqualifying crime;

''(B) the employer in a statement that indicates whether a school employee is eligible or ineligible for employment, without revealing any disqualifying crime or other related information regarding the individual;

''(C) another employer in the same State or another State, as permitted under State law, without revealing any disqualifying crime or other related information regarding the individual; and

''(D) another local educational agency in the same State or another State that is considering such school employee for employment, as permitted under State law, without revealing any disqualifying crime or other related information regarding the individual;

''(7) establish, implement, or improve procedures that include periodic background checks, which also allows for an appeals process as described in paragraph (8), for school employees in accordance with State policies or the policies of covered local educational agencies served by the covered State educational agency;

''(8) establish, implement, or improve a process by which a school employee may appeal the results of a background check, which process is completed in a timely manner, gives each school employee notice of an opportunity to appeal, and instructions on how to complete the appeals process;

''(9) establish, implement, or improve a review process through which the covered State educational agency or covered local educational agency may determine that a school employee disqualified due to a crime is eligible for employment due to mitigating circumstances as determined by a covered local educational agency or a covered State educational agency;

''(10) establish, implement, or improve policies and procedures intended to ensure a covered State educational agency or covered local educational agency does not knowingly transfer or facilitate the transfer of a school employee if the agency knows that employee has engaged in sexual misconduct, as defined by State law, with an elementary school or secondary school student;

''(11) provide that policies and procedures are published on the website of the covered State educational agency and the website of each covered local educational agency served by the covered State educational agency;

''(12) provide school employees with training regarding the appropriate reporting of incidents of child abuse under section 106(b)(2)(B)(i) of the Child Abuse Prevention and Treatment Act (42 U.S.C. 5106a(b)(2)(B)(i)); and

''(13) support any other activities determined by the State to protect student safety

or improve the comprehensiveness, coordination, and transparency of policies and procedures on criminal background checks for school employees in the State.

''(c) NO PRIVATE RIGHT OF ACTION.—Nothing in this section shall be construed to create a private right of action if a State, covered State educational agency, covered local educational agency, or covered school is in compliance with State regulations and requirements concerning background checks.

''(d) BACKGROUND CHECK FEES.—Nothing in this section shall be construed as prohibiting States or local educational agencies from charging school employees for the costs of processing applications and administering a background check as required by State law, provided that the fees charged to school employees do not exceed the actual costs to the State or local educational agency for the processing and administration of the background check.

''(e) STATE AND LOCAL PLAN REQUIREMENTS.—Each plan submitted by a State or local educational agency under title I shall include—

''(1) an assurance that the State and local educational agency has in effect policies and procedures that meet the requirements of this section; and

''(2) a description of laws, regulations, or policies and procedures in effect in the State for conducting background checks for school employees designed to—

''(A) terminate individuals in violation of State background check requirements;

''(B) improve the reporting of violations of the background check requirements in the State;

''(C) reduce the instance of school employee transfers following a substantiated violation of the State background check requirements by a school employee;

''(D) provide for a timely process by which a school employee may appeal the results of a criminal background check;

''(E) provide each school employee, upon request, with a copy of the results of the criminal background check, including a description of the disqualifying item or items, if applicable;

''(F) provide the results of the criminal background check to the employer in a statement that indicates whether a school employee is eligible or ineligible for employment, without revealing any disqualifying crime or other related information regarding the individual; and

''(G) provide for the public availability of the policies and procedures for conducting background checks.

''(f) TECHNICAL ASSISTANCE TO STATES, SCHOOL DISTRICTS, AND SCHOOLS.—The Secretary, in collaboration with the Secretary of Health and Human Services and the Attorney General, shall provide technical assistance and support to States, local educational agencies, and schools, which shall include, at a minimum—

''(1) developing and disseminating a comprehensive package of materials for States, State educational agencies, local educational agencies, and schools that outlines steps that can be taken to prevent and respond to child sexual abuse by school personnel;

''(2) determining the most cost-effective way to disseminate Federal information so that relevant State educational agencies and local educational agencies, child welfare agencies, and criminal justice entities are aware of such information and have access to it; and

''(3) identifying mechanisms to better track and analyze the prevalence of child sexual abuse by school personnel through existing Federal data collection systems, such as the School Survey on Crime and Safety, the National Child Abuse and Neglect Data System, and the National Crime Victimization Survey.

''(g) REPORTING REQUIREMENTS.—

''(1) REPORTS TO THE SECRETARY.—A covered State educational agency or covered local educational agency that uses funds pursuant to this section shall report annually to the Secretary on—

''(A) the amount of funds used; and

''(B) the purpose for which the funds were used under this section.

''(2) SECRETARY'S REPORT CARD.—Not later than July 1, 2017, and annually thereafter, the Secretary, acting through the Director of the Institute of Education Sciences, shall transmit to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Education and the Workforce of the House of Representatives a national report card that includes—

''(A) actions taken pursuant to subsection (f), including any best practices identified under such subsection; and

''(B) incidents of reported child sexual abuse by school personnel, as reported through existing Federal data collection systems, such as the School Survey on Crime and Safety, the National Child Abuse and Neglect Data System, and the National Crime Victimization Survey.

''(h) RULES OF CONSTRUCTION REGARDING BACKGROUND CHECKS.—

''(1) NO FEDERAL CONTROL.—Nothing in this section shall be construed to authorize an officer or employee of the Federal Government to—

''(A) mandate, direct, or control the background check policies or procedures that a State or local educational agency develops or implements under this section;

''(B) establish any criterion that specifies, defines, or prescribes the background check policies or procedures that a State or local educational agency develops or implements under this section; or

''(C) require a State or local educational agency to submit such background check policies or procedures for approval.

''(2) PROHIBITION ON REGULATION.—Nothing in this section shall be construed to permit the Secretary to establish any criterion that—

''(A) prescribes, or specifies requirements regarding, background checks for school employees;

''(B) defines the term 'background checks', as such term is used in this section; or

''(C) requires a State or local educational agency to report additional data elements or information to the Secretary not otherwise explicitly authorized under this section or any other Federal law.

''(3) EXISTING CIVIL RIGHTS LAW.—Nothing in this section shall be construed as permitting a State or local agency or official to amend, establish, or implement background checks for school employees in a manner inconsistent with title VII of the Civil Rights Act of 1964 or limiting Federal enforcement of such law.

''(i) DEFINITIONS.—In this section—

''(1) the term 'covered local educational agency' means a local educational agency that receives funds under this Act;

''(2) the term 'covered school' means a public elementary school or public secondary school, including a public elementary or secondary charter school, that receives funds under this Act;

''(3) the term 'covered State educational agency' means a State educational agency that receives funds under this Act; and

''(4) the term 'school employee' includes, at a minimum—

''(A) an employee of, or a person seeking employment with, a covered school, covered local educational agency, or covered State educational agency and who, as a result of such employment, has (or, in the case of a person seeking employment, will have) a job duty that includes unsupervised contact or interaction with elementary school or secondary school students; or

''(B) any person, or any employee of any person, who has a contract or agreement to provide services with a covered school, covered local educational agency, or covered State educational agency, and such person or employee, as a result of such contract or agreement, has a job duty that includes unsupervised contact or unsupervised interaction with elementary school or secondary school students.

''SEC. 9541. PROHIBITIONS ON TRANSFERS.

''(a) IN GENERAL.—A State, State educational agency, or local educational agency that receives funds under this Act shall have regulations, laws, or policies that prohibit any person, State educational agency, or local educational agency from knowingly transferring or facilitating the transfer of any school employee while knowing, or in reckless disregard of, credible information indicating that such school employee engaged in sexual misconduct with a minor in violation of the law, unless such information has been properly reported as required by Federal, State, or local law, including title IX of the Education Amendments of 1972 (20 U.S.C. 1681 et seq. and its implementing regulations at section 106 of title 34, Code of Federal Regulations), and no action has been taken by the relevant authorities within 2 years or the employee has been exonerated.

''(b) PROHIBITION.—The Secretary shall not have the authority to mandate, direct, or control the specific measures adopted by the State, State educational agency, or local educational agency pursuant to this section.''.

SA 2085. Mr. REED (for himself and Mr. COCHRAN) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; as follows:

On page 69, after line 25, insert the following:

''(ii) assist local educational agencies in developing effective school library programs to provide students an opportunity to develop digital literacy skills and to help ensure that all students graduate from high school prepared for postsecondary education or the workforce without the need for remediation; and''.

On page 107, between lines 17 and 18, insert the following:

''(B) assist schools in developing effective school library programs to provide students an opportunity to develop digital literacy skills and to help ensure that all students graduate from high school prepared for postsecondary education or the workforce without the need for remediation; and''.

On page 282, strike lines 18 and 19 and insert the following:

''(xiii) Supporting the instructional services provided by effective school library programs.''.

On page 305, strike lines 14 and 15 and insert the following:

''(M) supporting the instructional services provided by effective school library programs;''.

On page 364, line 9, insert ''school librarians,'' after ''personnel,''.

On page 365, line 10, insert ''school librarians,'' after ''support personnel,''.

On page 771, lines 12 and 13, strike ''and speech language pathologists,'' and insert '', speech language pathologists, and school librarians''.

SA 2086. Mr. WARNER submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; as follows:

On page 772, after line 23, insert the following:

SEC. _____. CONSOLIDATION OF STATE ADMINISTRATIVE FUNDS FOR ELEMENTARY AND SECONDARY EDUCATION PROGRAMS.

Section 9201(b)(2) (20 U.S.C. 7821 (b)(2)) is amended—

(1) in subparagraph (G), by striking ''and'' after the semicolon;

(2) in subparagraph (H), by striking the period and inserting ''; and''; and

(3) by adding at the end the following:

''(I) implementation of fiscal support teams that provide technical fiscal support assistance, which shall include evaluating fiscal, administrative, and staffing functions, and any other key operational function.''.

SEC. _____. CONSOLIDATION OF FUNDS FOR LOCAL ADMINISTRATION.

Section 9203(d) (20 U.S.C. 7823(d)) is amended to read as follows:

''(d) USES OF ADMINISTRATIVE FUNDS.—

''(1) IN GENERAL.—A local educational agency that consolidates administrative funds under this section may use the consolidated funds for the administration of the programs and for uses, at the school district and school levels, comparable to those described in section 9201(b)(2).

''(2) FISCAL SUPPORT TEAMS.—A local educational agency that uses funds as described in 9201(b)(2)(I) may contribute State or local funds to expand the reach of such support without violating any supplement, not supplant requirement of any program contributing administrative funds.''.

SA 2087. Mrs. FEINSTEIN (for herself and Mr. PORTMAN) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

On page 813, line 8, insert before the semicolon the following: '', and provide training on the definitions of terms related to homelessness specified in sections 103, 401, and 725 to the personnel (including personnel of preschool and early childhood education programs provided through the local educational agency) and the liaison''.

On page 827, strike line 22 and insert the following:

nator.

''(E) CERTIFYING HOMELESS STATUS.—A local educational agency liaison or member of the personnel of a local educational agency who receives training described in subsection (f)(6) may certify a child or youth who is participating in a program provided by the local educational agency, or a parent or family of such a child or youth, who meets the eligibility requirements of this Act for a program or service authorized under title IV, as eligible for the program or service.''; and

SA 2088. Mr. REED submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

On page 772, between lines 14 and 15, insert the following:

''(47) INEXPERIENCED TEACHER.—The term 'inexperienced teacher' means a teacher in a public school who has been teaching less than a total of 3 complete school years.''.

SA 2089. Mr. ALEXANDER (for himself and Mrs. MURRAY) submitted an amendment intended to be proposed by him to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Every Child Achieves Act of 2015''.

SEC. 2. TABLE OF CONTENTS.

The table of contents for this Act is as follows:

Sec. 1. Short title.
Sec. 2. Table of contents.
Sec. 3. References.
Sec. 4. Statement of purpose.
Sec. 5. Table of contents of the Elementary and Secondary Education Act of 1965.

TITLE I—IMPROVING BASIC PROGRAMS OPERATED BY STATE AND LOCAL EDUCATIONAL AGENCIES

Sec. 1001. Statement of purpose.
Sec. 1002. Authorization of appropriations.
Sec. 1003. School intervention and support and State administration.
Sec. 1004. Basic program requirements.
Sec. 1005. Parent and family engagement.
Sec. 1006. Participation of children enrolled in private schools.
Sec. 1007. Supplement, not supplant.
Sec. 1008. Coordination requirements.
Sec. 1009. Grants for the outlying areas and the Secretary of the Interior.
Sec. 1010. Allocations to States.
Sec. 1011. Maintenance of effort.
Sec. 1012. Academic assessments.
Sec. 1013. Education of migratory children.
Sec. 1014. Prevention and intervention programs for children and youth who are neglected, delinquent, or at-risk.
Sec. 1015. General provisions.
Sec. 1016. Report on subgroup sample size.
Sec. 1017. Report on implementation of educational stability of children in foster care.

TITLE II—HIGH-QUALITY TEACHERS, PRINCIPALS, AND OTHER SCHOOL LEADERS

Sec. 2001. Transfer of certain provisions.
Sec. 2002. Preparing, training, and recruiting high-quality teachers, principals, and other school leaders.
Sec. 2003. American history and civics education.
Sec. 2004. Literacy education.
Sec. 2005. Improving science, technology, engineering, and mathematics instruction and student achievement.
Sec. 2006. General provisions.

TITLE III—LANGUAGE INSTRUCTION FOR ENGLISH LEARNERS AND IMMIGRANT STUDENTS

Sec. 3001. General provisions.
Sec. 3002. Authorization of appropriations.
Sec. 3003. English language acquisition, language enhancement, and academic achievement.
Sec. 3004. Other provisions.
Sec. 3005. American community survey research.

TITLE IV—SAFE AND HEALTHY STUDENTS

Sec. 4001. General provisions.
Sec. 4002. Grants to States and local educational agencies.
Sec. 4003. 21st century community learning centers.
Sec. 4004. Elementary school and secondary school counseling programs.
Sec. 4005. Physical education program.

TITLE V—EMPOWERING PARENTS AND EXPANDING OPPORTUNITY THROUGH INNOVATION

Sec. 5001. General provisions.
Sec. 5002. Public charter schools.
Sec. 5003. Magnet schools assistance.
Sec. 5004. Supporting high-ability learners and learning.
Sec. 5005. Education innovation and research.
Sec. 5006. Accelerated learning.
Sec. 5007. Ready-to-Learn Television.
Sec. 5008. Innovative technology expands children's horizons (I–TECH).
Sec. 5009. Literacy and arts education.
Sec. 5010. Early learning alignment and improvement grants.

TITLE VI—INNOVATION AND FLEXIBILITY

Sec. 6001. Purposes.
Sec. 6002. Improving academic achievement.
Sec. 6003. Rural education initiative.
Sec. 6004. General provisions.
Sec. 6005. Review relating to rural local educational agencies.

TITLE VII—INDIAN, NATIVE HAWAIIAN, AND ALASKA NATIVE EDUCATION

Sec. 7001. Indian education.
Sec. 7002. Native Hawaiian education.
Sec. 7003. Alaska Native education.
Sec. 7004. Native American language immersion schools and programs.
Sec. 7005. Improving Indian student data collection, reporting, and analysis.

TITLE VIII—IMPACT AID

Sec. 8001. Purpose.
Sec. 8002. Amendment to Impact Aid Improvement Act of 2012.
Sec. 8003. Payments relating to Federal acquisition of real property.
Sec. 8004. Payments for eligible federally connected children.
Sec. 8005. Policies and procedures relating to children residing on Indian lands.
Sec. 8006. Application for payments under sections 8002 and 8003.
Sec. 8007. Construction.
Sec. 8008. Facilities.
Sec. 8009. State consideration of payments in providing State aid.
Sec. 8010. Definitions.
Sec. 8011. Authorization of appropriations.

TITLE IX—GENERAL PROVISIONS

Sec. 9101. Definitions.
Sec. 9102. Applicability to Bureau of Indian Education operated schools.
Sec. 9103. Consolidation of funds for local administration.
Sec. 9104. Rural consolidated plan.
Sec. 9105. Waivers of statutory and regulatory requirements.
Sec. 9106. Plan approval process.
Sec. 9107. Participation by private school children and teachers.
Sec. 9108. Maintenance of effort.
Sec. 9109. School prayer.

Sec. 9110. Prohibitions on Federal Government and use of Federal funds.
Sec. 9111. Armed forces recruiter access to students and student recruiting information.
Sec. 9112. Prohibition on federally sponsored testing.
Sec. 9113. Limitations on national testing or certification for teachers.
Sec. 9114. Consultation with Indian tribes and tribal organizations.
Sec. 9115. Outreach and technical assistance for rural local educational agencies.
Sec. 9116. Evaluations.
TITLE X—EDUCATION FOR HOMELESS CHILDREN AND YOUTHS; OTHER LAWS; MISCELLANEOUS
PART A—EDUCATION FOR HOMELESS CHILDREN AND YOUTH
Sec. 10101. Statement of policy.
Sec. 10102. Grants for State and local activities.
Sec. 10103. Local educational agency subgrants.
Sec. 10104. Secretarial responsibilities.
Sec. 10105. Definitions.
Sec. 10106. Authorization of appropriations.
PART B—OTHER LAWS; MISCELLANEOUS
Sec. 10201. Use of term ''highly qualified'' in other laws.
Sec. 10202. Department staff.
Sec. 10203. Report on Department actions to address Office of the Inspector General charter school reports.

SEC. 3. REFERENCES.

Except as otherwise expressly provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.).

SEC. 4. STATEMENT OF PURPOSE.

The purpose of this Act is to enable States and local communities to improve and support our Nation's public schools and ensure that every child has an opportunity to achieve.

SEC. 5. TABLE OF CONTENTS OF THE ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965.

Section 2 is amended to read as follows:

"SEC. 2. TABLE OF CONTENTS.

''The table of contents for this Act is as follows:

''Sec. 1. Short title.
''Sec. 2. Table of contents.
''TITLE I—IMPROVING THE ACADEMIC ACHIEVEMENT OF THE DISADVANTAGED
''Sec. 1001. Statement of purpose.
''Sec. 1002. Authorization of appropriations.
''Sec. 1003. State administration.
''PART A—IMPROVING BASIC PROGRAMS OPERATED BY LOCAL EDUCATIONAL AGENCIES
''SUBPART 1—BASIC PROGRAM REQUIREMENTS
''Sec. 1111. State plans.
''Sec. 1112. Local educational agency plans.
''Sec. 1113. Eligible school attendance areas; schoolwide programs; targeted assistance programs.
''Sec. 1114. School identification, interventions, and supports.
''Sec. 1115. Parent and family engagement.
''Sec. 1116. Participation of children enrolled in private schools.
''Sec. 1117. Fiscal requirements.
''Sec. 1118. Coordination requirements.
''SUBPART 2—ALLOCATIONS
''Sec. 1121. Grants for the outlying areas and the Secretary of the Interior.
''Sec. 1122. Allocations to States.
''Sec. 1124. Basic grants to local educational agencies.
''Sec. 1124A. Concentration grants to local educational agencies.
''Sec. 1125. Targeted grants to local educational agencies.
''Sec. 1125AA. Adequacy of funding of targeted grants to local educational agencies in fiscal years after fiscal year 2001.
''Sec. 1125A. Education finance incentive grant program.
''Sec. 1126. Special allocation procedures.
''Sec. 1127. Carryover and waiver.
''PART B—ACADEMIC ASSESSMENTS
''Sec. 1201. Grants for State assessments and related activities.
''Sec. 1202. Grants for enhanced assessment instruments.
''Sec. 1203. Audits of assessment systems.
''Sec. 1204. Funding.
''Sec. 1205. Innovative assessment and accountability demonstration authority.
''PART C—EDUCATION OF MIGRATORY CHILDREN
''Sec. 1301. Program purpose.
''Sec. 1302. Program authorized.
''Sec. 1303. State allocations.
''Sec. 1304. State applications; services.
''Sec. 1305. Secretarial approval; peer review.
''Sec. 1306. Comprehensive needs assessment and service-delivery plan; authorized activities.
''Sec. 1307. Bypass.
''Sec. 1308. Coordination of migrant education activities.
''Sec. 1309. Definitions.
''PART D—PREVENTION AND INTERVENTION PROGRAMS FOR CHILDREN AND YOUTH WHO ARE NEGLECTED, DELINQUENT, OR AT-RISK
''Sec. 1401. Purpose and program authorization.
''Sec. 1402. Payments for programs under this part.
''SUBPART 1—STATE AGENCY PROGRAMS
''Sec. 1411. Eligibility.
''Sec. 1412. Allocation of funds.
''Sec. 1413. State reallocation of funds.
''Sec. 1414. State plan and State agency applications.
''Sec. 1415. Use of funds.
''Sec. 1416. Institution-wide projects.
''Sec. 1417. Three-year programs or projects.
''Sec. 1418. Transition services.
''Sec. 1419. Evaluation; technical assistance; annual model program.
''SUBPART 2—LOCAL AGENCY PROGRAMS
''Sec. 1421. Purpose.
''Sec. 1422. Programs operated by local educational agencies.
''Sec. 1423. Local educational agency applications.
''Sec. 1424. Uses of funds.
''Sec. 1425. Program requirements for correctional facilities receiving funds under this section.
''Sec. 1426. Accountability.
''SUBPART 3—GENERAL PROVISIONS
''Sec. 1431. Program evaluations.
''Sec. 1432. Definitions.
''PART E—GENERAL PROVISIONS
''Sec. 1501. Federal regulations.
''Sec. 1502. Agreements and records.
''Sec. 1503. State administration.
''Sec. 1504. Prohibition against Federal mandates, direction, or control.
''Sec. 1505. Rule of construction on equalized spending.
''TITLE II—PREPARING, TRAINING, AND RECRUITING HIGH-QUALITY TEACHERS, PRINCIPALS, AND OTHER SCHOOL LEADERS
''Sec. 2001. Purpose.
''Sec. 2002. Definitions.
''Sec. 2003. Authorization of appropriations.
''PART A—FUND FOR THE IMPROVEMENT OF TEACHING AND LEARNING
''Sec. 2101. Formula grants to States.
''Sec. 2102. Subgrants to local educational agencies.
''Sec. 2103. Local use of funds.
''Sec. 2104. Reporting.
''Sec. 2105. National activities of demonstrated effectiveness.
''Sec. 2106. Supplement, not supplant.
''PART B—TEACHER AND SCHOOL LEADER INCENTIVE PROGRAM
''Sec. 2201. Purposes; definitions.
''Sec. 2202. Teacher and school leader incentive fund grants.
''Sec. 2203. Reports.
''PART C—AMERICAN HISTORY AND CIVICS EDUCATION
''Sec. 2301. Program authorized.
''Sec. 2302. Teaching of traditional American history.
''Sec. 2303. Presidential and congressional academies for American history and civics.
''Sec. 2304. National activities.
''Sec. 2305. Authorization of appropriations.
''PART D—LITERACY EDUCATION FOR ALL, RESULTS FOR THE NATION
''Sec. 2401. Purposes; definitions.
''Sec. 2402. Comprehensive literacy State development grants.
''Sec. 2403. Subgrants to eligible entities in support of birth through kindergarten entry literacy.
''Sec. 2404. Subgrants to eligible entities in support of kindergarten through grade 12 literacy.
''Sec. 2405. National evaluation and information dissemination.
''Sec. 2406. Supplement, not supplant.
''PART E—IMPROVING SCIENCE, TECHNOLOGY, ENGINEERING, AND MATHEMATICS INSTRUCTION AND STUDENT ACHIEVEMENT.
''Sec. 2501. Purpose.
''Sec. 2502. Definitions.
''Sec. 2503. Grants; allotments.
''Sec. 2504. Applications.
''Sec. 2505. Authorized activities.
''Sec. 2506. Performance metrics; report; evaluation.
''Sec. 2507. Supplement, not supplant.
''PART F—GENERAL PROVISIONS
''Sec. 2601. Rules of construction.
''TITLE III—LANGUAGE INSTRUCTION FOR ENGLISH LEARNERS AND IMMIGRANT STUDENTS
''Sec. 3001. Authorization of appropriations.
''PART A—ENGLISH LANGUAGE ACQUISITION, LANGUAGE ENHANCEMENT, AND ACADEMIC ACHIEVEMENT ACT
''Sec. 3101. Short title.
''Sec. 3102. Purposes.
''SUBPART 1—GRANTS AND SUBGRANTS FOR ENGLISH LANGUAGE ACQUISITION AND LANGUAGE ENHANCEMENT
''Sec. 3111. Formula grants to States.
''Sec. 3112. Native American and Alaska Native children in school.
''Sec. 3113. State and specially qualified agency plans.
''Sec. 3114. Within-State allocations.
''Sec. 3115. Subgrants to eligible entities.
''Sec. 3116. Local plans.
''SUBPART 2—ACCOUNTABILITY AND ADMINISTRATION
''Sec. 3121. Reporting.
''Sec. 3122. Reporting requirements.
''Sec. 3123. Coordination with related programs.
''Sec. 3124. Rules of construction.
''Sec. 3125. Legal authority under State law.
''Sec. 3126. Civil rights.
''Sec. 3127. Programs for Native Americans and Puerto Rico.
''Sec. 3128. Prohibition.

''SUBPART 3—NATIONAL ACTIVITIES
''Sec. 3131. National professional development project.
''PART B—GENERAL PROVISIONS
''Sec. 3201. Definitions.
''Sec. 3202. National clearinghouse.
''Sec. 3203. Regulations.
''TITLE IV—SAFE AND HEALTHY STUDENTS
''PART A—GRANTS TO STATES AND LOCAL EDUCATIONAL AGENCIES
''Sec. 4101. Purpose.
''Sec. 4102. Definitions.
''Sec. 4103. Formula grants to States.
''Sec. 4104. Subgrants to local educational agencies.
''Sec. 4105. Local educational agency authorized activities.
''Sec. 4106. Supplement, not supplant.
''Sec. 4107. Prohibitions.
''Sec. 4108. Authorization of appropriations.
''PART B—21ST CENTURY COMMUNITY LEARNING CENTERS
''Sec. 4201. Purpose; definitions.
''Sec. 4202. Allotments to States.
''Sec. 4203. State application.
''Sec. 4204. Local competitive subgrant program.
''Sec. 4205. Local activities.
''Sec. 4206. Authorization of appropriations.
''PART C—ELEMENTARY SCHOOL AND SECONDARY SCHOOL COUNSELING PROGRAMS
''Sec. 4301. Elementary school and secondary school counseling programs.
''PART D—PHYSICAL EDUCATION PROGRAM
''Sec. 4401. Purpose.
''Sec. 4402. Program authorized.
''Sec. 4403. Applications.
''Sec. 4404. Requirements.
''Sec. 4405. Administrative provisions.
''Sec. 4406. Supplement, not supplant.
''Sec. 4407. Authorization of appropriations.
''TITLE V—EMPOWERING PARENTS AND EXPANDING OPPORTUNITY THROUGH INNOVATION
''PART A—PUBLIC CHARTER SCHOOLS
''Sec. 5101. Purpose.
''Sec. 5102. Program authorized.
''Sec. 5103. Grants to support high-quality charter schools.
''Sec. 5104. Facilities financing assistance.
''Sec. 5105. National activities.
''Sec. 5106. Federal formula allocation during first year and for successive enrollment expansions.
''Sec. 5107. Solicitation of input from charter school operators.
''Sec. 5108. Records transfer.
''Sec. 5109. Paperwork reduction.
''Sec. 5110. Definitions.
''Sec. 5111. Authorization of appropriations.
''PART B—MAGNET SCHOOLS ASSISTANCE
''Sec. 5201. Findings and purpose.
''Sec. 5202. Definition.
''Sec. 5203. Program authorized.
''Sec. 5204. Eligibility.
''Sec. 5205. Applications and requirements.
''Sec. 5206. Priority.
''Sec. 5207. Use of funds.
''Sec. 5208. Limitations.
''Sec. 5209. Authorization of appropriations; reservation.
''PART C—SUPPORTING HIGH-ABILITY LEARNERS AND LEARNING
''Sec. 5301. Short title.
''Sec. 5302. Purpose.
''Sec. 5303. Rule of construction.
''Sec. 5304. Authorized programs.
''Sec. 5305. Program priorities.
''Sec. 5306. General provisions.
''Sec. 5307. Authorization of appropriations.
''PART D—EDUCATION INNOVATION AND RESEARCH
''Sec. 5401. Grants for education innovation and research.
''PART E—ACCELERATED LEARNING
''Sec. 5501. Short title.
''Sec. 5502. Purposes.
''Sec. 5503. Funding distribution rule.
''Sec. 5504. Accelerated learning examination fee program.
''Sec. 5505. Accelerated learning incentive program grants.
''Sec. 5506. Supplement, not supplant.
''Sec. 5507. Definitions.
''Sec. 5508. Authorization of appropriations.
''PART F—READY-TO-LEARN TELEVISION
''Sec. 5601. Ready-To-Learn.
''PART G—INNOVATIVE TECHNOLOGY EXPANDS CHILDREN'S HORIZONS (I-TECH)
''Sec. 5701. Purposes.
''Sec. 5702. Definitions.
''Sec. 5703. Technology grants program authorized.
''Sec. 5704. State applications.
''Sec. 5705. State use of grant funds.
''Sec. 5706. Local subgrants.
''Sec. 5707. Reporting.
''Sec. 5708. Authorization.
''PART H—LITERACY AND ARTS EDUCATION
''Sec. 5801. Literacy and arts education.
''PART I—EARLY LEARNING ALIGNMENT AND IMPROVEMENT GRANTS
''Sec. 5901. Purposes; definitions.
''Sec. 5902. Early learning alignment and improvement grants.
''Sec. 5903. Authorization of appropriations.
''TITLE VI—FLEXIBILITY AND ACCOUNTABILITY
''Sec. 6001. Purposes.
''PART A—IMPROVING ACADEMIC ACHIEVEMENT
''SUBPART 1—FUNDING TRANSFERABILITY FOR STATE AND LOCAL EDUCATIONAL AGENCIES
''Sec. 6111. Short title.
''Sec. 6112. Purpose.
''Sec. 6113. Transferability of funds.
''SUBPART 2—WEIGHTED STUDENT FUNDING FLEXIBILITY PILOT PROGRAM
''Sec. 6121. Weighted student funding flexibility pilot program.
''PART B—RURAL EDUCATION INITIATIVE
''Sec. 6201. Short title.
''Sec. 6202. Purpose.
''SUBPART 1—SMALL, RURAL SCHOOL ACHIEVEMENT PROGRAM
''Sec. 6211. Use of applicable funding.
''Sec. 6212. Grant program authorized.
''Sec. 6213. Academic achievement assessments.
''SUBPART 2—RURAL AND LOW-INCOME SCHOOL PROGRAM
''Sec. 6221. Program authorized.
''Sec. 6222. Uses of funds.
''Sec. 6223. Applications.
''Sec. 6224. Accountability.
''Sec. 6225. Choice of participation.
''SUBPART 3—GENERAL PROVISIONS
''Sec. 6231. Annual average daily attendance determination.
''Sec. 6232. Supplement, not supplant.
''Sec. 6233. Rule of construction.
''Sec. 6234. Authorization of appropriations.
''PART C—GENERAL PROVISIONS
''Sec. 6301. Prohibition against Federal mandates, direction, or control.
''Sec. 6302. Rule of construction on equalized spending.
''TITLE VII—INDIAN, NATIVE HAWAIIAN, AND ALASKA NATIVE EDUCATION
''PART A—INDIAN EDUCATION
''Sec. 7101. Statement of policy.
''Sec. 7102. Purpose.
''SUBPART 1—FORMULA GRANTS TO LOCAL EDUCATIONAL AGENCIES
''Sec. 7111. Purpose.
''Sec. 7112. Grants to local educational agencies and tribes.
''Sec. 7113. Amount of grants.
''Sec. 7114. Applications.
''Sec. 7115. Authorized services and activities.
''Sec. 7116. Integration of services authorized.
''Sec. 7117. Student eligibility forms.
''Sec. 7118. Payments.
''Sec. 7119. State educational agency review.
''SUBPART 2—SPECIAL PROGRAMS AND PROJECTS TO IMPROVE EDUCATIONAL OPPORTUNITIES FOR INDIAN CHILDREN
''Sec. 7121. Improvement of educational opportunities for Indian children and youth.
''Sec. 7122. Professional development for teachers and education professionals.
''SUBPART 3—NATIONAL ACTIVITIES
''Sec. 7131. National research activities.
''Sec. 7132. Grants to tribes for education administrative planning, development, and coordination.
''SUBPART 4—FEDERAL ADMINISTRATION
''Sec. 7141. National Advisory Council on Indian Education.
''Sec. 7142. Peer review.
''Sec. 7143. Preference for Indian applicants.
''Sec. 7144. Minimum grant criteria.
''SUBPART 5—DEFINITIONS; AUTHORIZATIONS OF APPROPRIATIONS
''Sec. 7151. Definitions.
''Sec. 7152. Authorizations of appropriations.
''PART B—NATIVE HAWAIIAN EDUCATION
''Sec. 7201. Short title.
''Sec. 7202. Findings.
''Sec. 7203. Purposes.
''Sec. 7204. Native Hawaiian Education Council.
''Sec. 7205. Program authorized.
''Sec. 7206. Administrative provisions.
''Sec. 7207. Definitions.
''PART C—ALASKA NATIVE EDUCATION
''Sec. 7301. Short title.
''Sec. 7302. Findings.
''Sec. 7303. Purposes.
''Sec. 7304. Program authorized.
''Sec. 7305. Funds for administrative purposes.
''Sec. 7306. Definitions.
''PART D—NATIVE AMERICAN AND ALASKA NATIVE LANGUAGE IMMERSION SCHOOLS AND PROGRAMS
''Sec. 7401. Native American and Alaska Native language immersion schools and programs.
''TITLE VIII—IMPACT AID
''Sec. 8001. Purpose.
''Sec. 8002. Payments relating to Federal acquisition of real property.
''Sec. 8003. Payments for eligible federally connected children.
''Sec. 8004. Policies and procedures relating to children residing on Indian lands.
''Sec. 8005. Application for payments under sections 8002 and 8003.
''Sec. 8007. Construction.
''Sec. 8008. Facilities.
''Sec. 8009. State consideration of payments in providing State aid.
''Sec. 8010. Federal administration.
''Sec. 8011. Administrative hearings and judicial review.
''Sec. 8012. Forgiveness of overpayments.
''Sec. 8013. Definitions.
''Sec. 8014. Authorization of appropriations.
''TITLE IX—GENERAL PROVISIONS
''PART A—DEFINITIONS
''Sec. 9101. Definitions.
''Sec. 9102. Applicability of title.

''Sec. 9103. Applicability to Bureau of Indian Education operated schools.

''PART B—FLEXIBILITY IN THE USE OF ADMINISTRATIVE AND OTHER FUNDS

''Sec. 9201. Consolidation of State administrative funds for elementary and secondary education programs.
''Sec. 9202. Single local educational agency States.
''Sec. 9203. Consolidation of funds for local administration.
''Sec. 9204. Consolidated set-aside for Department of the Interior funds.

''PART C—COORDINATION OF PROGRAMS; CONSOLIDATED STATE AND LOCAL PLANS AND APPLICATIONS

''Sec. 9301. Purpose.
''Sec. 9302. Optional consolidated State plans or applications.
''Sec. 9303. Consolidated reporting.
''Sec. 9304. General applicability of State educational agency assurances.
''Sec. 9305. Consolidated local plans or applications.
''Sec. 9306. Other general assurances.

''PART D—WAIVERS

''Sec. 9401. Waivers of statutory and regulatory requirements.

''PART E—APPROVAL AND DISAPPROVAL OF STATE PLANS AND LOCAL APPLICATIONS

''Sec. 9451. Approval and disapproval of State plans.
''Sec. 9452. Approval and disapproval of local educational agency applications.

''PART F—UNIFORM PROVISIONS

''SUBPART 1—PRIVATE SCHOOLS

''Sec. 9501. Participation by private school children and teachers.
''Sec. 9502. Standards for by-pass.
''Sec. 9503. Complaint process for participation of private school children.
''Sec. 9504. By-pass determination process.
''Sec. 9505. Prohibition against funds for religious worship or instruction.
''Sec. 9506. Private, religious, and home schools.

''SUBPART 2—OTHER PROVISIONS

''Sec. 9521. Maintenance of effort.
''Sec. 9522. Prohibition regarding State aid.
''Sec. 9523. Privacy of assessment results.
''Sec. 9524. School prayer.
''Sec. 9525. Equal access to public school facilities.
''Sec. 9526. General prohibitions.
''Sec. 9527. Prohibitions on Federal Government and use of Federal funds.
''Sec. 9528. Armed Forces recruiter access to students and student recruiting information.
''Sec. 9529. Prohibition on federally sponsored testing.
''Sec. 9530. Limitations on national testing or certification for teachers.
''Sec. 9531. Prohibition on nationwide database.
''Sec. 9532. Unsafe school choice option.
''Sec. 9533. Prohibition on discrimination.
''Sec. 9534. Civil rights.
''Sec. 9535. Rulemaking.
''Sec. 9536. Severability.
''Sec. 9537. Transfer of school disciplinary records.
''Sec. 9538. Consultation with Indian tribes and tribal organizations.

''SUBPART 3—TEACHER LIABILITY PROTECTION

''Sec. 9541. Short title.
''Sec. 9542. Purpose.
''Sec. 9543. Definitions.
''Sec. 9544. Applicability.
''Sec. 9545. Preemption and election of State nonapplicability.
''Sec. 9546. Limitation on liability for teachers.
''Sec. 9547. Allocation of responsibility for noneconomic loss.
''Sec. 9548. Effective date.

''SUBPART 4—INTERNET SAFETY

''Sec. 9551. Internet safety.

''SUBPART 5—GUN POSSESSION

''Sec. 9561. Gun-free requirements.

''SUBPART 6—ENVIRONMENTAL TOBACCO SMOKE

''Sec. 9571. Short title.
''Sec. 9572. Definitions.
''Sec. 9573. Nonsmoking policy for children's services.
''Sec. 9574. Preemption.

''PART G—EVALUATIONS

''Sec. 9601. Evaluations.''.

TITLE I—IMPROVING BASIC PROGRAMS OPERATED BY STATE AND LOCAL EDUCATIONAL AGENCIES

SEC. 1001. STATEMENT OF PURPOSE.

Section 1001 (20 U.S.C. 6301) is amended to read as follows:

''SEC. 1001. STATEMENT OF PURPOSE.

''The purpose of this title is to ensure that all children have a fair, equitable, and significant opportunity to receive a high-quality education that prepares them for postsecondary education or the workforce, without the need for postsecondary remediation, and to close educational achievement gaps.''.

SEC. 1002. AUTHORIZATION OF APPROPRIATIONS.

Section 1002 (20 U.S.C. 6302) is amended to read as follows:

''SEC. 1002. AUTHORIZATION OF APPROPRIATIONS.

''(a) LOCAL EDUCATIONAL AGENCY GRANTS.—For the purpose of carrying out part A, there are authorized to be appropriated such sums as may be necessary for each of fiscal years 2016 through 2021.

''(b) STATE ASSESSMENTS.—For the purpose of carrying out part B, there are authorized to be appropriated such sums as may be necessary for each of fiscal years 2016 through 2021.

''(c) EDUCATION OF MIGRATORY CHILDREN.—For the purpose of carrying out part C, there are authorized to be appropriated such sums as may be necessary for each of fiscal years 2016 through 2021.

''(d) PREVENTION AND INTERVENTION PROGRAMS FOR CHILDREN AND YOUTH WHO ARE NEGLECTED, DELINQUENT, OR AT-RISK.—For the purpose of carrying out part D, there are authorized to be appropriated such sums as may be necessary for each of fiscal years 2016 through 2021.

''(e) FEDERAL ACTIVITIES.—For the purpose of carrying out evaluation activities related to title I under section 9601, there are authorized to be appropriated such sums as may be necessary for each of fiscal years 2016 through 2021.

''(f) SCHOOL INTERVENTION AND SUPPORT.—For the purpose of carrying out section 1114, there are authorized to be appropriated such sums as may be necessary for each of fiscal years 2016 through 2021.''.

SEC. 1003. SCHOOL INTERVENTION AND SUPPORT AND STATE ADMINISTRATION.

The Act (20 U.S.C. 6301 et seq.) is amended—

(1) by striking section 1003;

(2) by redesignating section 1004 as section 1003; and

(3) in section 1003, as redesignated by paragraph (2), by adding at the end the following:

''(c) TECHNICAL ASSISTANCE AND SUPPORT.—

''(1) IN GENERAL.—Each State may reserve not more than 4 percent of the amount the State receives under subpart 2 of part A for a fiscal year to carry out paragraph (2) and to carry out the State educational agency's responsibilities under section 1114(a), including carrying out the State educational agency's statewide system of technical assistance and support for local educational agencies.

''(2) USES.—Of the amount reserved under paragraph (1) for any fiscal year, the State educational agency—

''(A) shall use not less than 95 percent of such amount by allocating such sums directly to local educational agencies for activities required under section 1114; or

''(B) may, with the approval of the local educational agency, directly provide for such activities or arrange for their provision through other entities such as school support teams, educational service agencies, or other nonprofit or for-profit organizations that use evidence-based strategies to improve student achievement, teaching, and schools.

''(3) PRIORITY.—The State educational agency, in allocating funds to local educational agencies under this subsection, shall give priority to local educational agencies that—

''(A) serve the lowest-performing elementary schools and secondary schools, as identified by the State under section 1114;

''(B) demonstrate the greatest need for such funds, as determined by the State; and

''(C) demonstrate the strongest commitment to using evidence-based interventions to enable the lowest–performing schools to improve student achievement and student outcomes.

''(4) UNUSED FUNDS.—If, after consultation with local educational agencies in the State, the State educational agency determines that the amount of funds reserved to carry out this subsection for a fiscal year is greater than the amount needed to provide the assistance described in this subsection, the State educational agency shall allocate the excess amount to local educational agencies in accordance with—

''(A) the relative allocations the State educational agency made to those agencies for that fiscal year under subpart 2 of part A; or

''(B) section 1126(c).

''(5) SPECIAL RULE.—Notwithstanding any other provision of this subsection, the amount of funds reserved by the State educational agency under this subsection for any fiscal year shall not decrease the amount of funds each local educational agency receives under subpart 2 of part A below the amount received by such local educational agency under such subpart for the preceding fiscal year.

''(6) REPORTING.—Each State educational agency shall make publicly available a list of those schools that have received funds or services pursuant to this subsection and the percentage of students from each such school from families with incomes below the poverty line.''.

SEC. 1004. BASIC PROGRAM REQUIREMENTS.

Subpart 1 of part A of title I (20 U.S.C. 6311 et seq.) is amended—

(1) by striking sections 1111 through 1117 and inserting the following:

''SEC. 1111. STATE PLANS.

''(a) PLANS REQUIRED.—

''(1) IN GENERAL.—For any State desiring to receive a grant under this part, the State educational agency shall submit to the Secretary a plan, developed by the State educational agency with timely and meaningful consultation with the Governor, representatives of the State legislature and State board of education (if the State has a State board of education), local educational agencies (including those located in rural areas), representatives of Indian tribes located in the State, teachers, principals, other school leaders, specialized instructional support personnel, paraprofessionals (including organizations representing such individuals), administrators, other staff, and parents, that—

''(A) is coordinated with other programs under this Act, the Individuals with Disabilities Education Act, the Rehabilitation Act of 1973, the Carl D. Perkins Career and Technical Education Act of 2006, the Workforce Innovation and Opportunity Act, the Head Start Act, the Child Care and Development Block Grant Act of 1990, the Education Sciences Reform Act of 2002, the Education Technical Assistance Act, the National Assessment of Educational Progress Authorization Act, the McKinney-Vento Homeless Assistance Act, and the Adult Education and Family Literacy Act; and

''(B) describes how the State will implement evidence-based strategies for improving student achievement under this title and disseminate that information to local educational agencies.

''(2) CONSOLIDATED PLAN.—A State plan submitted under paragraph (1) may be submitted as part of a consolidated plan under section 9302.

''(3) PEER REVIEW AND SECRETARIAL APPROVAL.—

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

''(i) establish a peer-review process to assist in the review of State plans;

''(ii) establish multidisciplinary peer-review teams and appoint members of such teams that—

''(I) are representative of teachers, principals, other school leaders, specialized instructional support personnel, State educational agencies, local educational agencies, and individuals and researchers with practical experience in implementing academic standards, assessments, or accountability systems, and meeting the needs of disadvantaged students, children with disabilities, students who are English learners, the needs of low-performing schools, and other educational needs of students;

''(II) include a balanced representation of individuals who have practical experience in the classroom, school administration, or State or local government, such as direct employees of a school, local educational agency, or State educational agency within the preceding 5 years; and

''(III) represent a regionally diverse cross-section of States;

''(iii) make available to the public, including by such means as posting to the Department's website, the list of peer reviewers who will review State plans under this section;

''(iv) ensure that the peer-review teams are comprised of varied individuals so that the same peer reviewers are not reviewing all of the State plans; and

''(v) deem a State plan as approved within 90 days of its submission unless the Secretary presents substantial evidence that clearly demonstrates that such State plan does not meet the requirements of this section.

''(B) PURPOSE OF PEER REVIEW.—The peer-review process shall be designed to—

''(i) maximize collaboration with each State;

''(ii) promote effective implementation of the challenging State academic standards through State and local innovation; and

''(iii) provide publicly available, timely, and objective feedback to States designed to strengthen the technical and overall quality of the State plans.

''(C) STANDARD AND NATURE OF REVIEW.—Peer reviewers shall conduct an objective review of State plans in their totality and out of respect for State and local judgments, with the goal of supporting State- and local-led innovation and providing objective feedback on the technical and overall quality of a State plan.

''(D) RULE OF CONSTRUCTION.—Nothing in this paragraph shall be construed as prohibiting the Secretary from appointing an individual to serve as a peer reviewer on more than one peer-review team under subparagraph (A) or to review more than one State plan.

''(4) STATE PLAN DETERMINATION, DEMONSTRATION, AND REVISION.—If the Secretary determines that a State plan does not meet the requirements of this subsection or subsection (b) or (c), the Secretary shall, prior to declining to approve the State plan—

''(A) immediately notify the State of such determination;

''(B) provide a detailed description of the specific requirements of this subsection or subsection (b) or (c) of the State plan that the Secretary determines fails to meet such requirements;

''(C) provide all peer-review comments, suggestions, recommendations, or concerns in writing to the State;

''(D) offer the State an opportunity to revise and resubmit its plan within 60 days of such determination, including the chance for the State to present substantial evidence to clearly demonstrate that the State plan meets the requirements of this part;

''(E) provide technical assistance, upon request of the State, in order to assist the State to meet the requirements of this subsection or subsection (b) or (c); and

''(F) conduct a public hearing within 30 days of such resubmission, with public notice provided not less than 15 days before such hearing, unless the State declines the opportunity for such public hearing.

''(5) STATE PLAN DISAPPROVAL.—The Secretary shall have the authority to disapprove a State plan if the State has been notified and offered an opportunity to revise and submit with technical assistance under paragraph (4), and—

''(A) the State does not revise and resubmit its plan; or

''(B) the State revises and resubmits a plan that the Secretary determines does not meet the requirements of this part after a hearing conducted under paragraph (4)(F), if applicable.

''(6) LIMITATIONS.—

''(A) IN GENERAL.—The Secretary shall not have the authority to require a State, as a condition of approval of the State plan or revisions or amendments to the State plan, to—

''(i) include in, or delete from, such plan 1 or more specific elements of the challenging State academic standards;

''(ii) use specific academic assessment instruments or items;

''(iii) set specific State-designed goals or specific timelines for such goals for all students or each of the categories of students, as defined in subsection (b)(3)(A);

''(iv) assign any specific weight or specific significance to any measures or indicators of student academic achievement or growth within State-designed accountability systems;

''(v) include in, or delete from, such a plan any criterion that specifies, defines, or prescribes—

''(I) the standards or measures that States or local educational agencies use to establish, implement, or improve challenging State academic standards, including the content of, or achievement levels within, such standards;

''(II) the specific types of academic assessments or assessment items that States and local educational agencies use to meet the requirements of this part;

''(III) any requirement that States shall measure student growth, the specific metrics used to measure student academic growth if a State chooses to measure student growth, or the specific indicators or methods to measure student readiness to enter postsecondary education or the workforce;

''(IV) any specific benchmarks, targets, goals, or metrics to measure nonacademic measures or indicators;

''(V) the specific weight or specific significance of any measure or indicator of student academic achievement within State-designed accountability systems;

''(VI) the specific goals States establish for student academic achievement or high school graduation rates, as described in subclauses (I) and (II) of subsection (b)(3)(B)(i);

''(VII) any aspect or parameter of a teacher, principal, or other school leader evaluation system within a State or local educational agency; or

''(VIII) indicators or specific measures of teacher, principal, or other school leader effectiveness or quality; or

''(vi) require data collection beyond data derived from existing Federal, State, and local reporting requirements and data sources.

''(B) RULE OF CONSTRUCTION.—Nothing in this paragraph shall be construed as authorizing, requiring, or allowing any additional reporting requirements, data elements, or information to be reported to the Secretary not otherwise explicitly authorized under Federal law.

''(7) PUBLIC REVIEW.—All written communications, feedback, and notifications under this subsection shall be conducted in a manner that is transparent and immediately made available to the public through the website of the Department, including—

''(A) plans submitted or resubmitted by a State;

''(B) peer-review comments;

''(C) State plan determinations by the Secretary, including approvals or disapprovals; and

''(D) notices and transcripts of public hearings under this section.

''(8) DURATION OF THE PLAN.—

''(A) IN GENERAL.—Each State plan shall—

''(i) remain in effect for the duration of the State's participation under this part or 7 years, whichever is shorter; and

''(ii) be periodically reviewed and revised as necessary by the State educational agency to reflect changes in the State's strategies and programs under this part.

''(B) ADDITIONAL INFORMATION.—

''(i) IN GENERAL.—If a State makes significant changes to its plan at any time, such as the adoption of new challenging State academic standards, new academic assessments, or changes to its accountability system under subsection (b)(3), such information shall be submitted to the Secretary in the form of revisions or amendments to the State plan.

''(ii) REVIEW OF REVISED PLANS.—The Secretary shall review the information submitted under clause (i) and approve or disapprove changes to the State plan within 90 days in accordance with paragraphs (4) through (6) without undertaking the peer-review process under paragraph (3).

''(iii) SPECIAL RULE FOR STANDARDS.—If a State makes changes to its challenging State academic standards, the requirements of subsection (b)(1), including the requirement that such standards need not be submitted to the Secretary pursuant to subsection (b)(1)(A), shall still apply.

''(C) RENEWAL.—A State educational agency shall submit a revised plan every 7 years subject to the peer-review process under paragraph (3).

''(D) LIMITATION.—The Secretary shall not have the authority to place any new conditions, requirements, or criteria for approval of a plan submitted for renewal under subparagraph (C) that are not otherwise authorized under this part.

''(9) FAILURE TO MEET REQUIREMENTS.—If a State fails to meet any of the requirements of this section, then the Secretary may withhold funds for State administration under this part until the Secretary determines that the State has fulfilled those requirements.

''(10) PUBLIC COMMENT.—Each State shall make the State plan publicly available for public comment for a period of not less than 30 days, by electronic means and in a computer friendly and easily accessible format, prior to submission to the Secretary for approval under this subsection. The State shall provide an assurance that public comments were taken into account in the development of the State plan.

''(b) CHALLENGING STATE ACADEMIC STANDARDS, ACADEMIC ASSESSMENTS, AND ACCOUNTABILITY SYSTEMS.—

''(1) CHALLENGING STATE ACADEMIC STANDARDS.—

''(A) IN GENERAL.—Each State shall provide an assurance that the State has adopted challenging academic content standards and aligned academic achievement standards (referred to in this Act as 'challenging State academic standards'), which achievement standards shall include not less than 3 levels of achievement, that will be used by the State, its local educational agencies, and its schools to carry out this part. A State shall not be required to submit such challenging State academic standards to the Secretary.

''(B) SAME STANDARDS.—Except as provided in subparagraph (E), the standards required by subparagraph (A) shall be the same standards that the State applies to all public schools and public school students in the State.

''(C) SUBJECTS.—The State shall have such standards in mathematics, reading or language arts, and science, and any other subjects as determined by the State, which shall include the same knowledge, skills, and levels of achievement expected of all public school students in the State.

''(D) ALIGNMENT.—Each State shall demonstrate that the challenging State academic standards are aligned with—

''(i) entrance requirements, without the need for academic remediation, for the system of public higher education in the State;

''(ii) relevant State career and technical education standards; and

''(iii) relevant State early learning guidelines, as required under section 658E(c)(2)(T) of the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858c(c)(2)(T)).

''(E) ALTERNATE ACADEMIC ACHIEVEMENT STANDARDS FOR STUDENTS WITH THE MOST SIGNIFICANT COGNITIVE DISABILITIES.—

''(i) IN GENERAL.—The State may, through a documented and validated standards-setting process, adopt alternate academic achievement standards for students with the most significant cognitive disabilities, provided those standards—

''(I) are aligned with the challenging State academic content standards under subparagraph (A);

''(II) promote access to the general curriculum, consistent with the purposes of the Individuals with Disabilities Education Act, as stated in section 601(d) of such Act;

''(III) reflect professional judgment of the highest achievement standards attainable by those students;

''(IV) are designated in the individualized education program developed under section 614(d)(3) of the Individuals with Disabilities Education Act for each such student as the academic achievement standards that will be used for the student; and

''(V) are aligned to ensure that a student who meets the alternate academic achievement standards is on track for further education or employment.

''(ii) PROHIBITION ON ANY OTHER ALTERNATE OR MODIFIED ACADEMIC ACHIEVEMENT STANDARDS.—A State shall not develop, or implement for use under this part, any alternate academic achievement standards for children with disabilities that are not alternate academic achievement standards that meet the requirements of clause (i).

''(F) ENGLISH LANGUAGE PROFICIENCY STANDARDS.—Each State plan shall demonstrate that the State has adopted English language proficiency standards that are aligned with the challenging State academic standards under subparagraph (A). Such standards shall—

''(i) ensure proficiency in each of the domains of speaking, listening, reading, and writing;

''(ii) address the different proficiency levels of children who are English learners; and

''(iii) be aligned with the challenging State academic standards in reading or language arts, so that achieving proficiency in the State's English language proficiency standards indicates a sufficient knowledge of English to measure validly and reliably the student's achievement on the State's reading or language arts standards.

''(G) PROHIBITIONS.—

''(i) STANDARDS REVIEW OR APPROVAL.—A State shall not be required to submit any standards developed under this subsection to the Secretary for review or approval.

''(ii) FEDERAL CONTROL.—The Secretary shall not have the authority to mandate, direct, control, coerce, or exercise any direction or supervision over any of the challenging State academic standards adopted or implemented by a State.

''(H) EXISTING STANDARDS.—Nothing in this part shall prohibit a State from revising, consistent with this section, any standard adopted under this part before or after the date of enactment of the Every Child Achieves Act of 2015.

''(2) ACADEMIC ASSESSMENTS.—

''(A) IN GENERAL.—Each State plan shall demonstrate that the State educational agency, in consultation with local educational agencies, has implemented a set of high-quality statewide academic assessments that—

''(i) includes, at a minimum, academic statewide assessments in mathematics, reading or language arts, and science; and

''(ii) meets the requirements of subparagraph (B).

''(B) REQUIREMENTS.—The assessments under subparagraph (A) shall—

''(i) except as provided in subparagraph (D), be—

''(I) the same academic assessments used to measure the achievement of all public elementary school and secondary school students in the State; and

''(II) administered to all public elementary school and secondary school students in the State;

''(ii) be aligned with the challenging State academic standards, and provide coherent and timely information about student attainment of such standards and whether the student is performing at the student's grade level;

''(iii) be used for purposes for which such assessments are valid and reliable, consistent with relevant, nationally recognized professional and technical testing standards, and objectively measure academic achievement, knowledge, and skills;

''(iv) be of adequate technical quality for each purpose required under this Act and consistent with the requirements of this section, the evidence of which is made public, including on the website of the State educational agency;

''(v)(I) measure the annual academic achievement of all students against the challenging State academic standards in, at a minimum, mathematics and reading or language arts, and be administered—

''(aa) in each of grades 3 through 8; and

''(bb) at least once in grades 9 through 12; and

''(II) measure the academic achievement of all students against the challenging State academic standards in science, and be administered not less than one time, during—

''(aa) grades 3 through 5;

''(bb) grades 6 through 9; and

''(cc) grades 10 through 12;

''(vi) involve multiple up-to-date measures of student academic achievement, including measures that assess higher-order thinking skills and understanding, which may include measures of student academic growth and may be partially delivered in the form of portfolios, projects, or extended performance tasks;

''(vii) provide for—

''(I) the participation in such assessments of all students;

''(II) the appropriate accommodations for children with disabilities, as defined in section 602(3) of the Individuals with Disabilities Education Act, and students with a disability who are provided accommodations under an Act other than the Individuals with Disabilities Education Act, necessary to measure the academic achievement of such children relative to the challenging State academic standards; and

''(III) the inclusion of English learners, who shall be assessed in a valid and reliable manner and provided appropriate accommodations on assessments administered to such students under this paragraph, including, to the extent practicable, assessments in the language and form most likely to yield accurate data on what such students know and can do in academic content areas, until such students have achieved English language proficiency, as determined under paragraph (1)(F);

''(viii) at the State's choosing—

''(I) be administered through a single summative assessment; or

''(II) be administered through multiple statewide assessments during the course of the year if the State can demonstrate that the results of these multiple assessments, taken in their totality, provide a summative score that provides valid and reliable information on individual student achievement or growth;

''(ix) notwithstanding clause (vii)(III), provide for assessments (using tests in English) of reading or language arts of any student who has attended school in the United States (not including the Commonwealth of Puerto Rico) for 3 or more consecutive school years, except that if the local educational agency determines, on a case-by-case individual basis, that academic assessments in another language or form would likely yield more accurate and reliable information on what such student knows and can do, the local educational agency may make a determination to assess such student in the appropriate language other than English for a period that does not exceed 2 additional consecutive years, provided that such student has not yet reached a level of English language proficiency sufficient to yield valid and reliable information on what such student knows and can do on tests (written in English) of reading or language arts;

''(x) produce individual student interpretive, descriptive, and diagnostic reports, consistent with clause (iii), that allow parents, teachers, principals, and other school leaders to understand and address the specific academic needs of students, and include information regarding achievement on academic assessments aligned with challenging State academic achievement standards, and that

are provided to parents, teachers, principals, and other school leaders as soon as is practicable after the assessment is given, in an understandable and uniform format, and, to the extent practicable, in a language that the parents can understand;

''(xi) enable results to be disaggregated within each State, local educational agency, and school, by—

''(I) each major racial and ethnic group;

''(II) economically disadvantaged students as compared to students who are not economically disadvantaged;

''(III) children with disabilities as compared to children without disabilities;

''(IV) English proficiency status;

''(V) gender; and

''(VI) migrant status;

''(xii) enable itemized score analyses to be produced and reported, consistent with clause (iii), to local educational agencies and schools, so that parents, teachers, principals, other school leaders, and administrators can interpret and address the specific academic needs of students as indicated by the students' achievement on assessment items; and

''(xiii) be developed, to the extent practicable, using the principles of universal design for learning.

''(C) EXCEPTION TO DISAGGREGATION.—Notwithstanding subparagraph (B)(xi), the disaggregated results of assessments shall not be required in the case of a local educational agency or school if—

''(i) the number of students in a category described under subparagraph (B)(xi) is insufficient to yield statistically reliable information; or

''(ii) the results would reveal personally identifiable information about an individual student.

''(D) ALTERNATE ASSESSMENTS FOR STUDENTS WITH THE MOST SIGNIFICANT COGNITIVE DISABILITIES.—

''(i) ALTERNATE ASSESSMENTS ALIGNED WITH ALTERNATE ACADEMIC ACHIEVEMENT STANDARDS.—A State may provide for alternate assessments aligned with the challenging State academic content standards and alternate academic achievement standards described in paragraph (1)(E) for students with the most significant cognitive disabilities, if the State—

''(I) ensures that for each subject, the total number of students assessed in such subject using the alternate assessments does not exceed 1 percent of the total number of all students in the State who are assessed in such subject;

''(II) establishes and monitors implementation of clear and appropriate guidelines for individualized education program teams (as defined in section 614(d)(1)(B) of the Individuals with Disabilities Education Act) to apply in determining, individually for each subject, when a child's significant cognitive disability justifies assessment based on alternate academic achievement standards;

''(III) ensures that, consistent with the requirements of the Individuals with Disabilities Education Act, parents are involved in the decision to use the alternate assessment for their child;

''(IV) ensures that, consistent with the requirements of the Individuals with Disabilities Education Act, students with the most significant cognitive disabilities are involved in and make progress in the general education curriculum;

''(V) describes in the State plan the appropriate accommodations provided to ensure access to the alternate assessment;

''(VI) describes in the State plan the steps the State has taken to incorporate universal design for learning, to the extent feasible, in alternate assessments;

''(VII) ensures that general and special education teachers and other appropriate staff know how to administer assessments, including making appropriate use of accommodations, to children with disabilities;

''(VIII) develops, disseminates information on, and promotes the use of appropriate accommodations to increase the number of students with significant cognitive disabilities participating in academic instruction and assessments and increase the number of students with significant cognitive disabilities who are tested against challenging State academic achievement standards; and

''(IX) ensures that students who take alternate assessments based on alternate academic achievement standards are not precluded from attempting to complete the requirements for a regular high school diploma.

''(ii) STUDENTS WITH THE MOST SIGNIFICANT COGNITIVE DISABILITIES.—In determining the achievement of students in the State accountability system, a State educational agency shall include, for all schools in the State, the performance of the State's students with the most significant cognitive disabilities on alternate assessments as described in this subparagraph in the subjects included in the State's accountability system, consistent with the 1 percent limitation of clause (i)(I).

''(E) STATE AUTHORITY.—If a State educational agency provides evidence, which is satisfactory to the Secretary, that neither the State educational agency nor any other State government official, agency, or entity has sufficient authority, under State law, to adopt challenging State academic standards, and academic assessments aligned with such standards, which will be applicable to all students enrolled in the State's public elementary schools and secondary schools, then the State educational agency may meet the requirements of this subsection by—

''(i) adopting academic standards and academic assessments that meet the requirements of this subsection, on a statewide basis, and limiting their applicability to students served under this part; or

''(ii) adopting and implementing policies that ensure that each local educational agency in the State that receives grants under this part will adopt academic content and student academic achievement standards, and academic assessments aligned with such standards, which—

''(I) meet all of the criteria in this subsection and any regulations regarding such standards and assessments that the Secretary may publish; and

''(II) are applicable to all students served by each such local educational agency.

''(F) LANGUAGE ASSESSMENTS.—Each State plan shall identify the languages other than English that are present to a significant extent in the participating student population of the State and indicate the languages for which annual student academic assessments are not available and are needed, and such State shall make every effort to develop such assessments as necessary.

''(G) ASSESSMENTS OF ENGLISH LANGUAGE PROFICIENCY.—Each State plan shall demonstrate that local educational agencies in the State will provide for an annual assessment of English proficiency, which is valid, reliable, and consistent with relevant nationally recognized professional and technical testing standards measuring students' speaking, listening, reading, and writing skills in English, of all children who are English learners in the schools served by the State educational agency.

''(H) DEFERRAL.—A State may defer the commencement, or suspend the administration, but not cease the development, of the assessments described in this paragraph, for 1 year for each year for which the amount appropriated for grants under part B is less than $369,100,000.

''(I) RULE OF CONSTRUCTION REGARDING USE OF ASSESSMENTS FOR STUDENT PROMOTION OR GRADUATION.—Nothing in this paragraph shall be construed to prescribe or prohibit the use of the academic assessments described in this part for student promotion or graduation purposes.

''(J) RULE OF CONSTRUCTION REGARDING ASSESSMENTS.—

''(i) IN GENERAL.—Except as provided in clause (ii), nothing in this paragraph shall be construed to prohibit a State from developing and administering computer adaptive assessments as the assessments described in this paragraph, as long as the computer adaptive assessments—

''(I) meet the requirements of this paragraph; and

''(II) assess the student's academic achievement in order to measure, in the subject being assessed, whether the student is performing above or below the student's grade level.

''(ii) APPLICABILITY TO ALTERNATE ASSESSMENTS FOR STUDENTS WITH THE MOST SIGNIFICANT COGNITIVE DISABILITIES.—In developing and administering computer adaptive assessments as the assessments allowed under subparagraph (D), a State shall ensure that such computer adaptive assessments—

''(I) meet the requirements of this paragraph, including subparagraph (D), except such assessments shall not be required to meet the requirements of clause (i)(II); and

''(II) assess the student's academic achievement in order to measure, in the subject being assessed, whether the student is performing at the student's grade level.

''(K) RULE OF CONSTRUCTION ON PARENT AND GUARDIAN RIGHTS.—Nothing in this part shall be construed as preempting a State or local law regarding the decision of a parent or guardian to not have the parent or guardian's child participate in the statewide academic assessments under this paragraph.

''(3) STATE ACCOUNTABILITY SYSTEM.—

''(A) CATEGORY OF STUDENTS.—In this paragraph, the term 'category of students' means—

''(i) economically disadvantaged students;

''(ii) students from major racial and ethnic groups;

''(iii) children with disabilities; and

''(iv) English learner students.

''(B) DESCRIPTION OF SYSTEM.—Each State plan shall describe a single, statewide State accountability system that will be based on the challenging State academic standards adopted by the State in mathematics and reading or language arts under paragraph (1)(C) to ensure that all students graduate from high school prepared for postsecondary education or the workforce without the need for postsecondary remediation and at a minimum complies with the following:

''(i) Establishes measurable State-designed goals for all students and each of the categories of students in the State that take into account the progress necessary for all students and each of the categories of students to graduate from high school prepared for postsecondary education or the workforce without the need for postsecondary remediation, for, at a minimum each of the following:

''(I) Academic achievement, which may include student growth, on the State assessments under paragraph (2)(B)(v)(I).

''(II) High school graduation rates, including—

''(aa) the 4-year adjusted cohort graduation rate; and

''(bb) at the State's discretion, the extended-year adjusted cohort graduation rate.

''(ii) Annually measures and reports on the following indicators:

''(I) The academic achievement of all public school students in all public schools and local educational agencies in the State towards meeting the goals described in clause (i) and the challenging State academic standards for all students and for each of the categories of students using student performance on State assessments required under paragraph (2)(B)(v)(I), which may include measures of student academic growth to such standards.

''(II) The academic success of all public school students in all public schools and local educational agencies in the State, that is, with respect to—

''(aa) elementary schools and secondary schools that are not high schools, an academic indicator, as determined by the State, that is the same statewide for all public elementary school students and all students at such secondary schools, and each category of students; and

''(bb) high schools, the high school graduation rates of all public high school students in all public high schools in the State toward meeting the goals described in clause (i), for all students and for each of the categories of students, including the 4-year adjusted cohort graduation rate and at the State's discretion, the extended-year adjusted cohort graduation rate.

''(III) English language proficiency of all English learners in all public schools and local educational agencies, which may include measures of student growth.

''(IV) Not less than one other valid and reliable indicator of school quality, student success, or student supports, as determined appropriate by the State, that will be applied to all local educational agencies and schools consistently throughout the State for all students and for each of the categories of students, which may include measures of—

''(aa) student readiness to enter postsecondary education or the workforce without the need for postsecondary remediation;

''(bb) student engagement, such as attendance rates and chronic absenteeism (including both excused and unexcused absences);

''(cc) educator engagement, such as educator satisfaction (including working conditions within the school), teacher quality and effectiveness, and teacher absenteeism;

''(dd) results from student, parent, and educator surveys;

''(ee) school climate and safety, such as incidents of school violence, bullying, and harassment, and disciplinary rates, including rates of suspension, expulsion, referrals to law enforcement, school-related arrests, disciplinary transfers (including placements in alternative schools), and student detentions;

''(ff) student access to or success in advanced coursework or educational programs or opportunities; and

''(gg) any other State-determined measure of school quality or student success.

''(iii) Establishes a system of annually identifying and meaningfully differentiating among all public schools in the State, which shall—

''(I) be based on all indicators in the State's accountability system under clause (ii) for all students and for each of the categories of students; and

''(II) use the indicators described in subclauses (I) and (II) of clause (ii) as substantial factors in the annual identification of schools, and the weight of such factors shall be determined by the State.

''(iv) For public schools receiving assistance under this part, meets the requirements of section 1114.

''(v) Provides a clear and understandable explanation of the method of identifying and meaningfully differentiating schools under clause (iii).

''(vi) Measures the annual progress of not less than 95 percent of all students, and students in each of the categories of students, who are enrolled in the school and are required to take the assessments under paragraph (2) and provides a clear and understandable explanation of how the State will factor this requirement into the State-designed accountability system determinations.

''(4) EXCEPTION FOR ENGLISH LEARNERS.—A State may choose to—

''(A) exclude a recently arrived English learner who has attended school in one of the 50 States in the United States or in the District of Columbia for less than 12 months from one administration of the reading or language arts assessment required under paragraph (2);

''(B) exclude the results of a recently arrived English learner who has attended school in one of the 50 States in the United States or in the District of Columbia for less than 12 months on the assessments under paragraph (2)(B)(v)(I), except for the results on the English language proficiency assessments required under paragraph (2)(G), for the first year of the English learner's enrollment in a school in the United States for the purposes of the State-determined accountability system under this subsection; and

''(C) include the results on the assessments under paragraph (2)(B)(v)(I), except for results on the English language proficiency assessments required under paragraph (2)(G), of former English learners for not more than 4 years after the student is no longer identified as an English learner within the English learner category of the categories of students, as defined in paragraph (3)(A), for the purposes of the State-determined accountability system.

''(5) ACCOUNTABILITY FOR CHARTER SCHOOLS.—The accountability provisions under this title shall be overseen for charter schools in accordance with State charter school law.

''(6) PROHIBITION ON FEDERAL INTERFERENCE WITH STATE AND LOCAL DECISIONS.—Nothing in this subsection shall be construed to permit the Secretary to establish any criterion that specifies, defines, or prescribes—

''(A) the standards or measures that States or local educational agencies use to establish, implement, or improve challenging State academic standards, including the content of, or achievement levels within, such standards;

''(B) the specific types of academic assessments or assessment items that States or local educational agencies use to meet the requirements of paragraph (2)(B) or otherwise use to measure student academic achievement or student growth;

''(C) the specific goals that States establish within State-designed accountability systems for all students and for each of the categories of students, as defined in paragraph (3)(A), for student academic achievement or high school graduation rates, as described in subclauses (I) and (II) of paragraph (3)(B)(i);

''(D) any requirement that States shall measure student growth or the specific metrics used to measure student academic growth if a State chooses to measure student growth;

''(E) the specific indicator under paragraph (3)(B)(ii)(II)(aa), or any indicator under paragraph (3)(B)(ii)(IV), that a State must use within the State-designed accountability system;

''(F) setting specific benchmarks, targets, or goals, for any other measures or indicators established by a State under subclauses (III) and (IV) of paragraph (3)(B)(ii), including progress or growth on such measures or indicators;

''(G) the specific weight or specific significance of any measures or indicators used to measure, identify, or differentiate schools in the State-determined accountability system, as described in clauses (ii) and (iii) of paragraph (3)(B);

''(H) the terms 'meaningfully' or 'substantially' as used in this part;

''(I) the specific methods used by States and local educational agencies to identify and meaningfully differentiate among public schools;

''(J) any aspect or parameter of a teacher, principal, or other school leader evaluation system within a State or local educational agency; or

''(K) indicators or measures of teacher, principal, or other school leader effectiveness or quality.

''(c) OTHER PLAN PROVISIONS.—

''(1) DESCRIPTIONS.—Each State plan shall describe—

''(A) with respect to any accountability provisions under this part that require disaggregation of information by each of the categories of students, as defined in subsection (b)(3)(A)—

''(i) the minimum number of students that the State determines are necessary to be included in each such category of students to carry out such requirements and how that number is statistically sound;

''(ii) how such minimum number of students was determined by the State, including how the State collaborated with teachers, principals, other school leaders, parents, and other stakeholders when setting the minimum number; and

''(iii) how the State ensures that such minimum number does not reveal personally identifiable information about students;

''(B) the State educational agency's system to monitor and evaluate the intervention and support strategies implemented by local educational agencies in schools identified as in need of intervention and support under section 1114, including the lowest-performing schools and schools identified for other reasons, including schools with categories of students, as defined in subsection (b)(3)(A), not meeting the goals described in subsection (b)(3)(B)(i), and the steps the State will take to further assist local educational agencies, if such strategies are not effective;

''(C) in the case of a State that proposes to use funds under this part to offer early childhood education programs, how the State provides assistance and support to local educational agencies and individual elementary schools that are creating, expanding, or improving such programs, such as through plans for engaging and supporting principals and other school leaders responsible for improving early childhood alignment with their elementary school, supporting teachers in understanding the transition between early learning to kindergarten, and increasing parent and community engagement;

''(D) in the case of a State that proposes to use funds under this part to support a multi-tiered system of supports, positive behavioral interventions and supports, or early intervening services, how the State educational agency will assist local educational agencies in the development, implementation, and coordination of such activities and services with similar activities and services carried out under the Individuals with Disabilities Education Act in schools served by the local educational agency, including by providing technical assistance, training, and evaluation of the activities and services;

''(E) how the State educational agency will provide support to local educational agencies for the education of homeless children and youths, and how the State will comply with the requirements of subtitle B of title VII of

the McKinney-Vento Homeless Assistance Act;

''(F) how low-income and minority children enrolled in schools assisted under this part are not served at disproportionate rates by ineffective, out-of-field, and inexperienced teachers, principals, or other school leaders, and the measures the State educational agency will use to evaluate and publicly report the progress of the State educational agency with respect to such description;

''(G) how the State will make public the methods or criteria the State or its local educational agencies are using to measure teacher, principal, and other school leader effectiveness for the purpose of meeting the requirements described in subparagraph (F); however, nothing in this subparagraph shall be construed as requiring a State to develop or implement a teacher, principal, or other school leader evaluation system;

''(H) how the State educational agency will protect each student from physical or mental abuse, aversive behavioral interventions that compromise student health and safety, or any physical restraint or seclusion imposed solely for purposes of discipline or convenience, which may include how such agency will identify and support, including through professional development, training, and technical assistance, local educational agencies and schools that have high levels of seclusion and restraint or disproportionality in rates of seclusion and restraint;

''(I) how the State educational agency will address school discipline issues, which may include how such agency will identify and support, including through professional development, training, and technical assistance, local educational agencies and schools that have high levels of exclusionary discipline or disproportionality in rates of exclusionary discipline;

''(J) how the State educational agency will address school climate issues, which may include providing technical assistance on effective strategies to reduce the incidence of school violence, bullying, harassment, drug and alcohol use and abuse, and rates of chronic absenteeism (including both excused and unexcused absences);

''(K) how the State determines, with timely and meaningful consultation with local educational agencies representing the geographic diversity of the State, the timelines and annual goals for progress necessary to move English learners from the lowest levels of English proficiency to the State-defined proficient level in a State-determined number of years, including an assurance that such goals will be based on students' initial language proficiency when first identified as an English learner and may take into account the amount of time that an individual child has been enrolled in a language program and grade level;

''(L) the steps a State educational agency will take to ensure collaboration with the State agency responsible for administering the State plans under parts B and E of title IV of the Social Security Act (42 U.S.C. 621 et seq. and 670 et seq.) to ensure the educational stability of children in foster care, including assurances that—

''(i) any such child enrolls or remains in such child's school of origin, unless a determination is made that it is not in such child's best interest to attend the school of origin, which decision shall be based on all factors relating to the child's best interest, including consideration of the appropriateness of the current educational setting and the proximity to the school in which the child is enrolled at the time of placement;

''(ii) when a determination is made that it is not in such child's best interest to remain in the school of origin, the child is immediately enrolled in a new school, even if the child is unable to produce records normally required for enrollment;

''(iii) the enrolling school shall immediately contact the school last attended by any such child to obtain relevant academic and other records; and

''(iv) the State educational agency will designate an employee to serve as a point of contact for child welfare agencies and to oversee implementation of the State agency responsibilities required under this subparagraph, and such point of contact shall not be the State's Coordinator for Education of Homeless Children and Youths under section 722(d)(3) of the McKinney-Vento Homeless Assistance Act;

''(M) how the State educational agency will provide support to local educational agencies for the education of expectant and parenting students; and

''(N) any other information on how the State proposes to use funds under this part to meet the purposes of this part, and that the State determines appropriate to provide, which may include how the State educational agency will—

''(i) assist local educational agencies in identifying and serving gifted and talented students; and

''(ii) encourage the offering of a variety of well-rounded education experiences to students.

''(2) ASSURANCES.—Each State plan shall provide an assurance that—

''(A) the State educational agency will notify local educational agencies, Indian tribes and tribal organizations, schools, teachers, parents, and the public of the challenging State academic standards, academic assessments, and State accountability system, developed under this section;

''(B) the State educational agency will assist each local educational agency and school affected by the State plan to meet the requirements of this part;

''(C) the State will participate in the biennial State academic assessments in reading and mathematics in grades 4 and 8 of the National Assessment of Educational Progress carried out under section 303(b)(3) of the National Assessment of Educational Progress Authorization Act if the Secretary pays the costs of administering such assessments;

''(D) the State educational agency will modify or eliminate State fiscal and accounting barriers so that schools can easily consolidate funds from other Federal, State, and local sources in order to improve educational opportunities and reduce unnecessary fiscal and accounting requirements;

''(E) the State educational agency will support the collection and dissemination to local educational agencies and schools of effective parent and family engagement strategies, including those included in the parent and family engagement policy under section 1115;

''(F) the State educational agency will provide the least restrictive and burdensome regulations for local educational agencies and individual schools participating in a program assisted under this part;

''(G) the State educational agency will ensure that local educational agencies, in developing and implementing programs under this part, will, to the extent feasible, work in consultation with outside intermediary organizations, such as educational service agencies, or individuals, that have practical expertise in the development or use of evidence-based strategies and programs to improve teaching, learning, and schools;

''(H) the State educational agency has appropriate procedures and safeguards in place to ensure the validity of the assessment process;

''(I) the State educational agency will ensure that all teachers and paraprofessionals working in a program supported with funds under this part meet applicable State certification and licensure requirements, including alternative certification requirements;

''(J) the State educational agency will coordinate activities funded under this part with other Federal activities as appropriate;

''(K) the State educational agency has involved the committee of practitioners established under section 1503(b) in developing the plan and monitoring its implementation;

''(L) the State has professional standards for paraprofessionals working in a program supported with funds under this part, including qualifications that were in place on the day before the date of enactment of the Every Child Achieves Act of 2015; and

''(M) the State educational agency will assess the system for collecting data from local educational agencies, and the technical assistance provided to local educational agencies on data collection, and will evaluate the need to upgrade or change the system and to provide additional support to help minimize the burden on local educational agencies related to reporting data required for the annual State report card described in subsection (d)(1) and annual local educational agency report cards described in subsection (d)(2).

''(d) REPORTS.—

''(1) ANNUAL STATE REPORT CARD.—

''(A) IN GENERAL.—A State that receives assistance under this part shall prepare and disseminate widely to the public an annual State report card for the State as a whole that meets the requirements of this paragraph.

''(B) IMPLEMENTATION.—

''(i) IN GENERAL.—The State report card required under this paragraph shall be—

''(I) concise;

''(II) presented in an understandable and uniform format and, to the extent practicable, in a language that parents can understand; and

''(III) widely accessible to the public, which shall include making the State report card, along with all local educational agency and school report cards required under paragraph (2), and the annual report to the Secretary under paragraph (5), available on a single webpage of the State educational agency's website.

''(ii) ENSURING PRIVACY.—No State report card required under this paragraph shall include any personally identifiable information about any student. Each such report card shall be consistent with the privacy protections under section 444 of the General Education Provisions Act (20 U.S.C. 1232g, commonly known as the 'Family Educational Rights and Privacy Act of 1974').

''(C) MINIMUM REQUIREMENTS.—Each State report card required under this subsection shall include the following information:

''(i) A clear and concise description of the State's accountability system under subsection (b)(3), including the goals for all students and for each of the categories of students, as defined in subsection (b)(3)(A), the indicators used in the accountability system to evaluate school performance described in subsection (b)(3)(B), and the weights of the indicators used in the accountability system to evaluate school performance.

''(ii) For all students and disaggregated by each category of students described in subsection (b)(2)(B)(xi), homeless status, and status as a child in foster care, except that such disaggregation shall not be required in a case in which the number of students in a category is insufficient to yield statistically reliable information or the results would reveal personally identifiable information about an individual student, information on

student achievement on the academic assessments described in subsection (b)(2) at each level of achievement, as determined by the State under subsection (b)(1).

''(iii) For all students and disaggregated by each category of students described in subsection (b)(2)(B)(xi), the percentage of students assessed and not assessed.

''(iv) For all students and disaggregated by each of the categories of students, as defined in subsection (b)(3)(A), except that such disaggregation shall not be required in a case in which the number of students in a category is insufficient to yield statistically reliable information or the results would reveal personally identifiable information about an individual student—

''(I) information on the performance on the other academic indicator under subsection (b)(3)(B)(ii)(II)(aa) used by the State in the State accountability system; and

''(II) high school graduation rates, including 4-year adjusted cohort graduation rates and, at the State's discretion, extended-year adjusted cohort graduation rates.

''(v) Information on indicators or measures of school quality, climate and safety, and discipline, including the rates of in-school suspensions, out-of-school suspensions, expulsions, school-related arrests, referrals to law enforcement, chronic absenteeism (including both excused and unexcused absences), and incidences of violence, including bullying and harassment, that the State educational agency and each local educational agency in the State reported to the Civil Rights Data Collection biennial survey required by the Office for Civil Rights of the Department that is the most recent to the date of the determination in the same manner that such information is presented on such survey.

''(vi) The minimum number of students that the State determines are necessary to be included in each of the categories of students, as defined in subsection (b)(3)(A), for use in the accountability system under subsection (b)(3).

''(vii) The professional qualifications of teachers, principals, and other school leaders in the State, including information (that shall be presented in the aggregate and disaggregated by high-poverty compared to low-poverty schools which, for the purpose of this clause, means schools in each quartile based on school poverty level, and high–minority and low–minority schools in the State) on the number, percentage, and distribution of—

''(I) inexperienced teachers, principals, and other school leaders;

''(II) teachers teaching with emergency or provisional credentials;

''(III) teachers who are not teaching in the subject or field for which the teacher is certified or licensed;

''(IV) teachers, principals, and other school leaders who are ineffective, as determined by the State, using the methods or criteria under subsection (c)(1)(G); and

''(V) the annual retention rates of effective and ineffective teachers, principals, and other school leaders, as determined by the State, using the methods or criteria under subsection (c)(1)(G).

''(viii) Information on the performance of local educational agencies and schools in the State, including the number and names of each school identified for intervention and support under section 1114.

''(ix) For a State that implements a teacher, principal, and other school leader evaluation system consistent with title II, the evaluation results of teachers, principals, and other school leaders, except that such information shall not provide personally identifiable information on individual teachers, principals, or other school leaders.

''(x) The per-pupil expenditures of Federal, State, and local funds, including actual personnel expenditures and actual nonpersonnel expenditures of Federal, State, and local funds, disaggregated by source of funds, for each local educational agency and each school in the State for the preceding fiscal year.

''(xi) The number and percentages of students with the most significant cognitive disabilities that take an alternate assessment under subsection (b)(2)(D), by grade and subject.

''(xii) Information on the acquisition of English language proficiency by students who are English learners.

''(xiii) Information on, including information that the State educational agency and each local educational agency in the State reported to the Civil Rights Data Collection biennial survey required by the Office for Civil Rights of the Department that is the most recent to the date of the determination in the same manner that such information is presented on such survey on—

''(I) the number and percentage of—

''(aa) students enrolled in gifted and talented programs;

''(bb) students enrolled in rigorous coursework to earn postsecondary credit while still in high school, such as Advanced Placement and International Baccalaureate courses and examinations, and dual or concurrent enrollment and early college high schools; and

''(cc) children enrolled in preschool programs;

''(II) the average class size, by grade; and

''(III) any other indicators determined by the State.

''(xiv) The number and percentage of students attaining career and technical proficiencies, as defined by section 113(b) of the Carl D. Perkins Career and Technical Education Act of 2006 and reported by States only in a manner consistent with section 113(c) of that Act.

''(xv) Results on the National Assessment of Educational Progress in reading and mathematics in grades 4 and 8 for the State, compared to the national average.

''(xvi) Information on the percentage of students, including for each of the categories of students, as defined in subsection (b)(3)(A), who did not meet the State goals established under subsection (b)(3)(B).

''(xvii) Information regarding the number of military-connected students (which, for purposes of this clause, shall mean students with parents who serve in the uniformed services, including the National Guard and Reserves), and information regarding the academic achievement of such students, except that such information shall not be used for school or local educational agency accountability purposes under sections 1111(b)(3) and 1114.

''(xviii) Any additional information that the State believes will best provide parents, students, and other members of the public with information regarding the progress of each of the State's public elementary schools and secondary schools.

''(D) RULE OF CONSTRUCTION.—

''(i) IN GENERAL.—Nothing in clause (v) or (xiii) of subparagraph (C) shall be construed as requiring a State to report any data that are not otherwise required or voluntarily submitted to the Civil Rights Data Collection biennial survey required by the Office for Civil Rights of the Department.

''(ii) CONTINUATION OF SUBMISSION TO DEPARTMENT OF INFORMATION.—If, at any time after the date of enactment of the Every Child Achieves Act of 2015, the Civil Rights Data Collection biennial survey is no longer conducted by the Office for Civil Rights of the Department, a State educational agency shall still include the information under clauses (v) and (xiii) of subparagraph (C) in the State report card under this paragraph in the same manner that such information is presented on such survey.

''(2) ANNUAL LOCAL EDUCATIONAL AGENCY REPORT CARDS.—

''(A) IN GENERAL.—

''(i) PREPARATION AND DISSEMINATION.—A local educational agency that receives assistance under this part shall prepare and disseminate an annual local educational agency report card that includes—

''(I) information on such agency as a whole; and

''(II) for each school served by the agency, a school report card that meets the requirements of this paragraph.

''(ii) NO PERSONALLY IDENTIFIABLE INFORMATION.—No local educational agency report card required under this paragraph shall include any personally identifiable information about any student.

''(iii) CONSISTENT WITH FERPA.—Each local educational agency report card shall be consistent with the privacy protections under section 444 of the General Education Provisions Act (20 U.S.C. 1232g, commonly known as the 'Family Educational Rights and Privacy Act of 1974').

''(B) IMPLEMENTATION.—Each local educational agency report card shall be—

''(i) concise;

''(ii) presented in an understandable and uniform format, and to the extent practicable, in a language that parents can understand; and

''(iii) accessible to the public, which shall include—

''(I) placing such report card on the website of the local educational agency and on the website of each school served by the agency; and

''(II) in any case in which a local educational agency or school does not operate a website, providing the information to the public in another manner determined by the local educational agency.

''(C) MINIMUM REQUIREMENTS.—Each local educational agency report card required under this paragraph shall include—

''(i) the information described in paragraph (1)(C), disaggregated in the same manner as under paragraph (1)(C), except for clause (xv) of such paragraph, as applied to the local educational agency, and each school served by the local educational agency, including—

''(I) in the case of a local educational agency, information that shows how students served by the local educational agency achieved on the academic assessments described in subsection (b)(2) compared to students in the State as a whole; and

''(II) in the case of a school, information that shows how the school's students' achievement on the academic assessments described in subsection (b)(2) compared to students served by the local educational agency and the State as a whole;

''(ii) any information required by the State under paragraph (1)(C)(xviii); and

''(iii) any other information that the local educational agency determines is appropriate and will best provide parents, students, and other members of the public with information regarding the progress of each public school served by the local educational agency, whether or not such information is included in the annual State report card.

''(D) PUBLIC DISSEMINATION.—

''(i) IN GENERAL.—Except as provided in clause (ii), a local educational agency shall—

''(I) publicly disseminate the information described in this paragraph to all schools in the school district served by the local educational agency and to all parents of students attending such schools; and

''(II) make the information widely available through public means, including through electronic means, including posting in an easily accessible manner on the local educational agency's website, except in the case in which an agency does not operate a website, such agency shall determine how to make the information available, such as through distribution to the media, and distribution through public agencies.

''(ii) EXCEPTION.—If a local educational agency issues a report card for all students, the local educational agency may include the information described in this paragraph as part of such report.

''(3) PREEXISTING REPORT CARDS.—A State educational agency or local educational agency that was providing public report cards on the performance of students, schools, local educational agencies, or the State prior to the date of enactment of the Every Child Achieves Act of 2015, may use such report cards for the purpose of disseminating information under this subsection if the report card is modified, as may be needed, to contain the information required by this subsection.

''(4) COST REDUCTION.—Each State educational agency and local educational agency receiving assistance under this part shall, wherever possible, take steps to reduce data collection costs and duplication of effort by obtaining the information required under this subsection through existing data collection efforts.

''(5) ANNUAL STATE REPORT TO THE SECRETARY.—Each State educational agency receiving assistance under this part shall report annually to the Secretary, and make widely available within the State—

''(A) information on student achievement on the academic assessments described in subsection (b)(2) for all students and disaggregated by each of the categories of students, as defined in subsection (b)(3)(A), including—

''(i) the percentage of students who achieved at each level of achievement the State has set in subsection (b)(1);

''(ii) the percentage of students who did not meet the State goals set in subsection (b)(3)(B); and

''(iii) if applicable, the percentage of students making at least one year of academic growth over the school year, as determined by the State;

''(B) the percentage of students assessed and not assessed on the academic assessments described in subsection (b)(2) for all students and disaggregated by each category of students described in subsection (b)(2)(B)(xi);

''(C) for all students and disaggregated by each of the categories of students, as defined in subsection (b)(3)(A)—

''(i) information on the performance on the other academic indicator under subsection (b)(3)(B)(ii)(II)(aa) used by the State in the State accountability system;

''(ii) high school graduation rates, including 4-year adjusted cohort graduation rates and, at the State's discretion, extended-year adjusted cohort graduation rates; and

''(iii) information on each State-determined indicator of school quality, success, or student support under subsection (b)(3)(B)(ii)(IV) selected by the State in the State accountability system;

''(D) information on the acquisition of English language proficiency by students who are English learners;

''(E) the per-pupil expenditures of Federal, State, and local funds, including actual staff personnel expenditures and actual nonpersonnel expenditures, disaggregated by source of funds for each school served by the agency for the preceding fiscal year;

''(F) the number and percentage of students with the most significant cognitive disabilities that take an alternate assessment under subsection (b)(2)(D), by grade and subject;

''(G) the number and names of the schools identified as in need of intervention and support under section 1114, and the school intervention and support strategies developed and implemented by the local educational agency under section 1114(b) to address the needs of students in each school;

''(H) the number of students and schools that participated in public school choice under section 1114(b)(4);

''(I) information on the quality and effectiveness of teachers for each quartile of schools based on the school's poverty level and high–minority and low–minority schools in the local educational agencies in the State, including the number, percentage, and distribution of—

''(i) inexperienced teachers;

''(ii) teachers who are not teaching in the subject or field for which the teacher is certified or licensed; and

''(iii) teachers who are not effective, as determined by the State if the State has a statewide teacher, principal, or other school leader evaluation system; and

''(J) if the State has a statewide teacher, principal, or other school leader evaluation system, information on the results of such teacher, principal, or other school leader evaluation systems that does not reveal personally identifiable information.

''(6) PRESENTATION OF DATA.—

''(A) IN GENERAL.—A State educational agency or local educational agency shall only include in its annual report card described under paragraphs (1) and (2) data that are sufficient to yield statistically reliable information, and that do not reveal personally identifiable information about an individual student, teacher, principal, or other school leader.

''(B) STUDENT PRIVACY.—In carrying out this subsection, student education records shall not be released without written consent consistent with section 444 of the General Education Provisions Act (20 U.S.C. 1232g, commonly known as the 'Family Educational Rights and Privacy Act of 1974').

''(7) REPORT TO CONGRESS.—The Secretary shall transmit annually to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Education and the Workforce of the House of Representatives a report that provides national- and State-level data on the information collected under paragraph (5). Such report shall be submitted through electronic means only.

''(8) SECRETARY'S REPORT CARD.—

''(A) IN GENERAL.—Not later than July 1, 2017, and annually thereafter, the Secretary, acting through the Director of the Institute of Education Sciences, shall transmit to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Education and the Workforce of the House of Representatives a national report card on the status of elementary and secondary education in the United States. Such report shall—

''(i) analyze existing data from State reports required under this Act, the Individuals with Disabilities Education Act, and the Carl D. Perkins Career and Technical Education Act of 2006, and summarize major findings from such reports;

''(ii) analyze data from the National Assessment of Educational Progress and comparable international assessments;

''(iii) identify trends in student achievement and high school graduation rates (including 4-year adjusted cohort graduation rates and extended-year adjusted cohort graduation rates), by analyzing and reporting on the status and performance of students, disaggregated by achievement level and by each of the categories of students, as defined in subsection (b)(3)(A), and by students in rural schools;

''(iv) analyze data on Federal, State, and local expenditures on education, including per-pupil spending, teacher salaries, school-level spending, and other financial data publicly available, and report on current trends and major findings; and

''(v) analyze information on the teaching, principal, and other school leader professions, including education and training, retention and mobility, and effectiveness in improving student achievement.

''(B) SPECIAL RULE.—The information used to prepare the report described in subparagraph (A) shall be derived from existing State and local reporting requirements and data sources. Nothing in this paragraph shall be construed as authorizing, requiring, or allowing any additional reporting requirements, data elements, or information to be reported to the Secretary not otherwise explicitly authorized by any other Federal law.

''(C) PUBLIC RECOGNITION.—The Secretary may identify and publicly recognize States, local educational agencies, schools, programs, and individuals for exemplary performance.

''(e) VOLUNTARY PARTNERSHIPS.—

''(1) IN GENERAL.—Nothing in this section shall be construed to prohibit a State from entering into a voluntary partnership with another State to develop and implement the academic assessments, challenging State academic standards, and accountability systems required under this section.

''(2) PROHIBITION.—The Secretary shall be prohibited from requiring or coercing a State to enter into a voluntary partnership described in paragraph (1), including—

''(A) as a condition of approval of a State plan under this section;

''(B) as a condition of an award of Federal funds under any grant, contract, or cooperative agreement;

''(C) as a condition of approval of a waiver under section 9401; or

''(D) by providing any priority, preference, or special consideration during the application process under any grant, contract, or cooperative agreement.

''(f) SPECIAL RULE WITH RESPECT TO BUREAU-FUNDED SCHOOLS.—In determining the assessments to be used by each school operated or funded by the Bureau of Indian Education of the Department of the Interior that receives funds under this part, the following shall apply:

''(1) Each such school that is accredited by the State in which it is operating shall use the assessments the State has developed and implemented to meet the requirements of this section, or such other appropriate assessment as approved by the Secretary of the Interior.

''(2) Each such school that is accredited by a regional accrediting organization shall adopt an appropriate assessment in consultation with, and with the approval of, the Secretary of the Interior and consistent with assessments adopted by other schools in the same State or region, that meets the requirements of this section.

''(3) Each such school that is accredited by a tribal accrediting agency or tribal division of education shall use an assessment developed by such agency or division, except that the Secretary of the Interior shall ensure that such assessment meets the requirements of this section.

"SEC. 1112. LOCAL EDUCATIONAL AGENCY PLANS.

''(a) PLANS REQUIRED.—

''(1) SUBGRANTS.—A local educational agency may receive a subgrant under this part

for any fiscal year only if such agency has on file with the State educational agency a plan, approved by the State educational agency, that—

''(A) is developed with timely and meaningful consultation with teachers, principals, other school leaders, specialized instructional support personnel, paraprofessionals (including organizations representing such individuals), administrators (including administrators of programs described in other parts of this title), and other appropriate school personnel, and with parents of children in schools served under this part;

''(B) satisfies the requirements of this section; and

''(C) as appropriate, is coordinated with other programs under this Act, the Individuals with Disabilities Education Act, the Rehabilitation Act of 1973, the Carl D. Perkins Career and Technical Education Act of 2006, the Workforce Innovation and Opportunity Act, the Head Start Act, the Child Care and Development Block Grant Act of 1990, the Education Sciences Reform Act of 2002, the Education Technical Assistance Act, the National Assessment of Educational Progress Authorization Act, the McKinney-Vento Homeless Assistance Act, and the Adult Education and Family Literacy Act.

''(2) CONSOLIDATED APPLICATION.—The plan may be submitted as part of a consolidated application under section 9305.

''(3) STATE REVIEW AND APPROVAL.—

''(A) IN GENERAL.—Each local educational agency plan shall be filed according to a schedule established by the State educational agency.

''(B) APPROVAL.—The State educational agency shall approve a local educational agency's plan only if the State educational agency determines that the local educational agency's plan meets the requirements of this part and enables children served under this part to meet the challenging State academic standards described in section 1111(b)(1).

''(4) DURATION.—Each local educational agency plan shall be submitted for the first year for which this part is in effect following the date of enactment of the Every Child Achieves Act of 2015 and shall remain in effect for the duration of the agency's participation under this part.

''(5) REVIEW.—Each local educational agency shall periodically review and, as necessary, revise its plan to reflect changes in the local educational agency's strategies and programs under this part.

''(6) RENEWAL.—A local educational agency that desires to continue participating in a program under this part shall submit a renewed plan on a periodic basis, as determined by the State.

''(b) PLAN PROVISIONS.—To ensure that all children receive a high-quality education that prepares them for postsecondary education or the workforce without the need for postsecondary remediation, and to close the achievement gap between children meeting the challenging State academic standards and those who are not, each local educational agency plan shall describe—

''(1) how the local educational agency will work with each of the schools served by the agency so that students meet the challenging State academic standards by—

''(A) developing and implementing a comprehensive program of instruction to meet the academic needs of all students;

''(B) identifying quickly and effectively students who may be at risk for academic failure;

''(C) providing additional educational assistance to individual students determined as needing help in meeting the challenging State academic standards;

''(D) identifying significant gaps in student academic achievement and graduation rates between each of the categories of students, as defined in section 1111(b)(3)(A), and developing strategies to reduce such gaps in achievement and graduation rates; and

''(E) identifying and implementing evidence-based methods and instructional strategies intended to strengthen the academic program of the school and improve school climate;

''(2) how the local educational agency will monitor and evaluate the effectiveness of school programs in improving student academic achievement and academic growth, if applicable, especially for students not meeting the challenging State academic standards;

''(3) how the local educational agency will—

''(A) ensure that all teachers and paraprofessionals working in a program supported with funds under this part meet applicable State certification and licensure requirements, including alternative certification requirements; and

''(B) identify and address, as required under State plans as described in section 1111(c)(1)(F), any disparities that result in low-income students and minority students being taught at higher rates than other students by ineffective, inexperienced, and out-of-field teachers;

''(4) the actions the local educational agency will take to assist schools identified as in need of intervention and support under section 1114, including the lowest-performing schools in the local educational agency, and schools identified for other reasons, including schools with categories of students, as defined in section 1111(b)(3)(A), not meeting the goals described in section 1111(b)(3)(B), to improve student academic achievement, the funds used to conduct such actions, and how such agency will monitor such actions;

''(5) the poverty criteria that will be used to select school attendance areas under section 1113;

''(6) the programs to be conducted by such agency's schools under section 1113 and, where appropriate, educational services outside such schools for children living in local institutions for neglected or delinquent children, and for neglected and delinquent children in community day school programs;

''(7) the services the local educational agency will provide homeless children, including services provided with funds reserved under section 1113(a)(4)(A)(i);

''(8) the strategy the local educational agency will use to implement effective parent and family engagement under section 1115;

''(9) if applicable, how the local educational agency will coordinate and integrate services provided under this part with preschool educational services at the local educational agency or individual school level, such as Head Start programs, the literacy program under part D of title II, State-funded preschool programs, and other community-based early childhood education programs, including plans for the transition of participants in such programs to local elementary school programs;

''(10) how the local educational agency will coordinate programs and integrate services under this part with other Federal, State, tribal, and local services and programs, including programs supported under this Act, the Carl D. Perkins Career and Technical Education Act of 2006, the Individuals with Disabilities Education Act, the Rehabilitation Act of 1973, the Head Start Act, the Child Care and Development Block Grant Act of 1990, the Workforce Innovation and Opportunity Act, the McKinney-Vento Homeless Assistance Act, and the Education Sciences Reform Act of 2002, violence prevention programs, nutrition programs, and housing programs;

''(11) how teachers and school leaders, in consultation with parents, administrators, paraprofessionals, and specialized instructional support personnel, in schools operating a targeted assistance school program under section 1113, will identify the eligible children most in need of services under this part;

''(12) in the case of a local educational agency that proposes to use funds under this part to support a multi-tiered system of supports, positive behavioral interventions and supports, or early intervening services, how the local educational agency will provide such activities and services and coordinate them with similar activities and services carried out under the Individuals with Disabilities Education Act in schools served by the local educational agency, including by providing technical assistance, training, and evaluation of the activities and services;

''(13) how the local educational agency will provide opportunities for the enrollment, attendance, and success of homeless children and youths consistent with the requirements of the McKinney-Vento Homeless Assistance Act and the services the local educational agency will provide homeless children and youths;

''(14) how the local educational agency will implement strategies to facilitate effective transitions for students from middle school to high school and from high school to postsecondary education, including—

''(A) if applicable, through coordination with institutions of higher education, employers, and other local partners to seamlessly transition students from high school into postsecondary education or careers without remediation; and

''(B) a description of the specific transition activities the local educational agency will take, such as providing students with access to dual or concurrent enrollment opportunities that enable students during high school to earn postsecondary credit or an industry-recognized credential that meets any quality standards required by the State or utilizing comprehensive career counseling to identify student interests and skills;

''(15) how the local educational agency will address school discipline issues, which may include identifying and supporting schools with significant discipline disparities, or high rates of discipline, disaggregated by each of the categories of students, as defined in section 1111(b)(3)(A), including by providing technical assistance on effective strategies to reduce such disparities and high rates;

''(16) how the local educational agency will address school climate issues, which may include identifying and improving performance on school climate indicators related to student achievement and providing technical assistance to schools;

''(17) how the local educational agency will provide opportunities for the enrollment, attendance, and success of expectant and parenting students and the services the local educational agency will provide expectant and parenting students;

''(18) if determined appropriate by the local educational agency, how such agency will support programs that promote integrated academic and career and technical education content through coordinated instructional strategies, that may incorporate experiential learning opportunities; and

''(19) any other information on how the local educational agency proposes to use funds to meet the purposes of this part, and

that the local educational agency determines appropriate to provide, which may include how the local educational agency will—

''(A) assist schools in identifying and serving gifted and talented students; and

''(B) encourage the offering of a variety of well-rounded education experiences to students.

''(c) ASSURANCES.—Each local educational agency plan shall provide assurances that the local educational agency will—

''(1) ensure that migratory children and formerly migratory children who are eligible to receive services under this part are selected to receive such services on the same basis as other children who are selected to receive services under this part;

''(2) provide services to eligible children attending private elementary schools and secondary schools in accordance with section 1116, and timely and meaningful consultation with private school officials regarding such services;

''(3) participate, if selected, in the National Assessment of Educational Progress in reading and mathematics in grades 4 and 8 carried out under section 303(b)(3) of the National Assessment of Educational Progress Authorization Act;

''(4) coordinate and integrate services provided under this part with other educational services at the local educational agency or individual school level, such as services for English learners, children with disabilities, migratory children, American Indian, Alaska Native, and Native Hawaiian children, and homeless children, in order to increase program effectiveness, eliminate duplication, and reduce fragmentation of the instructional program;

''(5) collaborate with the State or local child welfare agency and, by not later than 1 year after the date of enactment of the Every Child Achieves Act of 2015, develop and implement clear written procedures governing how transportation to maintain children in foster care in their school of origin when in their best interest will be provided, arranged, and funded for the duration of the time in foster care, which procedures shall—

''(A) ensure that children in foster care needing transportation to the school of origin will promptly receive transportation in a cost-effective manner and in accordance with section 475(4)(A) of the Social Security Act (42 U.S.C. 675(4)(A)); and

''(B) ensure that, if there are additional costs incurred in providing transportation to maintain children in foster care in their schools of origin, the local educational agency will provide transportation to the school of origin if—

''(i) the local child welfare agency agrees to reimburse the local educational agency for the cost of such transportation;

''(ii) the local educational agency agrees to pay for the cost of such transportation; or

''(iii) the local educational agency and the local child welfare agency agree to share the cost of such transportation; and

''(6) designate a point of contact if the corresponding child welfare agency notifies the local educational agency, in writing, that the agency has designated an employee to serve as a point of contact for the local educational agency.

''(d) PARENTS RIGHT-TO-KNOW.—

''(1) TEACHER QUALIFICATIONS.—

''(A) IN GENERAL.—At the beginning of each school year, a local educational agency that receives funds under this part shall notify the parents of each student attending any school receiving funds under this part that the parents may request, and the agency will provide the parents on request (and in a timely manner), information regarding the professional qualifications of the student's classroom teachers, including at a minimum, the following:

''(i) Whether the teacher has met State qualification and licensing criteria for the grade levels and subject areas in which the teacher provides instruction.

''(ii) Whether the teacher is teaching under emergency or other provisional status through which State qualification or licensing criteria have been waived.

''(iii) The field of discipline of the certification of the teacher.

''(iv) Whether the child is provided services by paraprofessionals and, if so, their qualifications.

''(B) ADDITIONAL INFORMATION.—In addition to the information that parents may request under subparagraph (A), a school that receives funds under this part shall provide to each individual parent of a child who is a student in such school, with respect to such student—

''(i) information on the level of achievement and academic growth of the student, if applicable and available, on each of the State academic assessments required under this part; and

''(ii) timely notice that the student has been assigned, or has been taught for 4 or more consecutive weeks by, a teacher who does not meet applicable State certification or licensure requirements at the grade level and subject area in which the teacher has been assigned.

''(2) LANGUAGE INSTRUCTION.—

''(A) NOTICE.—Each local educational agency using funds under this part or title III to provide a language instruction educational program as determined under title III shall, not later than 30 days after the beginning of the school year, inform a parent or parents of a child who is an English learner identified for participation or participating in such a program, of—

''(i) the reasons for the identification of their child as an English learner and in need of placement in a language instruction educational program;

''(ii) the child's level of English proficiency, how such level was assessed, and the status of the child's academic achievement;

''(iii) the methods of instruction used in the program in which their child is, or will be, participating and the methods of instruction used in other available programs, including how such programs differ in content, instructional goals, and the use of English and a native language in instruction;

''(iv) how the program in which their child is, or will be, participating will meet the educational strengths and needs of their child;

''(v) how such program will specifically help their child learn English and meet age-appropriate academic achievement standards for grade promotion and graduation;

''(vi) the specific exit requirements for the program, including the expected rate of transition from such program into classrooms that are not tailored for children who are English learners, and the expected rate of graduation from high school (including 4-year adjusted cohort graduation rates and extended-year adjusted cohort graduation rates for such program) if funds under this part are used for children in high schools;

''(vii) in the case of a child with a disability, how such program meets the objectives of the individualized education program of the child, as described in section 614(d) of the Individuals with Disabilities Education Act; and

''(viii) information pertaining to parental rights that includes written guidance—

''(I) detailing the right that parents have to have their child immediately removed from such program upon their request;

''(II) detailing the options that parents have to decline to enroll their child in such program or to choose another program or method of instruction, if available; and

''(III) assisting parents in selecting among various programs and methods of instruction, if more than 1 program or method is offered by the eligible entity.

''(B) SPECIAL RULE APPLICABLE DURING THE SCHOOL YEAR.—For those children who have not been identified as English learners prior to the beginning of the school year but are identified as English learners during such school year, the local educational agency shall notify the children's parents during the first 2 weeks of the child being placed in a language instruction educational program consistent with subparagraph (A).

''(C) PARENTAL PARTICIPATION.—Each local educational agency receiving funds under this part and title III shall implement an effective means of outreach to parents of children who are English learners to inform the parents how the parents can be involved in the education of their children, and be active participants in assisting their children to attain English proficiency, achieve at high levels in core academic subjects, and meet the challenging State academic standards expected of all students, including holding, and sending notice of opportunities for, regular meetings for the purpose of formulating and responding to recommendations from parents of students assisted under this part and title III.

''(D) BASIS FOR ADMISSION OR EXCLUSION.—A student shall not be admitted to, or excluded from, any federally assisted education program on the basis of a surname or language-minority status.

''(3) NOTICE AND FORMAT.—The notice and information provided to parents under this subsection shall be in an understandable and uniform format and, to the extent practicable, provided in a language that the parents can understand.

''SEC. 1113. ELIGIBLE SCHOOL ATTENDANCE AREAS; SCHOOLWIDE PROGRAMS; TARGETED ASSISTANCE PROGRAMS.

''(a) ELIGIBLE SCHOOL ATTENDANCE AREAS.—

''(1) DETERMINATION.—

''(A) IN GENERAL.—A local educational agency shall use funds received under this part only in eligible school attendance areas.

''(B) ELIGIBLE SCHOOL ATTENDANCE AREAS.—In this part—

''(i) the term 'school attendance area' means, in relation to a particular school, the geographical area in which the children who are normally served by that school reside; and

''(ii) the term 'eligible school attendance area' means a school attendance area in which the percentage of children from low-income families is at least as high as the percentage of children from low-income families served by the local educational agency as a whole.

''(C) RANKING ORDER.—

''(i) IN GENERAL.—Except as provided in clause (ii), if funds allocated in accordance with paragraph (3) are insufficient to serve all eligible school attendance areas, a local educational agency shall—

''(I) annually rank, without regard to grade spans, such agency's eligible school attendance areas in which the concentration of children from low-income families exceeds 75 percent, or exceeds 50 percent in the case of the high schools served by such agency, from highest to lowest according to the percentage of children from low-income families; and

''(II) serve such eligible school attendance areas in rank order.

''(ii) RULE OF CONSTRUCTION.—Nothing in this subparagraph shall be construed as requiring a local educational agency to reduce, in order to comply with clause (i), the amount of funding provided under this part to elementary schools and middle schools from the amount of funding provided under this part to such schools for the fiscal year preceding the date of enactment of the Every Child Achieves Act of 2015 in order to provide funding under this part to high schools pursuant to clause (i).

''(D) REMAINING FUNDS.—If funds remain after serving all eligible school attendance areas under subparagraph (C), a local educational agency shall—

''(i) annually rank such agency's remaining eligible school attendance areas from highest to lowest either by grade span or for the entire local educational agency according to the percentage of children from low-income families; and

''(ii) serve such eligible school attendance areas in rank order either within each grade-span grouping or within the local educational agency as a whole.

''(E) MEASURES.—

''(i) IN GENERAL.—Except as provided in clause (ii), a local educational agency shall use the same measure of poverty, which measure shall be the number of children aged 5 through 17 in poverty counted in the most recent census data approved by the Secretary, the number of children eligible for a free or reduced price lunch under the Richard B. Russell National School Lunch Act, the number of children in families receiving assistance under the State program funded under part A of title IV of the Social Security Act, or the number of children eligible to receive medical assistance under the Medicaid program established under title XIX of the Social Security Act, or a composite of such indicators, with respect to all school attendance areas in the local educational agency—

''(I) to identify eligible school attendance areas;

''(II) to determine the ranking of each area; and

''(III) to determine allocations under paragraph (3).

''(ii) SECONDARY SCHOOLS.—For measuring the number of students in low-income families in secondary schools, the local educational agency shall use the same measure of poverty, which shall be—

''(I) the calculation described under clause (i); or

''(II) an accurate estimate of the number of students in low-income families in a secondary school that is calculated by applying the average percentage of students in low-income families of the elementary school attendance areas as calculated under clause (i) that feed into the secondary school to the number of students enrolled in such school.

''(F) EXCEPTION.—This subsection shall not apply to a local educational agency with a total enrollment of less than 1,000 children.

''(G) WAIVER FOR DESEGREGATION PLANS.—The Secretary may approve a local educational agency's written request for a waiver of the requirements of this paragraph and paragraph (3) and permit such agency to treat as eligible, and serve, any school that children attend with a State-ordered, court-ordered school desegregation plan or a plan that continues to be implemented in accordance with a State-ordered or court-ordered desegregation plan, if—

''(i) the number of economically disadvantaged children enrolled in the school is at least 25 percent of the school's total enrollment; and

''(ii) the Secretary determines, on the basis of a written request from such agency and in accordance with such criteria as the Secretary establishes, that approval of that request would further the purposes of this part.

''(2) LOCAL EDUCATIONAL AGENCY DISCRETION.—

''(A) IN GENERAL.—Notwithstanding paragraph (1)(B), a local educational agency may—

''(i) designate as eligible any school attendance area or school in which at least 35 percent of the children are from low-income families;

''(ii) use funds received under this part in a school that is not in an eligible school attendance area, if the percentage of children from low-income families enrolled in the school is equal to or greater than the percentage of such children in a participating school attendance area of such agency;

''(iii) designate and serve a school attendance area or school that is not eligible under this section, but that was eligible and that was served in the preceding fiscal year, but only for 1 additional fiscal year; and

''(iv) elect not to serve an eligible school attendance area or eligible school that has a higher percentage of children from low-income families if—

''(I) the school meets the comparability requirements of section 1117(c);

''(II) the school is receiving supplemental funds from other State or local sources that are spent according to the requirements of this section; and

''(III) the funds expended from such other sources equal or exceed the amount that would be provided under this part.

''(B) SPECIAL RULE.—Notwithstanding subparagraph (A)(iv), the number of children attending private elementary schools and secondary schools who are to receive services, and the assistance such children are to receive under this part, shall be determined without regard to whether the public school attendance area in which such children reside is assisted under subparagraph (A).

''(3) ALLOCATIONS.—

''(A) IN GENERAL.—A local educational agency shall allocate funds received under this part to eligible school attendance areas or eligible schools, identified under paragraphs (1) and (2) in rank order, on the basis of the total number of children from low-income families in each area or school.

''(B) SPECIAL RULE.—

''(i) IN GENERAL.—Except as provided in clause (ii), the per-pupil amount of funds allocated to each school attendance area or school under subparagraph (A) shall be at least 125 percent of the per-pupil amount of funds a local educational agency received for that year under the poverty criteria described by the local educational agency in the plan submitted under section 1112, except that this clause shall not apply to a local educational agency that only serves schools in which the percentage of such children is 35 percent or greater.

''(ii) EXCEPTION.—A local educational agency may reduce the amount of funds allocated under clause (i) for a school attendance area or school by the amount of any supplemental State and local funds expended in that school attendance area or school for programs that meet the requirements of this section.

''(4) RESERVATION OF FUNDS.—

''(A) IN GENERAL.—A local educational agency shall reserve such funds as are necessary under this part to provide services comparable to those provided to children in schools funded under this part to serve—

''(i) homeless children, including providing educationally related support services to children in shelters and other locations where children may live;

''(ii) children in local institutions for neglected children; and

''(iii) if appropriate, children in local institutions for delinquent children, and neglected or delinquent children in community day programs.

''(B) HOMELESS CHILDREN AND YOUTH.—Funds reserved under subparagraph (A)(i) may be—

''(i) determined based on a needs assessment of homeless children and youths in the local educational agency, as conducted under section 723(b)(1) of the McKinney-Vento Homeless Assistance Act; and

''(ii) used to provide homeless children and youths with services not ordinarily provided to other students under this part, including providing—

''(I) funding for the liaison designated pursuant to section 722(g)(1)(J)(ii) of such Act; and

''(II) transportation pursuant to section 722(g)(1)(J)(iii) of such Act.

''(5) EARLY CHILDHOOD EDUCATION.—A local educational agency may reserve funds made available to carry out this section to provide early childhood education programs for eligible children.

''(b) SCHOOLWIDE PROGRAMS AND TARGETED ASSISTANCE SCHOOLS.—

''(1) IN GENERAL.—For each school that will receive funds under this part, the local educational agency shall determine whether the school shall operate a schoolwide program consistent with subsection (c) or a targeted assistance school program consistent with subsection (d).

''(2) NEEDS ASSESSMENT.—The determination under paragraph (1) shall be—

''(A) based on a comprehensive needs assessment of the entire school that takes into account information on the academic achievement of children in relation to the challenging State academic standards under section 1111(b)(1), particularly the needs of those children who are failing, or are at-risk of failing, to meet the challenging State academic standards and any other factors as determined by the local educational agency; and

''(B) conducted with the participation of individuals who would carry out the schoolwide plan, including those individuals under subsection (c)(2)(B).

''(3) COORDINATION.—The needs assessment under paragraph (2) may be undertaken as part of other related needs assessments under this Act.

''(c) SCHOOLWIDE PROGRAMS.—

''(1) IN GENERAL.—

''(A) ELIGIBILITY.—A local educational agency may consolidate and use funds under this part, together with other Federal, State, and local funds, in order to upgrade the entire educational program of a school that serves an eligible school attendance area in which not less than 40 percent of the children are from low-income families, or not less than 40 percent of the children enrolled in the school are from such families.

''(B) EXCEPTION.—A school that serves an eligible school attendance area in which less than 40 percent of the children are from low-income families, or a school for which less than 40 percent of the children enrolled in the school are from such families, may operate a schoolwide program under this section if—

''(i) the local educational agency in which the school is located allows such school to do so; and

''(ii) the results of the comprehensive needs assessment conducted under subsection (b)(2) determine a schoolwide program will best serve the needs of the students in the school served under this part in improving academic achievement and other factors.

''(2) SCHOOLWIDE PROGRAM PLAN.—An eligible school operating a schoolwide program

shall develop a comprehensive plan, in consultation with the local educational agency, tribes and tribal organizations present in the community, and other individuals as determined by the school, that—

''(A) is developed during a 1-year period, unless—

''(i) the local educational agency determines in consultation with the school that less time is needed to develop and implement the schoolwide program; or

''(ii) the school is operating a schoolwide program on the day before the date of enactment of the Every Child Achieves Act of 2015, in which case such school may continue to operate such program, but shall develop amendments to its existing plan during the first year of assistance after that date to reflect the provisions of this section;

''(B) is developed with the involvement of parents and other members of the community to be served and individuals who will carry out such plan, including teachers, principals, other school leaders, paraprofessionals present in the school, and administrators (including administrators of programs described in other parts of this title), and, if appropriate, specialized instructional support personnel, technical assistance providers, school staff, and students;

''(C) remains in effect for the duration of the school's participation under this part, except that the plan and the implementation of, and results achieved by, the schoolwide program shall be regularly monitored and revised as necessary to ensure that students are meeting the challenging State academic standards;

''(D) is available to the local educational agency, parents, and the public, and the information contained in such plan shall be in an understandable and uniform format and, to the extent practicable, provided in a language that the parents can understand;

''(E) if appropriate and applicable, developed in coordination and integration with other Federal, State, and local services, resources, and programs, such as programs supported under this Act, violence prevention programs, nutrition programs, housing programs, Head Start programs, adult education programs, career and technical education programs, and interventions and supports for schools identified as in need of intervention and support under section 1114; and

''(F) includes a description of—

''(i) the results of the comprehensive needs assessments of the entire school required under subsection (b)(2);

''(ii) the strategies that the school will be implementing to address school needs, including a description of how such strategies will—

''(I) provide opportunities for all children, including each of the categories of students, as defined in section 1111(b)(3)(A), to meet the challenging State academic standards under section 1111(b)(1);

''(II) use evidence-based methods and instructional strategies that strengthen the academic program in the school, increase the amount and quality of learning time, and help provide an enriched and accelerated curriculum;

''(III) address the needs of all children in the school, but particularly the needs of those at risk of not meeting the challenging State academic standards, which may include—

''(aa) counseling, specialized instructional support services, and mentoring services;

''(bb) preparation for and awareness of opportunities for postsecondary education and the workforce, including career and technical education programs, which may include broadening secondary school students' access to coursework to earn postsecondary credit while still in high school, such as Advanced Placement and International Baccalaureate courses and examinations, and dual or concurrent enrollment and early college high schools;

''(cc) implementation of a schoolwide multi-tiered system of supports, including positive behavioral interventions and supports and early intervening services, including through coordination with such activities and services carried out under the Individuals with Disabilities Education Act;

''(dd) implementation of supports for teachers and other school personnel, which may include professional development and other activities to improve instruction, activities to recruit and retain effective teachers, particularly in high-need schools, and using data from academic assessments under section 1111(b)(2) and other formative and summative assessments to improve instruction;

''(ee) programs, activities, and courses in the core academic subjects to assist children in meeting the challenging State academic standards; and

''(ff) other strategies to improve student's academic and nonacademic skills essential for success; and

''(IV) be monitored and improved over time based on student needs, including increased supports for those students who are lowest-achieving;

''(iii) if programs are consolidated, the specific State educational agency and local educational agency programs and other Federal programs that will be consolidated in the schoolwide program; and

''(iv) if appropriate, how funds will be used to establish or enhance early childhood education programs for children who are aged 5 or younger, including how programs will help transition such children to local elementary school programs.

''(3) IDENTIFICATION OF STUDENTS NOT REQUIRED.—

''(A) IN GENERAL.—No school participating in a schoolwide program shall be required to identify—

''(i) particular children under this part as eligible to participate in a schoolwide program; or

''(ii) individual services as supplementary.

''(B) SUPPLEMENTAL FUNDS.—In accordance with the method of determination described in section 1117, a school participating in a schoolwide program shall use funds available to carry out this paragraph only to supplement the amount of funds that would, in the absence of funds under this part, be made available from non-Federal sources for the school, including funds needed to provide services that are required by law for children with disabilities and children who are English learners.

''(4) EXEMPTION FROM STATUTORY AND REGULATORY REQUIREMENTS.—

''(A) EXEMPTION.—The Secretary may, through publication of a notice in the Federal Register, exempt schoolwide programs under this section from statutory or regulatory provisions of any other noncompetitive formula grant program administered by the Secretary (other than formula or discretionary grant programs under the Individuals with Disabilities Education Act, except as provided in section 613(a)(2)(D) of such Act), or any discretionary grant program administered by the Secretary, to support schoolwide programs if the intent and purposes of such other programs are met.

''(B) REQUIREMENTS.—A school that chooses to use funds from such other programs shall not be relieved of the requirements relating to health, safety, civil rights, student and parental participation and involvement, services to private school children, comparability of services, maintenance of effort, uses of Federal funds to supplement, not supplant non-Federal funds (in accordance with the method of determination described in section 1117), or the distribution of funds to State educational agencies or local educational agencies that apply to the receipt of funds from such programs.

''(C) RECORDS.—A school that chooses to consolidate and use funds from different Federal programs under this paragraph shall not be required to maintain separate fiscal accounting records, by program, that identify the specific activities supported by those particular funds as long as the school maintains records that demonstrate that the schoolwide program, considered as a whole, addresses the intent and purposes of each of the Federal programs that were consolidated to support the schoolwide program.

''(5) PRESCHOOL PROGRAMS.—A school that operates a schoolwide program under this subsection may use funds made available under this part to establish, expand, or enhance preschool programs for children aged 5 or younger.

''(d) TARGETED ASSISTANCE SCHOOL PROGRAMS.—

''(1) IN GENERAL.—Each school selected to receive funds under subsection (a)(3) for which the local educational agency serving such school, based on the results of the comprehensive needs assessment conducted under subsection (b)(2), determines that the school will operate a targeted assistance school program, may use funds received under this part only for programs that provide services to eligible children under paragraph (3)(A)(ii) who are identified as having the greatest need for special assistance.

''(2) TARGETED ASSISTANCE SCHOOL PROGRAM.—Each school operating a targeted assistance school program shall develop a plan, in consultation with the local educational agency and other individuals as determined by the school, that includes—

''(A) a description of the results of the comprehensive needs assessments of the entire school required under subsection (b)(2);

''(B) a description of the process for determining which students will be served and the students to be served;

''(C) a description of how the activities supported under this part will be coordinated with and incorporated into the regular education program of the school;

''(D) a description of how the program will serve participating students identified under paragraph (3)(A)(ii), including by—

''(i) using resources under this part, such as support for programs, activities, and courses in core academic subjects to help participating children meet the challenging State academic standards;

''(ii) using methods and instructional strategies that are evidence-based to strengthen the core academic program of the school and that may include—

''(I) expanded learning time, before- and after-school programs, and summer programs and opportunities; or

''(II) a multi-tiered system of supports, positive behavioral interventions and supports, and early intervening services;

''(iii) coordinating with and supporting the regular education program, which may include services to assist preschool children in the transition from early childhood education programs such as Head Start, the literacy program under part D of title II, or State-run preschool programs to elementary school programs;

''(iv) supporting effective teachers, principals, other school leaders, paraprofessionals, and, if appropriate, specialized instructional support personnel, and other school personnel who work with participating children in programs under this subsection or in the regular education program

with resources provided under this part, and, to the extent practicable, from other sources, through professional development;

''(v) implementing strategies to increase parental involvement of parents of participating children in accordance with section 1115; and

''(vi) if applicable, coordinating and integrating Federal, State, and local services and programs, such as programs supported under this Act, violence prevention programs, nutrition programs, housing programs, Head Start programs, adult education programs, career and technical education, and intervention and supports in schools identified as in need of intervention and support under section 1114; and

''(E) assurances that the school will—

''(i) help provide an accelerated, high-quality curriculum;

''(ii) minimize removing children from the regular classroom during regular school hours for instruction provided under this part; and

''(iii) on an ongoing basis, review the progress of participating children and revise the plan under this section, if necessary, to provide additional assistance to enable such children to meet the challenging State academic standards.

''(3) ELIGIBLE CHILDREN.—

''(A) ELIGIBLE POPULATION.—

''(i) IN GENERAL.—The eligible population for services under this subsection shall be—

''(I) children not older than age 21 who are entitled to a free public education through grade 12; and

''(II) children who are not yet at a grade level at which the local educational agency provides a free public education.

''(ii) ELIGIBLE CHILDREN FROM ELIGIBLE POPULATION.—From the population described in clause (i), eligible children are children identified by the school as failing, or most at risk of failing, to meet the challenging State academic standards on the basis of multiple, educationally related, objective criteria established by the local educational agency and supplemented by the school, except that children from preschool through grade 2 shall be selected solely on the basis of criteria, including objective criteria, established by the local educational agency and supplemented by the school.

''(B) CHILDREN INCLUDED.—

''(i) IN GENERAL.—Children who are economically disadvantaged, children with disabilities, migrant children, or children who are English learners, are eligible for services under this subsection on the same basis as other children selected to receive services under this subsection.

''(ii) HEAD START AND PRESCHOOL CHILDREN.—A child who, at any time in the 2 years preceding the year for which the determination is made, participated in a Head Start program, the literacy program under part D of title II, or in preschool services under this title, is eligible for services under this subsection.

''(iii) MIGRANT CHILDREN.—A child who, at any time in the 2 years preceding the year for which the determination is made, received services under part C is eligible for services under this subsection.

''(iv) NEGLECTED OR DELINQUENT CHILDREN.—A child in a local institution for neglected or delinquent children and youth or attending a community day program for such children is eligible for services under this subsection.

''(v) HOMELESS CHILDREN.—A child who is homeless and attending any school served by the local educational agency is eligible for services under this subsection.

''(C) SPECIAL RULE.—Funds received under this subsection may not be used to provide services that are otherwise required by law to be made available to children described in subparagraph (B) but may be used to coordinate or supplement such services.

''(4) INTEGRATION OF PROFESSIONAL DEVELOPMENT.—To promote the integration of staff supported with funds under this subsection into the regular school program and overall school planning and improvement efforts, public school personnel who are paid with funds received under this subsection may—

''(A) participate in general professional development and school planning activities; and

''(B) assume limited duties that are assigned to similar personnel who are not so paid, including duties beyond classroom instruction or that do not benefit participating children, so long as the amount of time spent on such duties is the same proportion of total work time as prevails with respect to similar personnel at the same school.

''(5) SPECIAL RULES.—

''(A) SIMULTANEOUS SERVICE.—Nothing in this subsection shall be construed to prohibit a school from serving students under this subsection simultaneously with students with similar educational needs, in the same educational settings where appropriate.

''(B) COMPREHENSIVE SERVICES.—If health, nutrition, and other social services are not otherwise available to eligible children in a school operating a targeted assistance school program and such school, if appropriate, has established a collaborative partnership with local service providers and funds are not reasonably available from other public or private sources to provide such services, then a portion of the funds provided under this subsection may be used to provide such services, including through—

''(i) the provision of basic medical equipment and services, such as eyeglasses and hearing aids;

''(ii) compensation of a coordinator;

''(iii) family support and engagement services;

''(iv) health care services and integrated student supports to address the physical, mental, and emotional well-being of children; and

''(v) professional development necessary to assist teachers, specialized instructional support personnel, other staff, and parents in identifying and meeting the comprehensive needs of eligible children.

''(e) PROHIBITION.—Nothing in this section shall be construed to authorize the Secretary or any other officer or employee of the Federal Government to require a local educational agency or school to submit the results of a comprehensive needs assessment under subsection (b)(2) or a plan under subsection (c) or (d) for review or approval by the Secretary.

''SEC. 1114. SCHOOL IDENTIFICATION, INTERVENTIONS, AND SUPPORTS.

''(a) STATE REVIEW AND RESPONSIBILITIES.—

''(1) IN GENERAL.—Each State educational agency receiving funds under this part shall use the system designed by the State under section 1111(b)(3) to annually—

''(A) identify the public schools that receive funds under this part and are in need of intervention and support using the method established by the State in section 1111(b)(3)(B)(iii);

''(B) require for inclusion—

''(i) on each local educational agency report card required under section 1111(d), the names of schools served by the agency identified under subparagraph (A); and

''(ii) on each school report card required under section 1111(d), whether the school was identified under subparagraph (A);

''(C) ensure that all public schools that receive funds under this part and are identified as in need of intervention and support under subparagraph (A), implement an evidence-based intervention or support strategy designed by the State or local educational agency described in subparagraph (A) or (B) of subsection (b)(3);

''(D) prioritize intervention and supports in the identified schools most in need of intervention and support, as determined by the State, using the results of the accountability system under 1111(b)(3)(B)(iii); and

''(E) monitor and evaluate the implementation of school intervention and support strategies by local educational agencies, including in the lowest-performing elementary schools and secondary schools in the State, and use the results of the evaluation to take appropriate steps to change or improve interventions or support strategies as necessary.

''(2) STATE EDUCATIONAL AGENCY DISCRETION.—Notwithstanding paragraph (1)(A), a State educational agency may—

''(A) identify any middle school or high school as in need of intervention and support if at least 40 percent of the children served by such school are from low-income families (as measured under section 1113(a)(1)(E)(ii)); and

''(B) use funds provided under subsection (c) to assist such school consistent with such subsection.

''(3) STATE EDUCATIONAL AGENCY RESPONSIBILITIES.—The State educational agency shall—

''(A) make technical assistance available to local educational agencies that serve schools identified as in need of intervention and support under paragraph (1)(A);

''(B) if the State educational agency determines that a local educational agency failed to carry out its responsibilities under this section, take such actions as the State educational agency determines to be appropriate and in compliance with State law to assist the local educational agency and ensure that such local educational agency is carrying out its responsibilities;

''(C) inform local educational agencies of schools identified as in need of intervention and support under paragraph (1)(A) in a timely and easily accessible manner that is before the beginning of the school year; and

''(D) publicize and disseminate to the public, including teachers, principals and other school leaders, and parents, the results of the State review under paragraph (1).

''(b) LOCAL EDUCATIONAL AGENCY REVIEW AND RESPONSIBILITIES.—

''(1) IN GENERAL.—Each local educational agency with a school identified as in need of intervention and support under subsection (a)(1)(A) shall, in consultation with teachers, principals and other school leaders, school personnel, parents, and community members—

''(A) conduct a review of such school, including by examining the indicators and measures included in the State-determined accountability system described in section 1111(b)(3)(B) to determine the factors that led to such identification;

''(B) conduct a review of the agency's policies, procedures, personnel decisions, and budgetary decisions, including the measures on the local educational agency and school report cards under section 1111(d) that impact the school and could have contributed to the identification of the school;

''(C) develop and implement appropriate intervention and support strategies, as described in paragraph (3), that are proportional to the identified needs of the school, for assisting the identified school;

''(D) develop a rigorous comprehensive plan that will be publicly available and provided to parents, for ensuring the successful implementation of the intervention and support strategies described in paragraph (3) in identified schools, which may include—

''(i) technical assistance that will be provided to the school;

''(ii) improved delivery of services to be provided by the local educational agency;

''(iii) increased support for stronger curriculum, program of instruction, wraparound services, or other resources provided to students in the school;

''(iv) any changes to personnel necessary to improve educational opportunities for children in the school;

''(v) redesigning how time for student learning or teacher collaboration is used within the school;

''(vi) using data to inform instruction for continuous improvement;

''(vii) providing increased coaching or support for principals and other school leaders to have the knowledge and skills to lead and implement efforts to improve schools and to support teachers to improve instruction;

''(viii) improving school climate and safety;

''(ix) providing ongoing mechanisms for family and community engagement to improve student learning; and

''(x) establishing partnerships with entities, including private entities with a demonstrated record of improving student achievement, that will assist the local educational agency in fulfilling its responsibilities under this section; and

''(E) collect and use data on an ongoing basis to monitor the results of the intervention and support strategies and adjust such strategies as necessary during implementation in order to improve student academic achievement.

''(2) NOTICE TO PARENTS.—A local educational agency shall promptly provide to a parent or parents of each student enrolled in a school identified as in need of intervention and support under subsection (a)(1)(A) in an easily accessible and understandable form and, to the extent practicable, in a language that parents can understand—

''(A) an explanation of what the identification means, and how the school compares in terms of academic achievement and other measures in the State accountability system under section 1111(b)(3)(B) to other schools served by the local educational agency and the State educational agency involved;

''(B) the reasons for the identification;

''(C) an explanation of what the local educational agency or State educational agency is doing to help the school address student academic achievement and other measures, including a description of the intervention and support strategies developed under paragraph (1)(C) that will be implemented in the school;

''(D) an explanation of how the parents can become involved in addressing academic achievement and other measures that caused the school to be identified; and

''(E) an explanation of the parents' option to transfer their child to another public school under paragraph (4), if applicable.

''(3) SCHOOL INTERVENTION AND SUPPORT STRATEGIES.—

''(A) IN GENERAL.—Consistent with subsection (a)(1) and paragraph (1), a local educational agency shall develop and implement evidence-based intervention and support strategies for an identified school that the local educational agency determines appropriate to address the needs of students in such identified school, which shall—

''(i) be designed to address the specific reasons for identification, as described in subparagraphs (A) and (B) of paragraph (1);

''(ii) be implemented, at a minimum, in a manner that is proportional to the specific reasons for identification, as described in subparagraphs (A) and (B) of paragraph (1); and

''(iii) distinguish between the lowest-performing schools and other schools identified as in need of intervention and support for other reasons, including schools with categories of students, as defined in section 1111(b)(3)(A), not meeting the goals described in section 1111(b)(3)(B)(i), as determined by the review in subparagraphs (A) and (B) of paragraph (1).

''(B) STATE DETERMINED STRATEGIES.—Consistent with State law, a State educational agency may establish alternative evidence-based State determined strategies that can be used by local educational agencies to assist a school identified as in need of intervention and support under subsection (a)(1)(A), in addition to the assistance strategies developed by a local educational agency under subparagraph (A).

''(4) PUBLIC SCHOOL CHOICE.—

''(A) IN GENERAL.—A local educational agency may provide all students enrolled in a school identified as in need of intervention and support under subsection (a)(1)(A) with the option to transfer to another public school served by the local educational agency, unless such an option is prohibited by State law.

''(B) PRIORITY.—In providing students the option to transfer to another public school, the local educational agency shall give priority to the lowest-achieving children from low-income families, as determined by the local educational agency for the purposes of allocating funds to schools under section 1113(a)(3).

''(C) TREATMENT.—Students who use the option to transfer to another public school shall be enrolled in classes and other activities in the public school to which the students transfer in the same manner as all other children at the public school.

''(D) SPECIAL RULE.—A local educational agency shall permit a child who transfers to another public school under this paragraph to remain in that school until the child has completed the highest grade in that school.

''(E) FUNDING FOR TRANSPORTATION.—A local educational agency may spend an amount equal to not more than 5 percent of its allocation under subpart 2 to pay for the provision of transportation for students who transfer under this paragraph to the public schools to which the students transfer.

''(5) PROHIBITIONS ON FEDERAL INTERFERENCE WITH STATE AND LOCAL DECISIONS.—Nothing in this section shall be construed to authorize or permit the Secretary to establish any criterion that specifies, defines, or prescribes—

''(A) any school intervention or support strategy that States or local educational agencies shall use to assist schools identified as in need of intervention and support under this section; or

''(B) the weight of any indicator or measure that a State shall use to identify schools under subsection (a).

''(c) FUNDS FOR LOCAL SCHOOL INTERVENTIONS AND SUPPORTS.—

''(1) IN GENERAL.—

''(A) GRANTS AUTHORIZED.—From the total amount appropriated under section 1002(f) for a fiscal year, the Secretary shall award grants to States and the Bureau of Indian Education of the Department of the Interior, through an allotment as determined under subparagraph (B), to carry out the activities described in this subsection.

''(B) ALLOTMENTS.—From the total amount appropriated under section 1002(f) for a fiscal year, the Secretary shall allot to each State, the Bureau of Indian Education of the Department of the Interior, and each outlying area for such fiscal year with an approved application, an amount that bears the same relationship to such total amount as the amount such State, the Bureau of Indian Education of the Department of the Interior, or such outlying area received under parts A, C, and D of this title for the most recent preceding fiscal year for which the data are available bears to the amount received by all such States, the Bureau of Indian Education of the Department of the Interior, and all such outlying areas under parts A, C, and D of this title for such most recent preceding fiscal year.

''(2) STATE APPLICATION.—A State (including, for the purpose of this paragraph, the Bureau of Indian Education) that desires to receive school intervention and support funds under this subsection shall submit an application to the Secretary at such time and in such manner as the Secretary may require, which shall include a description of—

''(A) the process and the criteria that the State will use to award subgrants under paragraph (4)(A), including how the subgrants will serve schools identified by the State as the lowest–performing schools under subsection (a)(1);

''(B) the process and the criteria the State will use to determine whether the local educational agency's proposal for serving each identified school meets the requirements of paragraph (6) and other provisions of this section;

''(C) how the State will ensure that local educational agencies conduct a comprehensive review of each identified school as required under subsection (b) to identify evidence-based school intervention and support strategies that are likely to be successful in each particular school;

''(D) how the State will ensure geographic diversity in making subgrants;

''(E) how the State will set priorities in awarding subgrants to local educational agencies, including how the State will prioritize local educational agencies serving elementary schools and secondary schools identified as the lowest–performing schools under subsection (a)(1) that will use subgrants to serve such schools;

''(F) how the State will monitor and evaluate the implementation of evidence-based school intervention and support strategies supported by funds under this subsection; and

''(G) how the State will reduce barriers for schools in the implementation of school intervention and support strategies, including by providing operational flexibility that would enable complete implementation of the selected school intervention and support strategy.

''(3) STATE ADMINISTRATION; TECHNICAL ASSISTANCE; EXCEPTION.—

''(A) IN GENERAL.—A State that receives an allotment under this subsection may reserve not more than a total of 5 percent of such allotment for the administration of this subsection to carry out its responsibilities under subsection (a)(3) to support school and local educational agency interventions and supports, which may include activities aimed at building State capacity to support and monitor the local educational agency and school intervention and supports.

''(B) EXCEPTION.—Notwithstanding subparagraph (A), a State educational agency may reserve from the amount allotted under this subsection additional funds to meet its responsibilities under subsection (a)(3)(B) if a local educational agency fails to carry out its responsibilities under subsection (b), but shall not reserve more than necessary to meet such State responsibilities.

''(4) SUBGRANTS TO LOCAL EDUCATIONAL AGENCIES.—

''(A) IN GENERAL.—From the amounts awarded to a State under this subsection, the State educational agency shall allocate not less than 95 percent to make subgrants

to local educational agencies, on a competitive basis, to serve schools identified as in need of intervention and support under subsection (a)(1)(A).

''(B) DURATION.—The State educational agency shall award subgrants under this paragraph for a period of not more than 5 years, which period may include a planning year.

''(C) CRITERIA.—Subgrants awarded under this section shall be of sufficient size to enable a local educational agency to effectively implement the selected intervention and support strategy.

''(D) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed as prohibiting a State from allocating subgrants under this subsection to a statewide school district, consortium of local educational agencies, or an educational service agency that serves schools identified as in need of intervention and support under this section, if such entities are legally constituted or recognized as local educational agencies in the State.

''(5) APPLICATION.—In order to receive a subgrant under this subsection, a local educational agency shall submit an application to the State educational agency at such time, in such form, and including such information as the State educational agency may require. Each application shall include, at a minimum—

''(A) a description of the process the local educational agency has used for selecting an appropriate evidence-based school intervention and support strategy for each school to be served, including how the local educational agency has analyzed the needs of each such school in accordance with subsection (b)(1) and meaningfully consulted with teachers, principals, and other school leaders in selecting such intervention and support strategy;

''(B) the specific evidence-based school interventions and supports to be used in each school to be served, how these interventions and supports will address the needs identified in the review under subsection (b)(1), and the timeline for implementing such school interventions and supports in each school to be served;

''(C) a detailed budget covering the grant period, including planned expenditures at the school level for activities supporting full and effective implementation of the selected school intervention and support strategy;

''(D) a description of how the local educational agency will—

''(i) design and implement the selected school intervention and support strategy, in accordance with the requirements of subsection (b)(1)(C), including the use of appropriate measures to monitor the effectiveness of implementation;

''(ii) use a rigorous review process to recruit, screen, select, and evaluate any external partners with whom the local educational agency will partner;

''(iii) align other Federal, State, and local resources with the intervention and support strategy to reduce duplication, increase efficiency, and assist identified schools in complying with reporting requirements of Federal and State programs;

''(iv) modify practices and policies, if necessary, to provide operational flexibility that enables full and effective implementation of the selected school intervention and support strategy;

''(v) collect and use data on an ongoing basis to adjust the intervention and support strategy during implementation, and, if necessary, modify or implement a different strategy if implementation is not effective, in order to improve student academic achievement;

''(vi) ensure that the implementation of the intervention and support strategy meets the needs of each of the categories of students, as defined in section 1111(b)(3)(A);

''(vii) provide information to parents, guardians, teachers, and other stakeholders about the effectiveness of implementation, to the extent practicable, in a language that the parents can understand; and

''(viii) sustain successful reforms and practices after the funding period ends;

''(E) a description of the technical assistance and other support that the local educational agency will provide to ensure effective implementation of school intervention and support strategies in identified schools, in accordance with subsection (b)(1)(D), such as ensuring that identified schools have access to resources like facilities, professional development, and technology and adopting human resource policies that prioritize recruitment, retention, and placement of effective staff in identified schools; and

''(F) an assurance that each school the local educational agency proposes to serve will receive all of the State and local funds it would have received in the absence of funds received under this subsection.

''(6) LOCAL ACTIVITIES.—A local educational agency that receives a subgrant under this subsection—

''(A) shall use the subgrant funds to implement evidence-based school intervention and support strategies consistent with subsection (a)(1)(A); and

''(B) may use the subgrant funds to carry out, at the local educational agency level, activities that directly support the implementation of the intervention and support strategies such as—

''(i) assistance in data collection and analysis;

''(ii) recruiting and retaining staff;

''(iii) high–quality, evidence–based professional development;

''(iv) coordination of services to address students' non–academic needs; and

''(v) progress monitoring.

''(7) REPORTING.—A State that receives funds under this subsection shall report to the Secretary a list of all the local educational agencies that received a subgrant under this subsection and for each local educational agency that received a subgrant, a list of all the schools that were served, the amount of funds each school received, and the intervention and support strategies implemented in each school.

''(8) SUPPLEMENT NOT SUPPLANT.—A local educational agency or State shall use Federal funds received under this subsection only to supplement the funds that would, in the absence of such Federal funds, be made available from non-Federal sources for the education of students participating in programs funded under this subsection.

''(d) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to alter or otherwise affect the rights, remedies, and procedures afforded school or school district employees under Federal, State, or local laws (including applicable regulations or court orders) or under the terms of collective bargaining agreements, memoranda of understanding, or other agreements between such employees and their employers.'';

(2) by striking section 1119; and

(3) by redesignating sections 1118, 1120, 1120A, and 1120B as sections 1115, 1116, 1117, and 1118, respectively.

SEC. 1005. PARENT AND FAMILY ENGAGEMENT.

Section 1115, as redesignated by section 1004(3), is amended—

(1) in the section heading, by striking ''**PARENTAL INVOLVEMENT**'' and inserting ''**PARENT AND FAMILY ENGAGEMENT**'';

(2) in subsection (a)—

(A) in paragraph (1)—

(i) by inserting ''conducts outreach to all parents and family members and'' after ''only if such agency''; and

(ii) by inserting ''and family members'' after ''and procedures for the involvement of parents'';

(B) in paragraph (2)—

(i) in the matter preceding subparagraph (A)—

(I) by inserting ''and family members'' after '', and distribute to, parents'';

(II) by striking ''written parent involvement policy'' and inserting ''written parent and family engagement policy''; and

(III) by striking ''expectations for parent involvement'' and inserting ''expectations and objectives for meaningful parent and family involvement''; and

(ii) by striking subparagraphs (A) through (F) and inserting the following:

''(A) involve parents and family members in jointly developing the local educational agency plan under section 1112 and the process of school review and intervention and support under section 1114;

''(B) provide the coordination, technical assistance, and other support necessary to assist and build the capacity of all participating schools within the local educational agency in planning and implementing effective parent and family involvement activities to improve student academic achievement and school performance, which may include meaningful consultation with employers, business leaders, and philanthropic organizations, or individuals with expertise in effectively engaging parents and family members in education;

''(C) coordinate and integrate parent and family engagement strategies under this part with parent and family engagement strategies, to the extent feasible and appropriate, with other relevant Federal, State, and local laws and programs;

''(D) conduct, with the meaningful involvement of parents and family members, an annual evaluation of the content and effectiveness of the parent and family engagement policy in improving the academic quality of all schools served under this part, including identifying—

''(i) barriers to greater participation by parents in activities authorized by this section (with particular attention to parents who are economically disadvantaged, are disabled, are English learners, have limited literacy, or are of any racial or ethnic minority background);

''(ii) the needs of parents and family members to assist with the learning of their children, including engaging with school personnel and teachers; and

''(iii) strategies to support successful school and family interactions;

''(E) use the findings of such evaluation in subparagraph (D) to design evidence-based strategies for more effective parental involvement, and to revise, if necessary, the parent and family engagement policies described in this section; and

''(F) involve parents in the activities of the schools served under this part, which may include establishing a parent advisory board comprised of a sufficient number and representative group of parents or family members served by the local educational agency to adequately represent the needs of the population served by such agency for the purposes of developing, revising, and reviewing the parent and family engagement policy.''; and

(C) in paragraph (3)—

(i) in subparagraph (A), by striking ''to carry out this section, including promoting family literacy and parenting skills,'' and inserting ''to assist schools to carry out the activities described in this section,'';

(ii) in subparagraph (B), by striking ''(B) PARENTAL INPUT.—Parents of children'' and inserting ''(B) PARENT AND FAMILY MEMBER INPUT.—Parents and family members of children'';

(iii) in subparagraph (C)—

(I) by striking ''95 percent'' and inserting ''85 percent''; and

(II) by inserting '', with priority given to high–need schools'' after ''schools served under this part''; and

(iv) by adding at the end the following:

''(D) USE OF FUNDS.—Funds reserved under subparagraph (A) by a local educational agency shall be used to carry out activities and strategies consistent with the local educational agency's parent and family engagement policy, including not less than 1 of the following:

''(i) Supporting schools and nonprofit organizations in providing professional development for local educational agency and school personnel regarding parent and family engagement strategies, which may be provided jointly to teachers, school leaders, specialized instructional support personnel, paraprofessionals, early childhood educators, and parents and family members.

''(ii) Supporting home visitation programs.

''(iii) Disseminating information on best practices focused on parent and family engagement, especially best practices for increasing the engagement of economically disadvantaged parents and family members.

''(iv) Collaborating or providing subgrants to schools to enable such schools to collaborate with community-based or other organizations or employers with a demonstrated record of success in improving and increasing parent and family engagement.

''(v) Engaging in any other activities and strategies that the local educational agency determines are appropriate and consistent with such agency's parent and family engagement policy, which may include adult education and literacy activities, as defined in section 203 of the Adult Education and Family Literacy Act.'';

(3) in subsection (b)—

(A) in the subsection heading, by striking ''PARENTAL INVOLVEMENT POLICY'' and inserting ''PARENTAL AND FAMILY ENGAGEMENT POLICY'';

(B) in paragraph (1)—

(i) by inserting ''and family members'' after ''distribute to, parents''; and

(ii) by striking ''written parental involvement policy'' and inserting ''written parent and family engagement policy'';

(C) in paragraph (2)—

(i) by striking ''parental involvement policy'' and inserting ''parent and family engagement policy''; and

(ii) by inserting ''and family members'' after ''that applies to all parents''; and

(D) in paragraph (3)—

(i) by striking ''school district-level parental involvement policy'' and inserting ''district-level parent and family engagement policy''; and

(ii) by inserting ''and family members in all schools served by the local educational agency'' after ''policy that applies to all parents'';

(4) in subsection (c)—

(A) in paragraph (3), by striking ''parental involvement policy'' and inserting ''parent and family engagement policy'';

(B) in paragraph (4)(B), by striking ''the proficiency levels students are expected to meet'' and inserting ''the achievement levels of the challenging State academic standards''; and

(C) in paragraph (5), by striking ''section 1114(b)(2)'' and inserting ''section 1113(c)(2)'';

(5) in subsection (d)—

(A) in the matter preceding paragraph (1), by striking ''parental involvement policy'' and inserting ''parent and family engagement policy'';

(B) in paragraph (1)—

(i) by striking ''the State's student academic achievement standards'' and inserting ''the challenging State academic standards''; and

(ii) by striking '', such as monitoring attendance, homework completion, and television watching''; and

(C) in paragraph (2)—

(i) in subparagraph (B), by striking ''and'' after the semicolon;

(ii) in subparagraph (C), by striking the period and inserting ''; and''; and

(iii) by adding at the end the following:

''(D) ensuring regular two-way, meaningful communication between family members and school staff, to the extent practicable, in a language that family members can understand and access.'';

(6) in subsection (e)—

(A) in paragraph (1), by striking ''the State's academic content standards and State student academic achievement standards'' and inserting ''the challenging State academic standards'';

(B) in paragraph (2), by striking ''technology'' and inserting ''technology (including education about the harms of copyright piracy)'';

(C) in paragraph (3), by striking ''pupil services personnel, principals'' and inserting ''specialized instructional support personnel, principals, and other school leaders''; and

(D) in paragraph (4), by striking ''Head Start, Reading First, Early Reading First, Even Start, the Home Instruction Programs for Preschool Youngsters, the Parents as Teachers Program,'' and inserting ''other relevant Federal, State, and local laws,'';

(7) by striking subsection (f) and inserting the following:

''(f) ACCESSIBILITY.—In carrying out the parent and family engagement requirements of this part, local educational agencies and schools, to the extent practicable, shall provide opportunities for the full and informed participation of parents and family members (including parents and family members who are English learners, parents and family members with disabilities, and parents and family members of migratory children), including providing information and school reports required under section 1111 in a format and, to the extent practicable, in a language such parents understand.''; and

(8) in subsection (h), by striking ''parental involvement policies'' and inserting ''parent and family engagement policies''.

SEC. 1006. PARTICIPATION OF CHILDREN ENROLLED IN PRIVATE SCHOOLS.

Section 1116, as redesignated by section 1004(3), is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) by striking ''section 1115(b)'' and inserting ''section 1113(d)(3)''; and

(ii) by striking ''sections 1118 and 1119'' and inserting ''section 1115''; and

(B) by striking paragraph (4) and inserting the following:

''(4) EXPENDITURES.—

''(A) IN GENERAL.—Expenditures for educational services and other benefits to eligible private school children shall be equal to the proportion of funds allocated to participating school attendance areas based on the number of children from low-income families who attend private schools.

''(B) TERM OF DETERMINATION.—The local educational agency may determine the equitable share each year or every 2 years.

''(C) METHOD OF DETERMINATION.—The proportional share of funds shall be determined—

''(i) based on the total allocation received by the local educational agency; and

''(ii) prior to any allowable expenditures or transfers by the local educational agency.''; and

(2) in subsection (b)—

(A) in paragraph (1)—

(i) in subparagraph (E)—

(I) by striking ''and'' before ''the proportion of funds''; and

(II) by inserting '', and how that proportion of funds is determined'' after ''such services'';

(ii) in subparagraph (F), by striking ''section 1113(c)(1)'' and inserting ''section 1113(a)(3)'';

(iii) in subparagraph (G), by striking ''and'' after the semicolon;

(iv) in subparagraph (H), by striking the period at the end and inserting ''; and''; and

(v) by adding at the end the following:

''(I) whether the agency shall provide services directly or assign responsibility for the provision of services to a separate government agency, consortium, or entity, or to a third-party contractor.''; and

(B) in paragraph (5)(A)—

(i) by striking ''or'' before ''did not give due consideration''; and

(ii) by inserting '', or did not make a decision that treats the private school students equitably as required by this section'' before the period at the end.

SEC. 1007. SUPPLEMENT, NOT SUPPLANT.

Section 1117, as redesignated by section 1004(3), is amended by striking subsection (b) and inserting the following:

''(b) FEDERAL FUNDS TO SUPPLEMENT, NOT SUPPLANT, NON-FEDERAL FUNDS.—

''(1) IN GENERAL.—A State educational agency or local educational agency shall use Federal funds received under this part only to supplement the funds that would, in the absence of such Federal funds, be made available from non-Federal sources for the education of students participating in programs assisted under this part, and not to supplant such funds.

''(2) COMPLIANCE.—To demonstrate compliance with paragraph (1), a local educational agency shall demonstrate that the methodology used to allocate State and local funds to each school receiving assistance under this part ensures that such school receives all of the State and local funds it would otherwise receive if it were not receiving assistance under this part.

''(3) SPECIAL RULE.—No local educational agency shall be required to—

''(A) identify that an individual cost or service supported under this part is supplemental; and

''(B) provide services under this part through a particular instructional method or in a particular instructional setting in order to demonstrate such agency's compliance with paragraph (1).

''(4) PROHIBITION.—Nothing in this section shall be construed to authorize or permit the Secretary to establish any criterion that specifies, defines, or prescribes the specific methodology a local educational agency uses to allocate State and local funds to each school receiving assistance under this part.

''(5) TIMELINE.—A local educational agency—

''(A) shall meet the compliance requirement under paragraph (2) not later than 2 years after the date of enactment of the Every Child Achieves Act of 2015; and

''(B) may demonstrate compliance with the requirement under paragraph (1) before the end of such 2-year period using the method such local educational agency used on the day before the date of enactment of the Every Child Achieves Act of 2015.''.

SEC. 1008. COORDINATION REQUIREMENTS.

Section 1118, as redesignated by section 1004(3), is amended—

(1) in subsection (a), by striking ''early childhood development programs such as the Early Reading First program'' and inserting '', early childhood education programs, including by developing agreements with such Head Start agencies and other entities to carry out such activities''; and

(2) in subsection (b)—

(A) in the matter preceding paragraph (1), by striking ''early childhood development programs, such as the Early Reading First program,'' and inserting ''early childhood education programs'';

(B) in paragraph (1), by striking ''early childhood development program such as the Early Reading First program'' and inserting ''early childhood education program'';

(C) in paragraph (2), by striking ''early childhood development programs such as the Early Reading First program'' and inserting ''early childhood education programs'';

(D) in paragraph (3), by striking ''early childhood development programs such as the Early Reading First program'' and inserting ''early childhood education programs'';

(E) in paragraph (4)—

(i) by striking ''Early Reading First program staff,''; and

(ii) by striking ''early childhood development program'' and inserting ''early childhood education program'';

(F) in paragraph (5), by striking ''and entities carrying out Early Reading First programs''.

SEC. 1009. GRANTS FOR THE OUTLYING AREAS AND THE SECRETARY OF THE INTERIOR.

Section 1121(b)(3)(C)(ii) (20 U.S.C. 6331(b)(3)(C)(ii)) is amended by striking ''challenging State academic content standards'' and inserting ''challenging State academic standards''.

SEC. 1010. ALLOCATIONS TO STATES.

Section 1122(a) (20 U.S.C. 6332(a)) is amended by striking ''for each of fiscal years 2002–2007'' and inserting ''for each of fiscal years 2016 through 2021''.

SEC. 1011. MAINTENANCE OF EFFORT.

Section 1125A (20 U.S.C. 6337) is amended—

(1) in subsection (c), by redesignating subparagraphs (A) and (B) as paragraphs (1) and (2), respectively;

(2) in subsection (d)(1)(A)(ii), by striking ''clause ''(i)'' and inserting ''clause (i)'';

(3) by striking subsection (e) and inserting the following:

''(e) MAINTENANCE OF EFFORT.—

''(1) IN GENERAL.—A State is entitled to receive its full allotment of funds under this section for any fiscal year if the Secretary finds that the State's fiscal effort per student or the aggregate expenditures of the State with respect to the provision of free public education by the State for the preceding fiscal year was not less than 90 percent of the fiscal effort or aggregate expenditures for the second preceding fiscal year, subject to the requirements of paragraph (2).

''(2) REDUCTION IN CASE OF FAILURE TO MEET.—

''(A) IN GENERAL.—The Secretary shall reduce the amount of the allotment of funds under this section for any fiscal year in the exact proportion by which a State fails to meet the requirement of paragraph (1) by falling below 90 percent of both the fiscal effort per student and aggregate expenditures (using the measure most favorable to the State), if such State has also failed to meet such requirement (as determined using the measure most favorable to the State) for 1 or more of the 5 immediately preceding fiscal years.

''(B) SPECIAL RULE.—No such lesser amount shall be used for computing the effort required under paragraph (1) for subsequent years.

''(3) WAIVER.—The Secretary may waive the requirements of this subsection if the Secretary determines that a waiver would be equitable due to—

''(A) exceptional or uncontrollable circumstances, such as a natural disaster or a change in the organizational structure of the State; or

''(B) a precipitous decline in the financial resources of the State.'';

(4) in subsection (f), by striking ''fiscal year 2002'' and inserting ''fiscal year 2016''; and

(5) in subsection (g)(3), in the matter preceding subparagraph (A), by striking ''shall be'' and inserting ''shall be—''.

SEC. 1012. ACADEMIC ASSESSMENTS.

Part B of title I (20 U.S.C. 6361 et seq.) is amended to read as follows:

''PART B—ACADEMIC ASSESSMENTS

''SEC. 1201. GRANTS FOR STATE ASSESSMENTS AND RELATED ACTIVITIES.

''From amounts made available in accordance with section 1204, the Secretary shall make grants to States to enable the States to carry out 1 or more of the following:

''(1) To pay the costs of the development of the State assessments and standards adopted under section 1111(b), which may include the costs of working in voluntary partnerships with other States, at the sole discretion of each such State.

''(2) If a State has developed the assessments adopted under section 1111(b), to administer those assessments or to carry out other assessment activities described in this part, such as the following:

''(A) Expanding the range of appropriate accommodations available to children who are English learners and children with disabilities to improve the rates of inclusion in regular assessments of such children, including professional development activities to improve the implementation of such accommodations in instructional practice.

''(B) Developing challenging State academic standards and aligned assessments in academic subjects for which standards and assessments are not required under section 1111(b).

''(C) Developing or improving assessments of English language proficiency necessary to comply with section 1111(b)(2)(G).

''(D) Ensuring the continued validity and reliability of State assessments.

''(E) Refining State assessments to ensure their continued alignment with the challenging State academic standards and to improve the alignment of curricula and instructional materials.

''(F) Developing or improving the quality, validity, and reliability of assessments for children who are English learners, including alternative assessments aligned with the challenging State academic standards, testing accommodations for children who are English learners, and assessments of English language proficiency.

''(G) Developing or improving balanced assessment systems that include summative, interim, and formative assessments, including supporting local educational agencies in developing or improving such assessments.

''(H) At the discretion of the State, refining science assessments required under section 1111(b)(2) in order to integrate engineering design skills and practices into such assessments.

''(I) Developing or improving models to measure and assess student growth on State assessments under section 1111(b)(2) and other assessments not required under section 1111(b)(2).

''SEC. 1202. GRANTS FOR ENHANCED ASSESSMENT INSTRUMENTS.

''(a) GRANT PROGRAM AUTHORIZED.—From amounts made available in accordance with section 1204, the Secretary shall award, on a competitive basis, grants to State educational agencies that have submitted applications at such time, in such manner, and containing such information as the Secretary may reasonably require, which demonstrate, to the satisfaction of the Secretary, that the requirements of this section will be met, for one of more of the following:

''(1) Allowing for collaboration with institutions of higher education, other research institutions, or other organizations to improve the quality, validity, and reliability of State academic assessments beyond the requirements for such assessments described in section 1111(b)(2).

''(2) Developing or improving assessments for students who are children with disabilities, including using the principles of universal design for learning, which may include developing assessments aligned to alternate academic achievement standards for students with the most significant cognitive disabilities described in section 1111(b)(2)(D).

''(3) Measuring student progress or academic growth over time, including by using multiple measures, or developing or improving models to measure and assess growth on State assessments under section 1111(b)(2).

''(4) Evaluating student academic achievement through the development of comprehensive academic assessment instruments, such as performance and technology-based academic assessments that emphasize the mastery of standards and aligned competencies in a competency-based education model, technology-based academic assessments, computer adaptive assessments, and portfolios, projects, or extended performance task assessments.

''(b) ANNUAL REPORT.—Each State educational agency receiving a grant under this section shall submit an annual report to the Secretary describing its activities under the grant and the result of such activities.

''(c) PROHIBITION.—No funds provided under this section to the Secretary shall be used to mandate, direct, control, incentivize, or make financial awards conditioned upon a State (or a consortium of States) developing any assessment common to a number of States, including testing activities prohibited under section 9529.

''SEC. 1203. AUDITS OF ASSESSMENT SYSTEMS.

''(a) IN GENERAL.—From the amount reserved under section 1204(b)(1)(C) for a fiscal year, the Secretary shall make grants to States to enable the States to—

''(1) in the case of a grant awarded under this section to a State for the first time—

''(A) carry out audits of State assessment systems and ensure that local educational agencies carry out audits of local assessments under subsection (e)(1);

''(B) prepare and carry out the State plan under subsection (e)(6); and

''(C) award subgrants under subsection (f); and

''(2) in the case of a grant awarded under this section to a State that has previously received a grant under this section—

''(A) carry out the State plan under subsection (e)(6); and

''(B) award subgrants under subsection (f).

''(b) MINIMUM AMOUNT.—Each State with an approved application shall receive a grant amount of not less than $1,500,000 per fiscal year.

''(c) REALLOCATION.—If a State chooses not to apply to receive a grant under this subsection, or if such State's application under subsection (d) is disapproved by the Secretary, the Secretary shall reallocate such grant amount to other States with approved applications.

''(d) APPLICATION.—A State desiring to receive a grant under this section shall submit

an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require.

''(e) AUDITS OF STATE ASSESSMENT SYSTEMS AND LOCAL ASSESSMENTS.—

''(1) AUDIT REQUIREMENTS.—Not later than 1 year after a State receives a grant under this section for the first time, the State shall—

''(A) conduct an audit of the State assessment system;

''(B) ensure that each local educational agency under the State's jurisdiction and receiving funds under this Act—

''(i) conducts an audit of each local assessment administered by the local educational agency; and

''(ii) submits the results of such audit to the State; and

''(C) report the results of each State and local educational agency audit conducted under subparagraphs (A) and (B), in a format that is—

''(i) publicly available, such as a widely accessible online platform; and

''(ii) with appropriate accessibility provisions for individuals with disabilities and English learners.

''(2) RESOURCES FOR LOCAL EDUCATIONAL AGENCIES.—In carrying out paragraph (1)(B), each State shall develop and provide local educational agencies with resources, such as guidelines and protocols, to assist the agencies in conducting and reporting the results of the audit required under such paragraph.

''(3) STATE ASSESSMENT SYSTEM DESCRIPTION.—An audit of a State assessment system conducted under paragraph (1) shall include a description of each State assessment carried out in the State, including—

''(A) the grade and subject matter assessed;

''(B) whether the assessment is required under section 1111(b)(2) or allowed under section 1111(b)(2)(D);

''(C) the annual cost to the State educational agency involved in developing, purchasing, administering, and scoring the assessment;

''(D) the purpose for which the assessment was designed and the purpose for which the assessment is used, including assessments designed to contribute to systems of improvement of teaching and learning;

''(E) the time for disseminating assessment results;

''(F) a description of how the assessment is aligned with the challenging State academic standards under section 1111(b)(1);

''(G) a description of any State law or regulation that established the requirement for the assessment;

''(H) the schedule and calendar for all State assessments given; and

''(I) a description of the State's policies for inclusion of English learners and children with disabilities participating in assessments, including developing and promoting the use of appropriate accommodations.

''(4) LOCAL ASSESSMENT DESCRIPTION.—An audit of a local assessment conducted under paragraph (1) shall include a description of the local assessment carried out by the local educational agency, including—

''(A) the descriptions listed in subparagraphs (A), (D), and (E) of paragraph (3);

''(B) the annual cost to the local educational agency of developing, purchasing, administering, and scoring the assessment;

''(C) the extent to which the assessment is aligned to the challenging State academic standards under section 1111(b)(1);

''(D) a description of any State or local law or regulation that establishes the requirement for the assessment; and

''(E) in the case of a summative assessment that is used for accountability purposes, whether the assessment is valid and reliable and consistent with nationally recognized professional and technical standards.

''(5) STAKEHOLDER FEEDBACK.—Each audit of a State assessment system or local assessment system conducted under subparagraph (A) or (B) of paragraph (1) shall include feedback on such system from education stakeholders, which shall cover information such as—

''(A) how educators, school leaders, and administrators use assessment data to improve and differentiate instruction;

''(B) the timing of release of assessment data;

''(C) the extent to which assessment data is presented in an accessible and understandable format for educators, school leaders, parents, students (if appropriate), and the community;

''(D) the opportunities, resources, and training educators and administrators are given to review assessment results and make effective use of assessment data;

''(E) the distribution of technological resources and personnel necessary to administer assessments;

''(F) the amount of time educators spend on assessment preparation;

''(G) the assessments that administrators, educators, parents, and students, if appropriate, do and do not find useful;

''(H) the amount of time students spend taking the assessments; and

''(I) other information as appropriate.

''(6) STATE PLAN ON AUDIT FINDINGS.—

''(A) PREPARING THE STATE PLAN.—Not later than 6 months after a State conducts an audit under paragraph (1) and based on the results of such audit, the State shall, in coordination with the local educational agencies under the jurisdiction of the State, prepare and submit to the Secretary a plan to improve and streamline State assessment systems and local assessment systems, including through activities such as—

''(i) developing and maintaining lists of State and local assessments that—

''(I) align to the State's content standards under section 1111(b)(1);

''(II) are valid, reliable, and remain consistent with nationally recognized professional and technical standards; and

''(III) contribute to systems of continuous improvement for teaching and learning;

''(ii) eliminating any assessments that are not required under section 1111(b)(2) (such as buying out the remainder of procurement contracts with assessment developers) that do not meet the contributing factors of high-quality assessments listed under subclauses (I) through (III) of clause (i);

''(iii) supporting the dissemination of best practices from local educational agencies or other States that have successfully improved assessment quality and efficiency to improve teaching and learning;

''(iv) supporting local educational agencies or consortia of local educational agencies to carry out efforts to streamline local assessment systems and implementing a regular process of review and evaluation of assessment use in local educational agencies;

''(v) disseminating the assessment data in an accessible and understandable format for educators, parents, and families; and

''(vi) decreasing time between administering such State assessments and releasing assessment data.

''(B) CARRY OUT THE STATE PLAN.—A State shall carry out a State plan as soon as practicable after the State prepares such State plan under subparagraph (A) and during each grant period of a grant described in subsection (a)(2) that is awarded to the State.

''(f) SUBGRANTS TO LOCAL EDUCATIONAL AGENCIES.—

''(1) IN GENERAL.—From the amount awarded to a State under this section, the State shall reserve not less than 20 percent of funds to make subgrants to local educational agencies in the State, or consortia of such local educational agencies, based on demonstrated need in the agency's or consortium's application to improve assessment quality, use, and alignment with the challenging State academic standards under section 1111(b)(1).

''(2) LOCAL EDUCATIONAL AGENCY APPLICATION.—Each local educational agency, or consortium of local educational agencies, seeking a subgrant under this subsection shall submit an application to the State at such time, in such manner, and containing such other information as determined by the State. The application shall include a description of the agency's or consortium's needs to improve assessment quality, use, and alignment (as described in paragraph (1)).

''(3) USE OF FUNDS.—A subgrant awarded under this subsection to a local educational agency or consortium of such agencies may be used to—

''(A) conduct an audit of local assessments under subsection (e)(1)(B);

''(B) eliminate any assessments identified for elimination by such audit, such as by buying out the remainder of procurement contracts with assessment developers;

''(C) disseminate the best practices described in subsection (e)(6)(A)(ii);

''(D) improve the capacity of school leaders and educators to disseminate assessment data in an accessible and understandable format for parents and families, including for children with disabilities or English learners;

''(E) improve assessment delivery systems and schedules, including by increasing access to technology and exam proctors, where appropriate;

''(F) hire instructional coaches, or promote educators who may receive increased compensation to serve as instructional coaches, to support educators to develop classroom-based assessments, interpret assessment data, and design instruction; and

''(G) provide for appropriate accommodations to maximize inclusion of children with disabilities and English learners participating in assessments.

''(g) DEFINITIONS.—In this section:

''(1) LOCAL ASSESSMENT.—The term 'local assessment' means an academic assessment selected and carried out by a local educational agency that is separate from an assessment required by section 1111(b)(2).

''(2) STATE.—The term 'State' means each of the 50 States, the District of Columbia, and the Commonwealth of Puerto Rico.

"SEC. 1204. FUNDING.

''(a) NATIONAL ASSESSMENT OF EDUCATIONAL PROGRESS.—For the purpose of administering the State assessments under the National Assessment of Educational Progress, there are authorized to be appropriated such sums as may be necessary for fiscal years 2016 through 2021.

''(b) ALLOTMENT OF APPROPRIATED FUNDS.—

''(1) IN GENERAL.—From amounts made available for each fiscal year under subsection 1002(b) that are equal to or less than the amount described in section 1111(b)(2)(H), the Secretary shall—

''(A) reserve ½ of 1 percent for the Bureau of Indian Education;

''(B) reserve ½ of 1 percent for the outlying areas;

''(C) reserve not more than 20 percent to carry out section 1203; and

''(D) from the remainder, allocate to each State for section 1201 an amount equal to—

''(i) $3,000,000; and

''(ii) with respect to any amounts remaining after the allocation is made under clause

(i), an amount that bears the same relationship to such total remaining amounts as the number of students aged 5 through 17 in the State (as determined by the Secretary on the basis of the most recent satisfactory data) bears to the total number of such students in all States.

''(2) AMOUNTS ABOVE TRIGGER AMOUNT.—Any amounts made available for a fiscal year under subsection 1002(b) that are more than the amount described in section 1111(b)(2)(H) shall be made available as follows:

''(A)(i) To award funds under section 1202 to States selected for such grants, according to the quality, needs, and scope of the State application under that section.

''(ii) In determining the grant amount under clause (i), the Secretary shall ensure that a State's grant includes an amount that bears the same relationship to the total funds available under this paragraph for the fiscal year as the number of students ages 5 through 17 in the State (as determined by the Secretary on the basis of the most recent satisfactory data) bears to the total number of such students in all States.

''(B) Any amounts remaining after the Secretary awards funds under subparagraph (A) shall be allocated to each State that did not receive a grant under such subparagraph, in an amount that bears the same relationship to the total funds available under this subparagraph as the number of students ages 5 through 17 in the State (as determined by the Secretary on the basis of the most recent satisfactory data) bears to the total number of such students in all States.

''(c) STATE DEFINED.—In this section, the term 'State' means each of the 50 States, the District of Columbia, and the Commonwealth of Puerto Rico.

''SEC. 1205. INNOVATIVE ASSESSMENT AND ACCOUNTABILITY DEMONSTRATION AUTHORITY.

''(a) INNOVATIVE ASSESSMENT SYSTEM DEFINED.—The term 'innovative assessment system' means a system of assessments that may include—

''(1) competency-based assessments, instructionally embedded assessments, interim assessments, cumulative year-end assessments, or performance-based assessments that combine into an annual summative determination for a student, which may be administered through computer adaptive assessments; and

''(2) assessments that validate when students are ready to demonstrate mastery or proficiency and allow for differentiated student support based on individual learning needs.

''(b) DEMONSTRATION AUTHORITY.—

''(1) IN GENERAL.—The Secretary may provide a State educational agency, or a consortium of State educational agencies, in accordance with paragraph (3), with the authority to establish an innovative assessment system.

''(2) DEMONSTRATION PERIOD.—In accordance with the requirements described in subsection (c), each State educational agency, or consortium of State educational agencies, that submits an application under this section shall propose in its application the period of time over which it desires to exercise the demonstration authority, except that such period shall not exceed 5 years.

''(3) INITIAL DEMONSTRATION AUTHORITY; PROGRESS REPORT; EXPANSION.—

''(A) INITIAL PERIOD.—During the first 3 years of the demonstration authority under this section, the Secretary shall provide State educational agencies, or consortia of State educational agencies, subject to meeting the application requirements in subsection (c), with the authority described in paragraph (1).

''(B) LIMITATION.—During the first 3 years of the demonstration authority under this section, the total number of participating State educational agencies, including those participating in consortia, may not exceed 7, and not more than 4 State educational agencies may participate in a single consortium.

''(C) PROGRESS REPORT.—

''(i) IN GENERAL.—Not later than 90 days after the end of the first 3 years of the initial demonstration period described in subparagraph (A), the Director of the Institute of Education Sciences, in consultation with the Secretary, shall publish a report detailing the initial progress of the approved innovative assessment systems prior to providing additional State educational agencies with the demonstration authority described in paragraph (1).

''(ii) CRITERIA.—The progress report under clause (i) shall draw upon the annual information submitted by participating States described in subsection (c)(2)(I) and examine the extent to which—

''(I) the innovative assessment systems have demonstrated progress for all students, including at-risk students, in relation to such measures as—

''(aa) student achievement and academic outcomes;

''(bb) graduation rates for high schools;

''(cc) retention rates of students in school; and

''(dd) rates of remediation for students;

''(II) the innovative assessment systems have facilitated progress in relation to at least one other valid and reliable indicator of quality, success, or student support, such as those reported annually by the State in accordance with section 1111(b)(3)(B)(ii)(IV);

''(III) the State educational agencies have solicited feedback from teachers, principals, other school leaders, and parents about their satisfaction with the innovative assessment system;

''(IV) teachers, principals, and other school leaders have demonstrated a commitment and capacity to implement or continue to implement the innovative assessment systems;

''(V) the innovative assessment systems have been developed in accordance with the requirements of subsection (c), including substantial evidence that such systems meet such requirements; and

''(VI) each State participating in the demonstration authority has demonstrated that the same system of assessments was used to measure the achievement of all students that participated in the demonstration authority, and at least 95 percent of such students overall and in each of the categories of students, as defined in section 1111(b)(3)(A), were assessed under the innovative assessment system.

''(iii) USE OF REPORT.—Upon completion of the progress report, the Secretary shall provide a response to the findings of the progress report, including a description of how the findings of the report will be used—

''(I) to support participating State educational agencies through technical assistance; and

''(II) to inform the peer review process described in subsection (d) for advising the Secretary on the awarding of the demonstration authority to the additional State educational agencies described in subparagraph (D).

''(iv) PUBLICLY AVAILABLE.—The Secretary shall make the progress report under this subparagraph and the response described in clause (iii) publicly available on the website of the Department.

''(v) PROHIBITION.—Nothing in this subparagraph shall be construed to authorize the Secretary to require participating States to submit any additional information for the purposes of the progress report beyond what the State has already provided in the annual report described in subsection (c)(2)(I).

''(D) EXPANSION OF THE DEMONSTRATION AUTHORITY.—Upon completion and publication of the report described in subparagraph (C)(iv), additional State educational agencies or consortia of State educational agencies may apply for the demonstration authority described in this section without regard to the limitations described in subparagraph (B). Such State educational agencies or consortia of State educational agencies shall be subject to all of the same requirements of this section.

''(c) APPLICATION.—Consistent with the process described in subsection (d), a State educational agency, or consortium of State educational agencies, that desires to participate in the program of demonstration authority under this section shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may reasonably require. Such application shall include a description of the innovative assessment system, what experience the applicant has in implementing any components of the innovative assessment system, and the timeline over which the State proposes to exercise this authority. In addition, the application shall include the following:

''(1) A demonstration that the innovative assessment system will—

''(A) meet all the requirements of section 1111(b)(2)(B), except the requirements of clauses (i) and (v) of such section;

''(B) be aligned to the standards under section 1111(b)(1) and address the depth and breadth of the challenging State academic standards under such section;

''(C) express student results or student competencies in terms consistent with the State aligned academic achievement standards;

''(D) be able to generate comparable, valid, and reliable results for all students and for each category of students described in section 1111(b)(2)(B)(xi), compared to the results for such students on the State assessments under section 1111(b)(2);

''(E) be developed in collaboration with stakeholders representing the interests of children with disabilities, English learners, and other vulnerable children, educators, including teachers, principals, and other school leaders, local educational agencies, parents, and civil rights organizations in the State;

''(F) be accessible to all students, such as by incorporating the principles of universal design for learning;

''(G) provide educators, students, and parents with timely data, disaggregated by each category of students described in section 1111(b)(2)(B)(xi), to inform and improve instructional practice and student supports;

''(H) be able to identify which students are not making progress toward the State's academic achievement standards so that educators can provide instructional support and targeted intervention to all students to ensure every student is making progress;

''(I) measure the annual progress of not less than 95 percent of all students and students in each of the categories of students, as defined in section 1111(b)(3)(A), who are enrolled in each school that is participating in the innovative assessment system and are required to take assessments;

''(J) generate an annual, summative achievement determination based on annual data for each individual student based on the challenging State academic standards under section 1111(b)(1) and be able to validly and reliably aggregate data from the innovative assessment system for purposes of accountability, consistent with the requirements of

section 1111(b)(3), and reporting, consistent with the requirements of section 1111(d); and

''(K) continue use of the high-quality statewide academic assessments required under section 1111(b)(2) if such assessments will be used for accountability purposes for the duration of the demonstration.

''(2) A description of how the State educational agency will—

''(A) identify the distinct purposes for each assessment that is part of the innovative assessment system;

''(B) provide support and training to local educational agency and school staff to implement the innovative assessment system described in this subsection;

''(C) inform parents of students in participating local educational agencies about the innovative assessment system at the beginning of each school year during which the innovative assessment system will be implemented;

''(D) engage and support teachers in developing and scoring assessments that are part of the innovative assessment system, including through the use of high-quality professional development, standardized and calibrated scoring rubrics, and other strategies, consistent with relevant nationally recognized professional and technical standards, to ensure inter-rater reliability and comparability;

''(E) acclimate students to the innovative assessment system;

''(F) ensure that students with the most significant cognitive disabilities may be assessed with alternate assessments consistent with section 1111(b)(2)(D);

''(G) if the State is proposing to administer the innovative assessment system initially in a subset of local educational agencies, scale up the innovative assessment system to administer such system statewide or with additional local educational agencies in the State's proposed period of demonstration authority and 2-year extension period, if applicable, including the timeline that explains the process for scaling to statewide implementation by either the end of the State's proposed period of demonstration authority or the 2-year extension period;

''(H) gather data, solicit regular feedback from educators and parents, and assess the results of each year of the program of demonstration authority under this section, and respond by making needed changes to the innovative assessment system; and

''(I) report data from the innovative assessment system annually to the Secretary, including—

''(i) demographics of participating local educational agencies, if such system is not statewide, and additional local educational agencies if added to the system during the course of the State's demonstration or 2-year extension period, including a description of how—

''(I) the inclusion of additional local educational agencies contributes to progress toward achieving high-quality and consistent implementation across demographically diverse local educational agencies throughout the demonstration period; and

''(II) by the end of the demonstration authority, the participating local educational agencies, as a group, will be demographically similar to the State as a whole;

''(ii) performance of all participating students and for each category of students, as defined in section 1111(b)(3)(A), on the innovative assessment, consistent with the requirements in section 1111(d);

''(iii) performance of all participating students in relation to at least one other valid and reliable indicator of quality, success, or student supports, such as those reported annually by the State in accordance with section 1111(b)(3)(B)(ii)(IV);

''(iv) feedback from teachers, principals, other school leaders, and parents about their satisfaction with the innovative assessment system; and

''(v) if such system is not statewide, a description of the State's progress in scaling up the innovative assessment system to additional local educational agencies during the State's period of demonstration authority, as described in subparagraph (G).

''(3) A description of the State educational agency's plan to—

''(A) ensure that all students and each of the categories of students, as defined in section 1111(b)(3)(A)—

''(i) are held to the same high standard as other students in the State; and

''(ii) receive the instructional support needed to meet challenging State academic standards;

''(B) ensure that each local educational agency has the technological infrastructure to implement the innovative assessment system; and

''(C) hold all participating schools in the local educational agencies participating in the program of demonstration authority accountable for meeting the State's expectations for student achievement.

''(4) If the innovative assessment system will initially be administered in a subset of local educational agencies—

''(A) a description of the local educational agencies within the State educational agency that will participate, including what criteria the State has for approving any additional local educational agencies to participate during the demonstration period;

''(B) assurances from such local educational agencies that such agencies will comply with the requirements of this subsection; and

''(C) a description of how the State will—

''(i) ensure that the inclusion of additional local educational agencies contributes to progress toward achieving high-quality and consistent implementation across demographically diverse local educational agencies throughout the demonstration authority; and

''(ii) ensure that the participating local educational agencies, as a group, will be demographically similar to the State as a whole by the end of the State's period of demonstration authority.

''(d) PEER REVIEW.—The Secretary shall—

''(1) implement a peer review process to inform—

''(A) the awarding of the demonstration authority under this section and the approval to operate the system for the purposes of paragraphs (2) and (3) of section 1111(b), as described in subsection (h) of this section; and

''(B) determinations about whether the innovative assessment system—

''(i) is comparable to the State assessments under section 1111(b)(2)(B)(v)(I), valid, reliable, of high technical quality, and consistent with relevant, nationally recognized professional and technical standards; and

''(ii) provides an unbiased, rational, and consistent determination of progress toward the goals described under section 1111(b)(3)(B)(i) for all students;

''(2) ensure that the peer review team is comprised of practitioners and experts who are knowledgeable about the innovative assessment being proposed for all students, including—

''(A) individuals with past experience developing systems of assessment innovation that support all students, including English learners, children with disabilities, and disadvantaged students; and

''(B) individuals with experience implementing innovative State assessment and accountability systems;

''(3) make publicly available the applications submitted under subsection (c) and the peer review comments and recommendations regarding such applications;

''(4) make a determination and inform the State regarding approval or disapproval of the application not later than 90 days after receipt of the complete application;

''(5) offer a State the opportunity to revise and resubmit its application within 60 days of a disapproval determination under paragraph (4) to allow the State to submit additional evidence that the State's application meets the requirements of subjection (c); and

''(6) make a determination regarding application approval or disapproval of a resubmitted application under paragraph (5) not later than 45 days after receipt of the resubmitted application.

''(e) EXTENSION.—The Secretary may extend an authorization of demonstration authority under this section for an additional 2 years if the State educational agency demonstrates with evidence that the State educational agency's innovative assessment system is continuing to meet the requirements of subsection (c), including—

''(1) demonstrating capacity to transition to statewide use by the end of a 2-year extension period; and

''(2) demonstrating that the participating local educational agencies, as a group, will be demographically similar to the State as a whole by the end of a 2-year extension period.

''(f) USE OF INNOVATIVE ASSESSMENT SYSTEM.—A State may, during its approved demonstration period or 2-year extension period, include results from the innovative assessment systems developed under this section in accountability determinations for each student in the participating local educational agencies instead of, or in addition to, those from the assessment system under section 1111(b)(2) if the State demonstrates that the State has met the requirements in subsection (c). The State shall continue to meet all other requirements of section 1111(b)(3).

''(g) AUTHORITY WITHDRAWN.—The Secretary shall withdraw the authorization for demonstration authority provided to a State educational agency under this section and any participating local educational agency or the State as a whole shall return to the statewide assessment system under section 1111(b)(2) if, at any point during a State's approved period of demonstration or 2-year extension period, the State educational agency cannot present to the Secretary a body of substantial evidence that the innovative assessment system developed under this section—

''(1) meets requirements of subsection (c);

''(2) includes all students attending schools participating in the demonstration authority, including each of the categories of students, as defined in section 1111(b)(3)(A), in the innovative assessment system demonstration;

''(3) provides an unbiased, rational, and consistent determination of progress toward the goals described under section 1111(b)(3)(B)(i) for all students, which are comparable to determinations under section 1111(b)(3)(B)(iii) across the State in which the local educational agencies are located;

''(4) presents a high-quality plan to transition to full statewide use of the innovative assessment system by the end of the State's approved demonstration period and 2-year extension, if the innovative assessment system will initially be administered in a subset of local educational agencies; and

''(5) is comparable to the statewide assessments under section 1111(b)(2) in content coverage, difficulty, and quality.

''(h) TRANSITION.—

''(1) IN GENERAL.—If, after a State's approved demonstration and extension period, the State educational agency has met all the requirements of this section, including having scaled the system up to statewide use, and demonstrated that such system is of high quality, the State shall be permitted to operate the innovative assessment system approved under the program of demonstration authority under this section for the purposes of paragraphs (2) and (3) of section 1111(b). Such system shall be deemed of high quality if the Secretary, through the peer review process described in subsection (d), determines that the system has—

''(A) met all of the requirements of this section;

''(B) demonstrated progress for all students, including each of the categories of students defined in section 1111(b)(3)(A), in relation to such measures as—

''(i) increasing student achievement and academic outcomes;

''(ii) increasing the 4-year adjusted cohort graduation rate or the extended-year adjusted cohort graduation rate for high schools;

''(iii) increasing retention rates of students in school; and

''(iv) increasing rates of remediation at institutions of higher education for participating students;

''(C) demonstrated progress in relation to at least one other valid and reliable indicator of quality, success, or student supports, such as those reported annually by the State in accordance with section 1111(b)(3)(B)(ii)(IV);

''(D) provided coherent and timely information about student attainment of the State's challenging academic standards, including objective measurement of academic achievement, knowledge, and skills that are valid, reliable, and consistent with relevant, nationally-recognized professional and technical standards;

''(E) solicited feedback from teachers, principals, other school leaders, and parents about their satisfaction with the innovative assessment system; and

''(F) demonstrated that the same system of assessments was used to measure the achievement of all students, and at least 95 percent of such students overall and in each of the categories of students, as defined in section 1111(b)(3)(A), were assessed under the innovative assessment system.

''(2) BASELINE.—For the purposes of the evaluation described in paragraph (1), the baseline year shall be considered the first year of implementation of the innovative assessment system for each local educational agency.

''(3) WAIVER AUTHORITY.—If, at the conclusion of the State's approved demonstration and extension period, the State has met all of the requirements of this section, except transition to full statewide use for States that will initially administer an innovative assessment system in a subset of local educational agencies, and continues to comply with the other requirements of this section, and demonstrates a high-quality plan for transition to statewide use in a reasonable period of time, the State may request, and the Secretary shall review such request, a delay of the withdrawal of authority under subsection (g) for the purpose of providing the State time necessary to implement the innovative assessment system statewide.

''(i) AVAILABLE FUNDS.—A State may use funds available under section 1201 to carry out this section.

''(j) RULE OF CONSTRUCTION.—A consortium of States may apply to participate in the program of demonstration authority under this section and the Secretary may provide each State member of such consortium with such authority if each such State member meets all of the requirements of this section. Such consortium shall be subject to the limitation described in subsection (b)(3)(B) during the initial 3 years of the demonstration authority.

''(k) DISSEMINATION OF BEST PRACTICES.—

''(1) IN GENERAL.—Following the publication of the progress report described in subsection (b)(3)(C), the Director of the Institute of Education Sciences, in consultation with the Secretary, shall collect and disseminate the best practices on the development and implementation of innovative assessment systems that meet the requirements of this section, including—

''(A) the development of summative assessments that meet the requirements of section 1111(b)(2)(B), are comparable with statewide assessments, and include assessment tasks that determine proficiency or mastery of State-approved competencies aligned to challenging academic standards;

''(B) the development of effective supports for local educational agencies and school staff to implement innovative assessment systems;

''(C) the development of effective engagement and support of teachers in developing and scoring assessments and the use of high-quality professional development;

''(D) the development of effective supports for all students, particularly each of the categories of students, as defined in section 1111(b)(3)(A), participating in the innovative assessment systems; and

''(E) the development of standardized and calibrated scoring rubrics, and other strategies, to ensure inter-rater reliability and comparability of determinations of mastery or proficiency across local educational agencies and the State.

''(2) PUBLICATION.—The Secretary shall make the information described in paragraph (1) available to the public on the website of the Department and shall publish an update to the information not less often than once every 3 years.''.

SEC. 1013. EDUCATION OF MIGRATORY CHILDREN.

Part C of title I (20 U.S.C. 6391 et seq.) is amended—

(1) in section 1301—

(A) in paragraph (2), by striking ''State academic content and student academic achievement standards'' and inserting ''challenging State academic standards'';

(B) in paragraph (4), by striking ''State academic content and student academic achievement standards'' and inserting ''State academic standards''; and

(C) in paragraph (5), by inserting ''without the need for postsecondary remediation'' after ''employment'';

(2) in section 1303—

(A) by striking subsection (a) and inserting the following:

''(a) STATE ALLOCATIONS.—

''(1) BASE AMOUNT.—

''(A) IN GENERAL.—Except as provided in subsection (b) and subparagraph (B), each State (other than the Commonwealth of Puerto Rico) is entitled to receive under this part, for fiscal year 2016 and succeeding fiscal years, an amount equal to—

''(i) the amount that such State received under this part for fiscal year 2002; plus

''(ii) the amount allocated to the State under paragraph (2).

''(B) NONPARTICIPATING STATES.—In the case of a State (other than the Commonwealth of Puerto Rico) that did not receive any funds for fiscal year 2002 under this part, the State shall receive, for fiscal year 2016 and succeeding fiscal years, an amount equal to—

''(i) the amount that such State would have received under this part for fiscal year 2002 if its application under section 1304 for the year had been approved; plus

''(ii) the amount allocated to the State under paragraph (2).

''(2) ALLOCATION OF ADDITIONAL AMOUNT.—For fiscal year 2016 and succeeding fiscal years, the amount (if any) by which the funds appropriated to carry out this part for the year exceed such funds for fiscal year 2002 shall be allocated to a State (other than the Commonwealth of Puerto Rico) so that the State receives an amount equal to—

''(A) the sum of—

''(i) the number of identified eligible migratory children, aged 3 through 21, residing in the State during the previous year; and

''(ii) the number of identified eligible migratory children, aged 3 through 21, who received services under this part in summer or intersession programs provided by the State during such year; multiplied by

''(B) 40 percent of the average per-pupil expenditure in the State, except that the amount determined under this subparagraph may not be less than 32 percent, or more than 48 percent, of the average per-pupil expenditure in the United States.'';

(B) in subsection (b), by striking paragraph (2) and inserting the following:

''(2) MINIMUM PERCENTAGE.—The percentage in paragraph (1)(A) shall not be less than 85.0 percent.'';

(C) in subsection (c)—

(i) in paragraph (1)—

(I) by striking ''(A) If, after'' and inserting the following:

''(A) IN GENERAL.—If, after''; and

(II) in subparagraph (B)—

(aa) by striking ''If additional'' and inserting ''REALLOCATION.—If additional''; and

(bb) by moving the margins of such subparagraph 2 ems to the right; and

(ii) in paragraph (2)—

(I) by striking ''(A) The Secretary'' and inserting the following:

''(A) FURTHER REDUCTIONS.—The Secretary''; and

(II) in subparagraph (B)—

(aa) by striking ''The Secretary'' and inserting ''REALLOCATION.—The Secretary''; and

(bb) by moving the margins of such subparagraph 2 ems to the right; and

(D) in subsection (d)(3)(B), by striking ''welfare or educational attainment'' and inserting ''academic achievement''; and

(E) in subsection (e)—

(i) in the matter preceding paragraph (1), by striking ''estimated'' and inserting ''identified''; and

(ii) by striking ''the Secretary shall'' and all that follows through the period at the end and inserting ''the Secretary shall use such information as the Secretary finds most accurately reflects the actual number of migratory children.'';

(3) in section 1304—

(A) in subsection (b)—

(i) in paragraph (1)—

(I) in the matter preceding subparagraph (A)—

(aa) by striking ''special educational needs'' and inserting ''unique educational needs''; and

(bb) by inserting ''and out-of-school migratory children'' after ''including preschool migratory children'';

(II) in subparagraph (B), by striking ''part A or B of title III'' and inserting ''part A of title III''; and

(III) by striking subparagraph (D) and inserting the following:

''(D) measurable program objectives and outcomes;'';

(ii) in paragraph (2), by striking ''challenging State academic content standards and challenging State student academic

achievement standards'' and inserting ''challenging State academic standards'';

(iii) in paragraph (3), by striking '', consistent with procedures the Secretary may require,'';

(iv) in paragraph (5), by inserting ''and'' after the semicolon;

(v) by striking paragraph (6); and

(vi) by redesignating paragraph (7) as paragraph (6);

(B) in subsection (c)—

(i) in the matter preceding paragraph (1), by striking '', satisfactory to the Secretary,'';

(ii) in paragraph (2), by striking ''in a manner consistent with the objectives of section 1114, subsections (b) and (d) of section 1115, subsections (b) and (c) of section 1120A, and part I'' and inserting ''in a manner consistent with the objectives of section 1113(c), paragraphs (3) and (4) of section 1113(d), subsections (b) and (c) of section 1117, and part E'';

(iii) in paragraph (3)—

(I) in the matter before subparagraph (A), by striking ''parent advisory councils'' and inserting ''parents of migratory children, including parent advisory councils''; and

(II) by striking ''section 1118'' and inserting ''section 1115'';

(iv) in paragraph (4), by inserting ''and out-of-school migratory children'' after ''addressing the unmet educational needs of preschool migratory children'';

(v) in paragraph (6)—

(I) by striking ''to the extent feasible,'';

(II) by striking subparagraph (C) and inserting the following:

''(C) evidence-based family literacy programs;''; and

(III) in subparagraph (E), by inserting '', without the need for postsecondary remediation'' after ''employment''; and

(vi) in paragraph (7), by striking ''paragraphs (1)(A) and (2)(B)(i) of section 1303(a), through such procedures as the Secretary may require'' and inserting ''section 1303(a)(2)(A)'';

(C) by striking subsection (d) and inserting the following:

''(d) PRIORITY FOR SERVICES.—In providing services with funds received under this part, each recipient of such funds shall give priority to migratory children who have made a qualifying move within the previous 1-year period and who—

''(1) are failing, or most at risk of failing, to meet the challenging State academic standards; or

''(2) have dropped out of school.''; and

(D) in subsection (e)(3), by striking ''secondary school students'' and inserting ''students'';

(4) in section 1305(b), by inserting '', to the extent practicable,'' after ''may'';

(5) in section 1306—

(A) in subsection (a)(1)—

(i) by striking ''special'' both places the term appears and inserting ''unique'';

(ii) in subparagraph (C), by striking ''challenging State academic content standards and challenging State student academic achievement standards'' and inserting ''challenging State academic standards''; and

(iii) in subparagraph (F), by striking ''or B''; and

(B) in subsection (b)(4)—

(i) by striking ''special'' and inserting ''unique''; and

(ii) by striking ''section 1114'' each place the term appears and inserting ''section 1113(c)'';

(6) in section 1307—

(A) in the matter preceding paragraph (1), by striking ''nonprofit''; and

(B) in paragraph (3), by striking ''welfare or educational attainment'' and inserting ''educational achievement'';

(7) in section 1308—

(A) in subsection (a)(1), by inserting ''through'' after ''including''; and

(B) in subsection (b)—

(i) in paragraph (1), by striking ''developing effective methods for'';

(ii) in paragraph (2)—

(I) in subparagraph (A)—

(aa) in the matter preceding clause (i), in the first sentence—

(AA) by striking ''ensure the linkage of migrant student'' and inserting ''maintain'';

(BB) by striking ''systems'' and inserting ''system'';

(CC) by inserting ''within and'' before ''among the States''; and

(DD) by striking ''all migratory students'' and inserting ''all migratory children eligible under this part'';

(bb) in the matter preceding clause (i), by striking ''The Secretary shall ensure'' and all that follows through ''maintain.'';

(cc) in the matter preceding clause (i), by striking ''Such elements'' and inserting ''Such information''; and

(dd) in clause (ii), by striking ''required'';

(II) by redesignating subparagraph (B) as subparagraph (C);

(III) by inserting after subparagraph (A) the following:

''(B) CONSULTATION.—The Secretary shall maintain ongoing consultation with the States, local educational agencies, and other migratory student service providers on—

''(i) the effectiveness of the system described in subparagraph (A); and

''(ii) the ongoing improvement of such system.''; and

(IV) in subparagraph (C), as redesignated by subclause (II)—

(aa) by striking ''the proposed data elements'' and inserting ''any new proposed data elements''; and

(bb) by striking ''Such publication shall occur not later than 120 days after the date of enactment of the No Child Left Behind Act of 2001.''; and

(iii) by striking paragraph (4); and

(8) in section 1309—

(A) in paragraph (1)(B), by striking ''nonprofit''; and

(B) by striking paragraph (2) and inserting the following:

''(2) MIGRATORY AGRICULTURAL WORKER.—The term 'migratory agricultural worker' means an individual who made a qualifying move in the preceding 36 months and, after doing so, engaged in new temporary or seasonal employment or personal subsistence in agriculture, which may be dairy work or the initial processing of raw agricultural products. If an individual did not engage in such new employment soon after a qualifying move, such individual may be considered a migratory agricultural worker if the individual actively sought new employment and has a recent history of moves for agricultural employment.

''(3) MIGRATORY CHILD.—The term 'migratory child' means a child or youth who made a qualifying move in the preceding 36 months—

''(A) as a migratory agricultural worker or a migratory fisher; or

''(B) with, or to join, a parent or spouse who is a migratory agricultural worker or a migratory fisher.

''(4) MIGRATORY FISHER.—The term 'migratory fisher' means an individual who made a qualifying move in the preceding 36 months and, after doing so, engaged in new temporary or seasonal employment or personal subsistence in fishing. If the individual did not engage in such new employment soon after the move, the individual may be considered a migratory fisher if the individual actively sought new employment and has a recent history of moves for fishing work.

''(5) QUALIFYING MOVE.—The term 'qualifying move' means a move due to economic necessity—

''(A) from one residence to another residence; and

''(B) from one school district to another school district, except—

''(i) in the case of a State that is comprised of a single school district, wherein a qualifying move is from one administrative area to another within such district;

''(ii) in the case of a school district of more than 15,000 square miles, wherein a qualifying move is a distance of 20 miles or more to a temporary residence to engage in a fishing activity; or

''(iii) in a case in which another exception applies, as defined by the Secretary.''.

SEC. 1014. PREVENTION AND INTERVENTION PROGRAMS FOR CHILDREN AND YOUTH WHO ARE NEGLECTED, DELINQUENT, OR AT-RISK.

Part D of title I (20 U.S.C. 6421 et seq.) is amended—

(1) in section 1401(a)—

(A) in paragraph (1)—

(i) by inserting '', tribal,'' after ''youth in local''; and

(ii) by striking ''challenging State academic content standards and challenging State student academic achievement standards'' and inserting ''challenging State academic standards''; and

(B) in paragraph (3), by inserting ''and the involvement of their families and communities'' after ''to ensure their continued education'';

(2) in section 1412(b), by striking paragraph (2) and inserting the following:

''(2) MINIMUM PERCENTAGE.—The percentage in paragraph (1)(A) shall not be less than 85 percent.'';

(3) in section 1414—

(A) in subsection (a)—

(i) in paragraph (1)(B), by striking ''from correctional facilities to locally operated programs'' and inserting ''between correctional facilities and locally operated programs''; and

(ii) in paragraph (2)—

(I) in subparagraph (A)—

(aa) by striking ''the program goals, objectives, and performance measures established by the State'' and inserting ''the program objectives and outcomes established by the State''; and

(bb) by striking ''vocational'' and inserting ''career'';

(II) in subparagraph (B), by striking ''and'' after the semicolon;

(III) in subparagraph (C)—

(aa) in clause (i), by inserting ''and'' after the semicolon;

(bb) by striking clause (ii) and redesignating clause (iii) as clause (ii); and

(cc) by striking clause (iv); and

(IV) by adding at the end the following:

''(D) provide assurances that the State educational agency has established—

''(i) procedures to ensure the prompt re-enrollment of each student who has been placed in the juvenile justice system in secondary school or in a re-entry program that best meets the needs of the student, including the transfer of credits that such student earns during placement; and

''(ii) opportunities for such students to participate in higher education or career pathways.''; and

(B) in subsection (c)—

(i) in paragraph (1)—

(I) by inserting ''and respond to'' after ''to assess''; and

(II) by inserting ''and, to the extent practicable, provide for an assessment upon entry into a correctional facility'' after ''to be served under this subpart'';

(ii) in paragraph (6)—

(I) by striking ''carry out the evaluation requirements of section 9601 and how'' and inserting ''use'';

(II) by inserting ''under section 9601'' after ''recent evaluation''; and

(III) by striking ''will be used'';

(iii) in paragraph (8)—

(I) by striking ''vocational'' and inserting ''career''; and

(II) by striking ''Public Law 105–220''and inserting ''the Workforce Innovation and Opportunity Act'';

(iv) in paragraph (9)—

(I) by inserting ''and following'' after ''youth prior to''; and

(II) by inserting ''and, to the extent practicable, to ensure that transition plans are in place'' after ''the local educational agency or alternative education program'';

(v) in paragraph (11), by striking ''transition of children and youth from such facility or institution to'' and inserting ''transition of such children and youth between such facility or institution and'';

(vi) in paragraph (16), by inserting ''and obtain a high school diploma'' after ''to encourage the children and youth to reenter school'';

(vii) in paragraph (17), by inserting ''certified or licensed'' after ''provides an assurance that'';

(viii) in paragraph (18), by striking ''and'' after the semicolon;

(ix) in paragraph (19), by striking the period at the end and inserting ''; and''; and

(x) by adding at the end the following:

''(20) describes how the State agency will, to the extent feasible, identify youth who have come in contact with both the child welfare system and juvenile justice system and improve practices and expand the evidence-based intervention services to reduce school suspensions, expulsions, and referrals to law enforcement.'';

(4) in section 1415—

(A) in subsection (a)—

(i) in paragraph (1)(B)—

(I) by inserting '', without the need for remediation,'' after ''transition''; and

(II) by striking ''vocational or technical training'' and inserting ''career and technical education''; and

(ii) in paragraph (2)—

(I) by striking subparagraph (A), and inserting the following:

''(A) may include—

''(i) the acquisition of equipment;

''(ii) pay-for-success initiatives that produce a measurable, clearly defined outcome that results in social benefit and direct cost savings to the local, State, or Federal Government; and

''(iii) providing targeted, evidence-based services for youth who have come in contact with both the child welfare system and juvenile justice system;'';

(II) in subparagraph (B)—

(aa) in clause (i), by striking ''content standards and student academic achievement''; and

(bb) in clause (iii)—

(AA) by striking ''challenging State academic achievement standards'' and inserting ''challenging State academic standards''; and

(BB) by inserting ''and'' after the semicolon;

(III) in subparagraph (C)—

(aa) by striking ''section 1120A'' and inserting ''section 1117''; and

(bb) by striking ''; and'' and inserting a period; and

(IV) by striking subparagraph (D); and

(B) in subsection (b), by striking ''section 1120A'' and inserting ''section 1117'';

(5) in section 1416—

(A) in paragraph (3)—

(i) by striking ''challenging State academic content standards and student academic achievement standards'' and inserting ''challenging State academic standards''; and

(ii) by striking ''complete secondary school, attain a secondary diploma'' and inserting ''attain a high school diploma'';

(B) in paragraph (4)—

(i) by striking ''pupil'' and inserting ''specialized instructional support''; and

(ii) by inserting ''and, to the extent practicable, the development and implementation of transition plans'' after ''children and youth described in paragraph (1)''; and

(C) in paragraph (6), by striking ''student progress'' and inserting ''and improve student achievement'';

(6) in section 1418(a)—

(A) by striking paragraph (1) and inserting the following:

''(1) projects that facilitate the transition of children and youth between State-operated institutions, or institutions in the State operated by the Secretary of the Interior, and schools served by local educational agencies or schools operated or funded by the Bureau of Indian Education; or''; and

(B) in paragraph (2)—

(i) by striking ''vocational'' each place the term appears and inserting ''career''; and

(ii) in the matter preceding subparagraph (A)—

(I) by striking ''secondary'' and inserting ''high''; and

(II) by inserting '', without the need for remediation,'' after ''reentry'';

(7) in section 1419, by striking ''for a fiscal year'' and all that follows through ''to provide'' and inserting ''for a fiscal year to provide'';

(8) in section 1421—

(A) in paragraph (1), by inserting '', without the need for remediation,'' after ''youth''; and

(B) in paragraph (3), by inserting '', including schools operated or funded by the Bureau of Indian Education,'' after ''local schools'';

(9) in section 1422(d)—

(A) by inserting '', which may include the nonacademic needs,'' after ''to meet the transitional and academic needs''; and

(B) by striking ''impact on meeting the transitional'' and inserting ''impact on meeting such transitional'';

(10) in section 1423—

(A) in paragraph (2)(B), by inserting '', including such facilities operated by the Secretary of the Interior and Indian tribes'' after ''the juvenile justice system'';

(B) by striking paragraph (4) and inserting the following:

''(4) a description of the activities that the local educational agency will carry out to facilitate the successful transition of children and youth in locally operated institutions for neglected and delinquent children and other correctional institutions into schools served by the local educational agency or, as appropriate, into career and technical education and postsecondary education programs;'';

(C) in paragraph (8), by inserting ''and family members'' after ''will involve parents'';

(D) in paragraph (9)—

(i) by striking ''vocational'' and inserting ''career''; and

(ii) by striking ''Public Law 105–220'' and inserting ''the Workforce Innovation and Opportunity Act'';

(E) by striking paragraph (11) and inserting the following:

''(11) as appropriate, a description of how the local educational agency and schools will address the educational needs of children and youth who return from institutions for neglected and delinquent children and youth or from correctional institutions and attend regular or alternative schools;''; and

(F) in paragraph (12), by striking ''participating schools'' and inserting ''the local educational agency'';

(11) in section 1424—

(A) in paragraph (2), by striking '', including'' and all that follows through ''gang members'';

(B) in paragraph (4)—

(i) by striking ''vocational'' and inserting ''career''; and

(ii) by striking ''and'' after the semicolon; and

(C) in paragraph (5), by striking the period at the end and inserting a semicolon; and

(D) by inserting the following after paragraph (5):

''(6) programs for at-risk Indian children and youth, including such children and youth in correctional facilities in the area served by the local educational agency that are operated by the Secretary of the Interior or Indian tribes; and

''(7) pay-for-success initiatives that produce a measurable, clearly defined outcome that results in social benefit and direct cost savings to the local, State, or Federal government.'';

(12) in section 1425—

(A) in paragraph (4)—

(i) by inserting ''and obtain a high school diploma'' after ''reenter school''; and

(ii) by striking ''or seek a secondary school diploma or its recognized equivalent'';

(B) in paragraph (6), by striking ''high academic achievement standards'' and inserting ''the challenging State academic standards'';

(C) in paragraph (9)—

(i) by striking ''vocational'' and inserting ''career''; and

(ii) by striking ''Public Law 105–220'' and inserting ''the Workforce Innovation and Opportunity Act'';

(D) in paragraph (10), by striking ''and'' after the semicolon;

(E) in paragraph (11), by striking the period at the end and inserting a semicolon; and

(F) by adding at the end the following:

''(12) to the extent practicable, develop an initial educational services and transition plan for each child or youth served under this subpart upon entry into the correctional facility, in partnership with the child's or youth's family members and the local educational agency that most recently provided services to the child or youth (if applicable), consistent with section 1414(a)(1); and

''(13) consult with the local educational agency for a period jointly determined necessary by the correctional facility and local educational agency upon discharge from that facility, to coordinate educational services so as to minimize disruption to the child's or youth's achievement.'';

(13) in section 1426(2), by striking ''secondary'' and inserting ''high'';

(14) in section 1431(a)—

(A) by striking ''secondary'' each place the term appears and inserting ''high'';

(B) in paragraph (1), by inserting ''and to graduate from high school in the standard number of years'' after ''educational achievement''; and

(C) in paragraph (3), by inserting ''or school operated or funded by the Bureau of Indian Education'' after ''local educational agency''; and

(15) in section 1432(2)—

(A) by striking ''has limited English proficiency'' and inserting ''is an English learner''; and

(B) by striking ''or has a high absenteeism rate at school.'' and inserting ''has a high absenteeism rate at school, or has other life conditions that make the individual at high

risk for dependency or delinquency adjudication.''.

SEC. 1015. GENERAL PROVISIONS.

Title I (20 U.S.C. 6301 et seq.) is amended—

(1) by striking parts E, F, G, and H;

(2) by redesignating part I as part E;

(3) by striking sections 1907 and 1908;

(4) by redesignating sections 1901, 1902, 1903, 1905, and 1906 as sections 1501, 1502, 1503, 1504, and 1505, respectively;

(5) in section 1501, as redesignated by paragraph (4)—

(A) in subsection (a), by inserting '', in accordance with subsections (b) through (d),'' after ''may issue'';

(B) in subsection (b)—

(i) in paragraph (1), by inserting ''principals, other school leaders (including charter school leaders),'' after ''teachers,'';

(ii) in paragraph (2), by adding at the end the following: ''All information from such regional meetings and electronic exchanges shall be made public in an easily accessible manner to interested parties.'';

(iii) in paragraph (3)(A), by striking ''standards and assessments'' and inserting ''standards, assessments, the State accountability system under section 1111(b)(3), school intervention and support under section 1114, and the requirement that funds be supplemented and not supplanted under section 1117;'';

(iv) by striking paragraph (4) and inserting the following:

''(4) PROCESS.—Such process shall not be subject to the Federal Advisory Committee Act, but shall, unless otherwise provided as described in subsection (c), follow the provisions of the Negotiated Rulemaking Act of 1990 (5 U.S.C. 561 et seq.).''; and

(v) by striking paragraph (5) and inserting the following:

''(5) EMERGENCY SITUATION.—In an emergency situation in which regulations to carry out this title must be issued within a very limited time to assist State educational agencies and local educational agencies with the operation of a program under this title, the Secretary may issue a proposed regulation without following such process but shall—

''(A) designate the proposed regulation as an emergency with an explanation of the emergency in a notice provided to Congress;

''(B) publish the duration of the comment and review period in such notice and in the Federal Register; and

''(C) conduct regional meetings to review such proposed regulation before issuing any final regulation.'';

(C) by redesignating subsection (c) as subsection (d);

(D) by inserting after subsection (b) the following:

''(c) ALTERNATIVE PROCESS IF FAILURE TO REACH CONSENSUS.—If consensus, as defined in section 562 of title 5, United States Code, on any proposed regulation is not reached by the individuals selected under paragraph (3)(B) for the negotiated rulemaking process, or if the Secretary determines that a negotiated rulemaking process is unnecessary, the Secretary may propose a regulation in the following manner:

''(1) NOTICE TO CONGRESS.—Not less than 30 days prior to issuing a notice of proposed rulemaking in the Federal Register, the Secretary shall provide to the Committee on Health, Education, Labor, and Pensions of the Senate, the Committee on Education and the Workforce of the House of Representatives, and other relevant congressional committees, notice of the Secretary's intent to issue a notice of proposed rulemaking that shall include—

''(A) a copy of the regulation to be proposed;

''(B) a justification of the need to issue a regulation;

''(C) the anticipated burden, including the time, cost, and paperwork burden, the regulations will impose on State educational agencies, local educational agencies, schools, and other entities that may be impacted by the regulation;

''(D) the anticipated benefits to State educational agencies, local educational agencies, schools, and other entities that may be impacted by the regulation;

''(E) any regulations that will be repealed when the new regulations are issued; and

''(F) an opportunity to comment on the information in subparagraphs (A) through (E).

''(2) COMMENT PERIOD FOR CONGRESS.—The Secretary shall provide Congress with a 15-day period, beginning after the date on which the Secretary provided the notice of any proposed rulemaking to Congress under paragraph (1), to make comments on the proposed rule. After addressing all comments received from Congress during such period, the Secretary may proceed with the rulemaking process under section 553 of title 5, United States Code, as modified by this section.

''(3) PUBLIC COMMENT AND REVIEW PERIOD.—The public comment and review period for any proposed regulation shall be not less than 90 days unless an emergency requires a shorter period, in which case the Secretary shall comply with the process outlined in subsection (b)(5).

''(4) ASSESSMENT.—No regulation shall be made final after the comment and review period described in paragraph (3) until the Secretary has published in the Federal Register—

''(A) an assessment of the proposed regulation that—

''(i) includes a representative sampling of local educational agencies based on enrollment, geographic diversity (including suburban, urban, and rural local educational agencies), and other factors impacted by the proposed regulation;

''(ii) addresses the burden, including the time, cost, and paperwork burden, that the regulation will impose on State educational agencies, local educational agencies, schools, and other entities that may be impacted by the regulation;

''(iii) addresses the benefits to State educational agencies, local educational agencies, schools, and other entities that may be impacted by the regulation; and

''(iv) thoroughly addresses, based on the comments received during the comment and review period under paragraph (3), whether the rule is financially and operationally viable at the local level; and

''(B) an explanation of how the entities described in subparagraph (A)(ii) may cover the cost of the burden assessed under such subparagraph.''; and

(E) by inserting after subsection (d), as redesignated by subparagraph (C), the following:

''(e) RULE OF CONSTRUCTION.—Nothing in this section affects the applicability of subchapter II of chapter 5, and chapter 7, of title 5, United States Code (commonly known as the 'Administrative Procedure Act') or chapter 8 of title 5, United States Code (commonly known as the 'Congressional Review Act').'';

(6) in section 1502(a), as redesignated by paragraph (4)—

(A) by striking ''section 1901'' and inserting ''section 1501''; and

(B) by striking ''or provides a written'' and all that follows through the period at the end and inserting ''or, where negotiated rulemaking is not pursued, shall conform to section 1501(c).''; and

(7) in section 1503, as redesignated by paragraph (4)—

(A) in subsection (a)(2), by striking ''student academic achievement'' and inserting ''academic''; and

(B) in subsection (b)(2)—

(i) in subparagraph (C), by striking '', including vocational educators'';

(ii) in subparagraph (F), by striking ''and'' after the semicolon; and

(iii) by striking subparagraph (G) and inserting the following:

''(G) specialized instructional support personnel;

''(H) representatives of charter schools, as appropriate; and

''(I) paraprofessionals.''.

SEC. 1016. REPORT ON SUBGROUP SAMPLE SIZE.

(a) REPORT.—Not later than 90 days after the date of enactment of this Act, the Director of the Institute of Education Sciences shall publish a report on best practices for determining valid, reliable, and statistically significant minimum numbers of students for each of the categories of students, as defined in section 1111(b)(3)(A) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311(b)(3)(A)) (as amended by this Act), for the purposes of inclusion as categories of students in an accountability system described in section 1111(b)(3) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311(b)(3)) (as amended by this Act) and how such minimum number that is determined will not reveal personally identifiable information about students.

(b) PUBLIC DISSEMINATION.—The Director of the Institute of Education Sciences shall work with the Department of Education's existing technical assistance providers and dissemination networks to ensure that the report described under subsection (a) is widely disseminated—

(1) to the public, State educational agencies, local educational agencies, and schools; and

(2) through electronic transfer and other means, such as posting the report on the website of the Institute of Education Sciences or in another relevant place.

SEC. 1017. REPORT ON IMPLEMENTATION OF EDUCATIONAL STABILITY OF CHILDREN IN FOSTER CARE.

Not later than 2 years after the date of enactment of this Act, the Secretary of Education and the Secretary of Health and Human Services shall submit to the appropriate committees of Congress a report on the implementation of section 1111(c)(1)(L) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311(c)(1)(L)), including the progress made and the remaining barriers relating to such implementation.

TITLE II—HIGH-QUALITY TEACHERS, PRINCIPALS, AND OTHER SCHOOL LEADERS

SEC. 2001. TRANSFER OF CERTAIN PROVISIONS.

The Act (20 U.S.C. 6301 et seq.) is amended—

(1) by redesignating subpart 5 of part C of title II (20 U.S.C. 6731 et seq.) as subpart 3 of part F of title IX, as redesignated by section 9106(1), and moving that subpart to the end of part F of title IX;

(2) by redesignating sections 2361 through 2368 as sections 9541 through 9548, respectively;

(3) in section 9546(b), as redesignated by paragraph (2), by striking the matter following paragraph (2) and inserting the following:

''(3) A State law that makes a limitation of liability inapplicable if the civil action was brought by an officer of a State or local government pursuant to State or local law.'';

(4) by redesignating subpart 4 of part D of title II as subpart 4 of part F of title IX, as redesignated by section 9106(1), and moving that subpart to follow subpart 3 of part F of

title IX, as redesignated and moved by paragraph (1);

(5) by redesignating section 2441 as section 9551; and

(6) by striking the subpart heading of subpart 4 of part F of title IX, as redesignated by paragraph (4), and inserting the following:

"Subpart 4—Internet Safety".

SEC. 2002. PREPARING, TRAINING, AND RECRUITING HIGH-QUALITY TEACHERS, PRINCIPALS, AND OTHER SCHOOL LEADERS.

The Act (20 U.S.C. 6301 et seq.) is amended by striking title II (as amended by section 2001) and inserting the following:

"TITLE II—PREPARING, TRAINING, AND RECRUITING HIGH-QUALITY TEACHERS, PRINCIPALS, AND OTHER SCHOOL LEADERS

"SEC. 2001. PURPOSE.

''The purpose of this title is to improve student academic achievement by—

''(1) increasing the ability of local educational agencies, schools, teachers, principals, and other school leaders to provide a well-rounded and complete education for all students;

''(2) improving the quality and effectiveness of teachers, principals, and other school leaders;

''(3) increasing the number of teachers, principals, and other school leaders who are effective in improving student academic achievement in schools; and

''(4) ensuring that low-income and minority students are served by effective teachers, principals, and other school leaders and have access to a high-quality instructional program.

"SEC. 2002. DEFINITIONS.

''In this title:

''(1) SCHOOL LEADER RESIDENCY PROGRAM.—The term 'school leader residency program' means a school-based principal, school leader, or principal and school leader preparation program in which a prospective principal or school leader—

''(A) for 1 academic year, engages in sustained and rigorous clinical learning with substantial leadership responsibilities and an opportunity to practice and be evaluated in an authentic school setting; and

''(B) during that academic year—

''(i) participates in evidence-based coursework that is integrated with the clinical residency experience; and

''(ii) receives ongoing support from a mentor principal or school leader who is effective.

''(2) STATE.—The term 'State' means each of the 50 States, the District of Columbia, and the Commonwealth of Puerto Rico.

''(3) TEACHER RESIDENCY PROGRAM.—The term 'teacher residency program' means a school-based teacher preparation program in which a prospective teacher—

''(A) for not less than 1 academic year, teaches alongside an effective teacher, as determined by a teacher evaluation system implemented under part A (if applicable), who is the teacher of record for the classroom;

''(B) receives concurrent instruction during the year described in subparagraph (A)—

''(i) through courses that may be taught by local educational agency personnel or by faculty of the teacher preparation program; and

''(ii) in the teaching of the content area in which the teacher will become certified or licensed; and

''(C) acquires effective teaching skills, as demonstrated through completion of a residency program, or other measure determined by the State, which may include a teacher performance assessment.

"SEC. 2003. AUTHORIZATION OF APPROPRIATIONS.

''(a) GRANTS TO STATES AND LOCAL EDUCATIONAL AGENCIES.—For the purposes of carrying out part A (other than section 2105), there are authorized to be appropriated such sums as may be necessary for each of fiscal years 2016 through 2021.

''(b) NATIONAL ACTIVITIES.—For the purposes of carrying out activities authorized under section 2105, there are authorized to be appropriated such sums as may be necessary for each of fiscal years 2016 through 2021.

''(c) TEACHER AND SCHOOL LEADER INCENTIVE PROGRAM.—For the purposes of carrying out part B, there are authorized to be appropriated such sums as may be necessary for each of fiscal years 2016 through 2021.

''(d) AMERICAN HISTORY AND CIVICS EDUCATION.—For the purposes of carrying out part C, there are authorized to be appropriated such sums as may be necessary for each of fiscal years 2016 through 2021.

''(e) LITERACY EDUCATION FOR ALL, RESULTS FOR THE NATION.—For the purposes of carrying out part D, there are authorized to be appropriated such sums as may be necessary for each of fiscal years 2016 through 2021.

''(f) STEM INSTRUCTION AND STUDENT ACHIEVEMENT.—For the purposes of carrying out part E, there are authorized to be appropriated such sums as may be necessary for each of fiscal years 2016 through 2021.

"PART A—FUND FOR THE IMPROVEMENT OF TEACHING AND LEARNING

"SEC. 2101. FORMULA GRANTS TO STATES.

''(a) RESERVATION OF FUNDS.—From the total amount appropriated under section 2003(a) for a fiscal year, the Secretary shall reserve—

''(1) one-half of 1 percent for allotments for the United States Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands, to be distributed among those outlying areas on the basis of their relative need, as determined by the Secretary, in accordance with the purpose of this title; and

''(2) one-half of 1 percent for the Secretary of the Interior for programs under this part in schools operated or funded by the Bureau of Indian Education.

''(b) STATE ALLOTMENTS.—

''(1) HOLD HARMLESS.—

''(A) FISCAL YEARS 2016 THROUGH 2021.—For each of fiscal years 2016 through 2021, subject to paragraph (2) and subparagraph (C), from the funds appropriated under section 2003(a) for a fiscal year that remain after the Secretary makes the reservations under subsection (a), the Secretary shall allot to each State an amount equal to the total amount that such State received for fiscal year 2001 under—

''(i) section 2202(b) of this Act (as in effect on the day before the date of enactment of the No Child Left Behind Act of 2001); and

''(ii) section 306 of the Department of Education Appropriations Act, 2001 (as enacted into law by section 1(a)(1) of Public Law 106-554).

''(B) RATABLE REDUCTION.—If the funds described in subparagraph (A) are insufficient to pay the full amounts that all States are eligible to receive under subparagraph (A) for any fiscal year, the Secretary shall ratably reduce those amounts for the fiscal year.

''(C) PERCENTAGE REDUCTION.—For each of fiscal years 2016 through 2021, the amount in subparagraph (A) shall be reduced by a percentage equal to the product of 14.29 percent and the number of years between the fiscal year for which the determination is being made and fiscal year 2015.

''(2) ALLOTMENT OF ADDITIONAL FUNDS.—

''(A) IN GENERAL.—Subject to subparagraph (B), for any fiscal year for which the funds appropriated under section 2003(a) and not reserved under subsection (a) exceed the total amount required to make allotments under paragraph (1), the Secretary shall allot to each State the sum of—

''(i) an amount that bears the same relationship to 20 percent of the excess amount as the number of individuals age 5 through 17 in the State, as determined by the Secretary on the basis of the most recent satisfactory data, bears to the number of those individuals in all such States, as so determined; and

''(ii) an amount that bears the same relationship to 80 percent of the excess amount as the number of individuals age 5 through 17 from families with incomes below the poverty line in the State, as determined by the Secretary on the basis of the most recent satisfactory data, bears to the number of those individuals in all such States, as so determined.

''(B) EXCEPTION.—No State receiving an allotment under subparagraph (A) may receive less than one-half of 1 percent of the total excess amount allotted under such subparagraph for a fiscal year.

''(3) FISCAL YEAR 2022 AND SUCCEEDING FISCAL YEARS.—For fiscal year 2022 and each of the succeeding fiscal years, the Secretary shall allot funds appropriated under section 2003(a) and not reserved under subsection (a) to each State in accordance with paragraph (2).

''(4) REALLOTMENT.—If any State does not apply for an allotment under this subsection for any fiscal year, the Secretary shall reallot the amount of the allotment to the remaining States in accordance with this subsection.

''(c) STATE USE OF FUNDS.—

''(1) IN GENERAL.—Except as provided for under paragraph (3), each State that receives an allotment under subsection (b) for a fiscal year shall reserve not less than 95 percent of such allotment to make subgrants to local educational agencies for such fiscal year, as described in section 2102.

''(2) STATE ADMINISTRATION.—A State educational agency may use not more than 1 percent of the amount allotted to such State under subsection (b) for the administrative costs of carrying out such State educational agency's responsibilities under this part.

''(3) PRINCIPALS AND OTHER SCHOOL LEADERS.—Notwithstanding paragraph (1) and in addition to funds otherwise available for activities under paragraph (4), a State educational agency may reserve not more than 3 percent of the amount reserved for subgrants to local educational agencies under paragraph (1) for activities for principals and other school leaders described in paragraph (4), if such reservation would not result in a lower allocation to local educational agencies under section 2102, as compared to such allocation for the preceding fiscal year.

''(4) STATE ACTIVITIES.—

''(A) IN GENERAL.—The State educational agency for a State that receives an allotment under subsection (b) may use funds not reserved under paragraph (1) to carry out 1 or more of the activities described in subparagraph (B), which may be implemented in conjunction with a State agency of higher education (if such agencies are separate) and carried out through a grant or contract with a for-profit or nonprofit entity, including an institution of higher education.

''(B) TYPES OF STATE ACTIVITIES.—The activities described in this subparagraph are the following:

''(i) Reforming teacher, principal, and other school leader certification, recertification, licensing, or tenure systems or preparation program standards and approval processes to ensure that—

''(I) teachers have the necessary subject-matter knowledge and teaching skills, as demonstrated through measures determined

by the State, which may include teacher performance assessments, in the academic subjects that the teachers teach to help students meet challenging State academic standards described in section 1111(b)(1);

''(II) principals and other school leaders have the instructional leadership skills to help teachers teach and to help students meet such challenging State academic standards; and

''(III) teacher certification or licensing requirements are aligned with such challenging State academic standards.

''(ii) Developing, improving, or providing assistance to local educational agencies to support the design and implementation of teacher, principal, and other school leader evaluation and support systems that are based in part on evidence of student academic achievement, which may include student growth, and shall include multiple measures of educator performance and provide clear, timely, and useful feedback to teachers, principals, and other schools leaders, such as by—

''(I) developing and disseminating high-quality evaluation tools, such as classroom observation rubrics, and methods, including training and auditing, for ensuring inter-rater reliability of evaluation results;

''(II) developing and providing training to principals, other school leaders, coaches, mentors, and evaluators on how to accurately differentiate performance, provide useful and timely feedback, and use evaluation results to inform decisionmaking about professional development, improvement strategies, and personnel decisions; and

''(III) developing a system for auditing the quality of evaluation and support systems.

''(iii) Improving equitable access to effective teachers, principals, and other school leaders.

''(iv) Carrying out programs that establish, expand, or improve alternative routes for State certification of teachers (especially for teachers of children with disabilities, English learners, science, technology, engineering, mathematics, or other areas where the State demonstrates a shortage of educators), principals, and other school leaders, for—

''(I) individuals with a baccalaureate or master's degree, or other advanced degree;

''(II) mid-career professionals from other occupations;

''(III) paraprofessionals;

''(IV) former military personnel; and

''(V) recent graduates of institutions of higher education with records of academic distinction who demonstrate the potential to become highly effective teachers, principals, or other school leaders.

''(v) Developing, improving, and implementing mechanisms to assist local educational agencies and schools in effectively recruiting and retaining teachers, principals, and other school leaders who are effective in improving student academic achievement, including highly effective teachers from underrepresented minority groups and teachers with disabilities, such as through—

''(I) opportunities for a cadre of effective teachers to lead evidence-based professional development for their peers;

''(II) career opportunities for teachers to grow as leaders, including hybrid roles that allow teachers to voluntarily serve as mentors or academic coaches while remaining in the classroom; and

''(III) providing training and support for teacher leaders and school leaders who are recruited as part of instructional leadership teams.

''(vi) Fulfilling the State educational agency's responsibilities concerning proper and efficient administration and monitoring of the programs carried out under this part, including provision of technical assistance to local educational agencies.

''(vii) Developing, or assisting local educational agencies in developing—

''(I) teacher advancement initiatives that promote professional growth and emphasize multiple career paths, such as school leadership, mentoring, involvement with school intervention and support, and instructional coaching;

''(II) strategies that provide differential pay, or other incentives, to recruit and retain teachers in high-need academic subjects and teachers, principals, or other school leaders, in low-income schools and school districts, which may include performance-based pay systems; and

''(III) new teacher, principal, and other school leader induction and mentoring programs that are evidence-based and designed to—

''(aa) improve classroom instruction and student learning and achievement;

''(bb) increase the retention of effective teachers, principals, and other school leaders;

''(cc) improve school leadership to improve classroom instruction and student learning and achievement; and

''(dd) provide opportunities for teachers, principals, and other school leaders who are experienced, are effective, and have demonstrated an ability to work with adult learners to be mentors.

''(viii) Providing assistance to local educational agencies for—

''(I) the development and implementation of high-quality professional development programs for principals that enable the principals to be effective and prepare all students to meet the challenging State academic standards described in section 1111(b)(1); and

''(II) the development and support of other school leadership programs to develop educational leaders.

''(ix) Supporting efforts to train teachers, principals, and other school leaders to effectively integrate technology into curricula and instruction, which may include blended learning projects that include an element of online learning, combined with supervised learning time and student-led learning, in which the elements are connected to provide an integrated learning experience.

''(x) Providing training, technical assistance, and capacity-building to local educational agencies that receive a subgrant under this part.

''(xi) Supporting teacher, principal, and other school leader residency programs.

''(xii) Reforming or improving teacher, principal, and other school leader preparation programs.

''(xiii) Supporting the instructional services provided by school librarians.

''(xiv) Supporting the instructional services provided by athletic administrators, such as through professional development or relevant State certification or licensure for such administrators.

''(xv) Developing, or assisting local educational agencies in developing, strategies that provide teachers, principals, and other school leaders with the skills, credentials, or certifications needed to educate all students in postsecondary education coursework through early college high school or dual or concurrent enrollment courses or programs.

''(xvi) Providing training for all school personnel, including teachers, principals, other school leaders, specialized instructional support personnel, and paraprofessionals, regarding how to prevent and recognize child sexual abuse.

''(xvii) Supporting principals, other school leaders, teachers, teacher leaders, paraprofessionals, early childhood education program directors, and other early childhood education program providers to participate in efforts to align and promote quality early learning experiences from prekindergarten through grade 3.

''(xviii) Developing and providing professional development and instructional materials for science, technology, engineering, and mathematics subjects, including computer science.

''(xix) Supporting the efforts of teachers, principals, and other school leaders to integrate academic and career and technical education content into instructional practices.

''(xx) Supporting other activities identified by the State that are evidence-based and that meet the purpose of this title.

''(d) STATE PLAN.—

''(1) IN GENERAL.—In order to receive an allotment under this section for any fiscal year, a State shall submit a plan to the Secretary, at such time, in such manner, and containing such information as the Secretary may reasonably require.

''(2) CONTENTS.—Each plan described under paragraph (1) shall include the following:

''(A) A description of how the State educational agency will use funds received under this title for State-level activities described in subsection (c).

''(B) A description of the State's system of certification, licensing, and professional growth and improvement, such as clinical experience for prospective educators, support for new educators, professional development, professional growth and leadership opportunities, and compensation systems for teachers, principals, and other educators.

''(C) A description of how activities under this part are aligned with challenging State academic standards and State assessments under section 1111, which may include, as appropriate, relevant State early learning and developmental guidelines, as required under section 658E(c)(2)(T) of the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858c(c)(2)(T)).

''(D) A description of how the activities using funds under this part are expected to improve student achievement.

''(E) If a State educational agency plans to use funds under this part to improve equitable access to effective teachers, principals, and other school leaders, a description of how such funds will be used to meet the State's commitment described in section 1111(c)(1)(F) to ensure equitable access to effective teachers, principals, and school leaders.

''(F) An assurance that the State educational agency will monitor the implementation of activities under this part and provide technical assistance to local educational agencies in carrying out such activities.

''(G) An assurance that the State educational agency will work in consultation with the entity responsible for teacher and principal professional standards, certification, and licensing for the State, and encourage collaboration between educator preparation programs, the State, and local educational agencies to promote the readiness of new educators entering the profession.

''(H) A description of how the State educational agency will improve the skills of teachers, principals, and other school leaders in order to enable them to identify students with specific learning needs, particularly students with disabilities, English learners, students who are gifted and talented, and students with low literacy levels, and provide instruction based on the needs of such students.

''(I) A description of how the State will use data and ongoing consultation with and

input from teachers and teacher organizations, principals, other school leaders, specialized instructional support personnel, parents, community partners, and (where applicable) institutions of higher education, to continually update and improve the activities supported under this part.

''(3) CONSULTATION.—In developing the State plan under this subsection, a State shall—

''(A) involve teachers, teacher organizations, principals, other school leaders, specialized instructional support personnel, parents, community partners, and other organizations or partners with relevant and demonstrated expertise in programs and activities designed to meet the purpose of this title;

''(B) seek advice from the individuals, organizations, or partners described in subparagraph (A) regarding how best to improve the State's activities to meet the purpose of this title; and

''(C) coordinate the State's activities under this part with other related strategies, programs, and activities being conducted in the State.

''(e) PROHIBITION.—Nothing in this section shall be construed to authorize the Secretary or any other officer or employee of the Federal Government to mandate, direct, or control any of the following:

''(1) The development, improvement, or implementation of elements of any teacher, principal, or school leader evaluation systems.

''(2) Any State or local educational agency's definition of teacher, principal, or other school leader effectiveness.

''(3) Any teacher, principal, or other school leader professional standards, certification, or licensing.

''SEC. 2102. SUBGRANTS TO LOCAL EDUCATIONAL AGENCIES.

''(a) ALLOCATION OF FUNDS TO LOCAL EDUCATIONAL AGENCIES.—

''(1) IN GENERAL.—From funds reserved by a State under section 2101(c)(1) for a fiscal year, the State, acting through the State educational agency, shall award subgrants to eligible local educational agencies from allocations described in paragraph (2).

''(2) ALLOCATION FORMULA.—From the funds described in paragraph (1), the State educational agency shall allocate to each of the eligible local educational agencies in the State for a fiscal year the sum of—

''(A) an amount that bears the same relationship to 20 percent of such funds for such fiscal year as the number of individuals aged 5 through 17 in the geographic area served by the agency, as determined by the Secretary on the basis of the most recent satisfactory data, bears to the number of those individuals in the geographic areas served by all eligible local educational agencies in the State, as so determined; and

''(B) an amount that bears the same relationship to 80 percent of the funds for such fiscal year as the number of individuals aged 5 through 17 from families with incomes below the poverty line in the geographic area served by the agency, as determined by the Secretary on the basis of the most recent satisfactory data, bears to the number of those individuals in the geographic areas served by all the eligible local educational agencies in the State, as so determined.

''(3) ADMINISTRATIVE COSTS.—Of the amounts allocated to a local educational agency under paragraph (2), the local educational agency may use not more than 2 percent for the direct administrative costs of carrying out its responsibilities under this part.

''(4) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to prohibit a consortium of local educational agencies that are designated with a school locale code of 41, 42, or 43, or such local educational agencies designated with a school locale code of 41, 42, or 43 that work in cooperation with an educational service agency, from voluntarily combining allocations received under this part for the collective use of funding by the consortium for activities under this section.

''(b) LOCAL APPLICATIONS.—

''(1) IN GENERAL.—To be eligible to receive a subgrant under this section, a local educational agency shall conduct a needs assessment described in paragraph (2) and submit an application to the State educational agency at such time, in such manner, and containing such information as the State educational agency may reasonably require.

''(2) NEEDS ASSESSMENT.—

''(A) IN GENERAL.—To be eligible to receive a subgrant under this section, a local educational agency shall periodically conduct a comprehensive needs assessment of the local educational agency and of all schools served by the local educational agency.

''(B) REQUIREMENTS.—The needs assessment under subparagraph (A) shall be designed to determine the schools with the most acute staffing needs related to—

''(i) increasing the number of teachers, principals, and other school leaders who are effective in improving student academic achievement;

''(ii) ensuring that low-income and minority students are not disproportionately served by ineffective teachers, principals, and other school leaders;

''(iii) ensuring that low-income and minority students have access to—

''(I) a high-quality instructional program (such as opportunities for high-quality postsecondary education coursework through an early college high school or a dual or concurrent enrollment program); and

''(II) class sizes that are appropriate and evidence-based;

''(iv) hiring, retention, and advancement and leadership opportunities for effective teachers, principals, and other school leaders;

''(v) supporting and developing all educators, including preschool, kindergarten, elementary, middle, or high school teachers (including special education and career and technical education teachers), principals, other school leaders, early childhood directors, specialized instructional support personnel, paraprofessionals, or other staff members who provide or directly support instruction;

''(vi) understanding and using data and assessments to improve student learning and classroom practice;

''(vii) improving student behavior, including the response of teachers, principals, and other school leaders to student behavior, in the classroom and school, including the identification of early and appropriate interventions, which may include positive behavioral interventions and supports;

''(viii) teaching students who are English learners, children who are in early childhood education programs, children with disabilities, American Indian children, Alaskan Native children, and gifted and talented students;

''(ix) ensuring that funds are used to support schools served by the local educational agency that are identified under section 1114(a)(1)(A) and schools with high percentages or numbers of children counted under section 1124(c);

''(x) improving the academic and non-academic skills of all students that are essential for learning readiness and academic success; and

''(xi) any other evidence-based factors that the local educational agency determines are appropriate to meet the needs of schools within the jurisdiction of the local educational agency and meet the purpose of this title.

''(3) CONSULTATION.—

''(A) IN GENERAL.—In conducting a needs assessment described in paragraph (2), a local educational agency shall—

''(i) involve teachers, teacher organizations, principals, and other school leaders, specialized instructional support personnel, parents, community partners, and others with relevant and demonstrated expertise in programs and activities designed to meet the purpose of this title; and

''(ii) take into account the activities that need to be conducted in order to give teachers, principals, and other school leaders the skills to provide students with the opportunity to meet challenging State academic standards described in section 1111(b)(1).

''(B) CONTINUED CONSULTATION.—A local educational agency receiving a subgrant under this section shall consult with such individuals and organizations described in subparagraph (A) on an ongoing basis in order to—

''(i) seek advice regarding how best to improve the local educational agency's activities to meet the purpose of this title; and

''(ii) coordinate the local educational agency's activities under this part with other related strategies, programs, and activities being conducted in the community.

''(4) CONTENTS OF APPLICATION.—Each application submitted under paragraph (1) shall be based on the results of the needs assessment required under paragraph (2) and shall include the following:

''(A) A description of the results of the comprehensive needs assessment carried out under paragraph (2).

''(B) A description of the activities to be carried out by the local educational agency under this section and how these activities will be aligned with the challenging State academic standards described in section 1111(b)(1).

''(C) A description of how such activities will comply with the principles of effectiveness described in section 2103(c).

''(D) A description of the activities, including professional development, that will be made available to meet needs identified by the needs assessment described in paragraph (2).

''(E) A description of the local educational agency's systems of hiring and professional growth and improvement, such as induction for teachers, principals, and other school leaders.

''(F) A description of how the local educational agency will support efforts to train teachers, principals, and other school leaders to effectively integrate technology into curricula and instruction.

''(G) A description of how the local educational agency will prioritize funds to schools served by the agency that are identified under section 1114(a)(1)(A) and have the highest percentage or number of children counted under section 1124(c).

''(H) Where a local educational agency has a significant number of schools identified under section 1114(a)(1)(A), as determined by the State, a description of how the local educational agency will seek the input of the State educational agency in planning and implementing activities under this part.

''(I) A description of how the local educational agency will increase and improve opportunities for meaningful teacher leadership and for building the capacity of teachers.

''(J) An assurance that the local educational agency will comply with section 9501 (regarding participation by private school children and teachers).

''(K) An assurance that the local educational agency will coordinate professional development activities authorized under this part with professional development activities provided through other Federal, State, and local programs.

''SEC. 2103. LOCAL USE OF FUNDS.

''(a) IN GENERAL.—A local educational agency that receives a subgrant under section 2102 shall use the funds made available through the subgrant to develop, implement, and evaluate comprehensive, evidence-based programs and activities described in subsection (b), which may be carried out through a grant or contract with a for-profit or nonprofit entity, in partnership with an institution of higher education, or in partnership with an Indian tribe or tribal organization (as defined under section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b)).

''(b) TYPES OF ACTIVITIES.—The activities described in this subsection—

''(1) shall meet the needs identified in the needs assessment described in section 2102(b)(2);

''(2) shall be in accordance with the purpose of this title, evidence-based, and consistent with the principles of effectiveness described in subsection (c);

''(3) shall address the learning needs of all students, including children with disabilities, English learners, and gifted and talented students; and

''(4) may include, among other programs and activities—

''(A) developing or improving a rigorous, transparent, and fair evaluation and support system for teachers, principals, and other school leaders that is based in part on evidence of student achievement, which may include student growth, and shall include multiple measures of educator performance and provide clear, timely, and useful feedback to teachers, principals, and other schools leaders;

''(B) developing and implementing initiatives to assist in recruiting, hiring, and retaining highly effective teachers, principals, and other school leaders, particularly in low-income schools with high percentages of ineffective teachers and high percentages of students who do not meet the challenging State academic standards described in section 1111(b)(1), to improve within-district equity in the distribution of teachers, principals, and school leaders consistent with the requirements of section 1111(c)(1)(F), such as initiatives that provide—

''(i) expert help in screening candidates and enabling early hiring;

''(ii) differential and incentive pay for teachers, principals, and other school leaders in high-need academic subject areas and specialty areas, which may include performance-based pay systems;

''(iii) teacher, paraprofessional, principal, and other school leader advancement and professional growth, and an emphasis on leadership opportunities, multiple career paths and pay differentiation;

''(iv) new teacher, principal, and other school leader induction and mentoring programs that are designed to—

''(I) improve classroom instruction and student learning and achievement;

''(II) increase the retention of effective teachers, principals, and other school leaders;

''(III) improve school leadership to improve classroom instruction and student learning and achievement; and

''(IV) provide opportunities for mentor teachers, principals, and other educators who are experienced, are effective, and have demonstrated an ability to work with adult learners;

''(v) the development and provision of training for school leaders, coaches, mentors and evaluators on how to accurately differentiate performance, provide useful feedback, and use evaluation results to inform decisionmaking about professional development, improvement strategies, and personnel decisions; and

''(vi) a system for auditing the quality of evaluation and support systems;

''(C) recruiting qualified individuals from other fields to become teachers, principals, or other school leaders including mid-career professionals from other occupations, former military personnel, and recent graduates of institutions of higher education with a record of academic distinction who demonstrate potential to become effective teachers, principals, or other school leaders;

''(D) reducing class size to an evidence-based level to improve student achievement through the recruiting and hiring of additional effective teachers;

''(E) providing high-quality, personalized professional development for teachers, instructional leadership teams, principals, and other school leaders, focused on improving teaching and student learning and achievement, including supporting efforts to train teachers, principals, and other school leaders to—

''(i) effectively integrate technology into curricula and instruction (including education about the harms of copyright piracy);

''(ii) use data from such technology to improve student achievement;

''(iii) effectively engage parents, families and community partners, and coordinate services between school and community;

''(iv) help all students develop the academic and nonacademic skills essential for learning readiness and academic success; and

''(v) develop policy with school, local educational agency, community, or State leaders;

''(F) developing programs and activities that increase the ability of teachers to effectively teach children with disabilities, including children with significant cognitive disabilities, which may include the use of multi-tier systems of support and positive behavioral intervention and supports, and students who are English learners, so that such children with disabilities and students who are English learners can meet the challenging State academic standards described in section 1111(b)(1);

''(G) providing programs and activities to increase—

''(i) the knowledge base of teachers, principals, and other school leaders on instruction in the early grades and on strategies to measure whether young children are progressing; and

''(ii) the ability of principals and other school leaders to support teachers, teacher leaders, early childhood educators, and other professionals to meet the needs of students through age 8, which may include providing joint professional learning and planning activities for school staff and educators in preschool programs that address the transition to elementary school;

''(H) providing training, technical assistance, and capacity-building in local educational agencies to assist teachers and school leaders with selecting and implementing formative assessments, designing classroom-based assessments, and using data from such assessments to improve instruction and student academic achievement, which may include providing additional time for teachers to review student data and respond, as appropriate;

''(I) supporting teacher, principal, and school leader residency programs;

''(J) reforming or improving teacher, principal, and other school leader preparation programs;

''(K) carrying out in-service training for school personnel in—

''(i) the techniques and supports needed for early identification of children with trauma histories, and children with, or at risk of, mental illness;

''(ii) the use of referral mechanisms that effectively link such children to appropriate treatment and intervention services in the school and in the community, where appropriate; and

''(iii) forming partnerships between school-based mental health programs and public or private mental health organizations;

''(L) providing training to support the identification of students who are gifted and talented, including high-ability students who have not been formally identified for gifted education services, and implementing instructional practices that support the education of such students, such as—

''(i) early entrance to kindergarten;

''(ii) enrichment, acceleration, and curriculum compacting activities; and

''(iii) dual or concurrent enrollment in secondary school and postsecondary education;

''(M) supporting the instructional services provided by school librarians;

''(N) providing general liability insurance coverage for teachers related to actions performed in the scope of their duties;

''(O) providing training for all school personnel, including teachers, principals, other school leaders, specialized instructional support personnel, and paraprofessionals, regarding how to prevent and recognize child sexual abuse;

''(P) developing and providing professional development and instructional materials for science, technology, engineering, and mathematics subjects, including computer science;

''(Q) providing training for teachers, principals, and other school leaders to address school climate issues such as school violence, bullying, harassment, drug and alcohol use and abuse, and rates of chronic absenteeism (including both excused and unexcused absences);

''(R) increasing time for common planning, within and across content areas and grade levels;

''(S) increasing opportunities for teacher-designed and implemented professional development activities, which may include opportunities for experiential learning through observation;

''(T) developing feedback mechanisms to improve school working conditions;

''(U) providing high-quality professional development for teachers, principals, and other school leaders on effective strategies to integrate academic and career and technical education content, which may include common planning time; and

''(V) carrying out other evidence-based activities identified by the local educational agency that meet the purpose of this title.

''(c) PRINCIPLES OF EFFECTIVENESS.—

''(1) IN GENERAL.—For a program or activity supported with funds provided under this part to meet principles of effectiveness, such program or activity shall—

''(A) be based on an assessment of objective data regarding the need for programs and activities in the schools to be served to—

''(i) increase the number of teachers, principals, and other school leaders who are effective in improving student academic achievement;

''(ii) ensure that low-income and minority students are served by effective teachers, principals, and other school leaders; and

''(iii) ensure that low-income and minority students have access to a high-quality instructional program;

''(B) be based on established and evidence-based criteria—

''(i) aimed at ensuring that all students receive a high-quality education taught by effective teachers and attend schools led by effective principals and other school leaders; and

''(ii) that result in improved student academic achievement in the school served by the program or activity; and

''(C) include meaningful and ongoing consultation with and input from teachers, teacher organizations, principals, other school leaders, specialized instructional support personnel, parents, community partners, and (where applicable) institutions of higher education, in the development of the application and administration of the program or activity.

''(2) PERIODIC EVALUATION.—

''(A) IN GENERAL.—A program or activity carried out under this section shall undergo a periodic evaluation to assess its progress toward achieving the goal of providing students with a high-quality education, taught by effective teachers, in schools led by effective principals and school leaders that results in improved student academic achievement.

''(B) USE OF RESULTS.—The results of an evaluation described in subparagraph (A) shall be—

''(i) used to refine, improve, and strengthen the program or activity, and to refine the criteria described in paragraph (1)(B); and

''(ii) made available to the public upon request, with public notice of such availability provided.

''(3) PROHIBITION.—Nothing in this subsection shall be construed to authorize the Secretary or any other officer or employee of the Federal Government to mandate, direct, or control the principles of effectiveness developed by local educational agencies under paragraph (1) or the specific programs or activities that will be implemented by a local educational agency.

''SEC. 2104. REPORTING.

''(a) STATE REPORT.—Each State educational agency receiving funds under this part shall annually submit to the Secretary a report that provides—

''(1) the number and percentage of teachers, principals, and other school leaders in the State and each local educational agency in the State who are licensed or certified, provided such information does not reveal personally identifiable information;

''(2) the first-time passing rate of teachers and principals in the State and each local educational agency in the State on teacher and principal licensure examinations, provided such information does not reveal personally identifiable information;

''(3) a description of how chosen professional development activities improved teacher and principal performance; and

''(4) if funds are used under this part to improve equitable access to teachers, principals, and other school leaders for low-income and minority students, a description of how funds have been used to improve such access.

''(b) LOCAL EDUCATIONAL AGENCY REPORT.—Each local educational agency receiving funds under this part shall submit to the State educational agency such information as the State requires, which shall include the information described in subsection (a) for the local educational agency.

''(c) AVAILABILITY.—The reports and information provided under subsections (a) and (b) shall be made readily available to the public.

''(d) LIMITATION.—The reports and information provided under subsections (a) and (b) shall not reveal personally identifiable information about any individual.

''SEC. 2105. NATIONAL ACTIVITIES OF DEMONSTRATED EFFECTIVENESS.

''(a) IN GENERAL.—From the funds appropriated under section 2003(b) to carry out this section, the Secretary—

''(1) shall reserve such funds as are necessary to carry out activities under subsection (b);

''(2) shall reserve not less than 40 percent of the funds appropriated under such section to carry out activities under subsection (c); and

''(3) shall reserve not less than 40 percent of such funds to carry out activities under subsection (d).

''(b) TECHNICAL ASSISTANCE AND NATIONAL EVALUATION.—From the funds reserved by the Secretary under subsection (a)(1), the Secretary—

''(1) shall establish, in a manner consistent with section 203 of the Educational Technical Assistance Act of 2002, a comprehensive center on students at risk of not attaining full literacy skills due to a disability, which shall—

''(A) identify or develop free or low-cost evidence-based assessment tools for identifying students at risk of not attaining full literacy skills due to a disability, including dyslexia impacting reading and writing, or developmental delay impacting reading, writing, language processing, comprehension, or executive functioning;

''(B) identify evidence-based literacy instruction, strategies, and accommodations, including assistive technology, designed to meet the specific needs of such students;

''(C) provide families of such students with information to assist such students;

''(D) identify or develop evidence-based professional development for teachers, paraprofessionals, principals, other school leaders, and specialized instructional support personnel to—

''(i) understand early indicators of students at risk of not attaining full literacy skills due to a disability, including dyslexia impacting reading and writing, or developmental delay impacting reading, writing, language processing, comprehension, or executive functioning;

''(ii) use evidence-based screening assessments for early identification of such students beginning not later than kindergarten; and

''(iii) implement evidence-based instruction designed to meet the specific needs of such students; and

''(E) disseminate the products of the comprehensive center to regionally diverse State educational agencies, local educational agencies, regional educational agencies, and schools, including, as appropriate, through partnerships with other comprehensive centers established under section 203 of the Educational Technical Assistance Act of 2002 and regional educational laboratories established under section 174 of the Education Sciences Reform Act of 2002; and

''(2) may—

''(A) provide technical assistance, which may be carried out directly or through grants or contracts, to States and local educational agencies carrying out activities under this part; and

''(B) carry out evaluations of activities by States and local educational agencies under this part, which shall be conducted by a third party or by the Institute of Education Sciences.

''(c) PROGRAMS OF NATIONAL SIGNIFICANCE.—

''(1) IN GENERAL.—From the funds reserved by the Secretary under subsection (a)(2), the Secretary shall award grants, on a competitive basis, to eligible entities for the purposes of—

''(A) providing teachers, principals, and other school leaders from nontraditional preparation and certification routes or pathways to serve in traditionally underserved local educational agencies;

''(B) providing evidence-based professional development activities that addresses literacy, numeracy, remedial, or other needs of local educational agencies and the students the agencies serve;

''(C) making freely available services and learning opportunities to local educational agencies, through partnerships and cooperative agreements or by making the services or opportunities publicly accessible through electronic means; or

''(D) providing teachers, principals, and other school leaders with evidence-based professional enhancement activities, which may include activities that lead to an advanced credential.

''(2) PROGRAM PERIODS AND DIVERSITY OF PROJECTS.—

''(A) IN GENERAL.—A grant awarded by the Secretary to an eligible entity under this subsection shall be for a period of not more than 3 years.

''(B) RENEWAL.—The Secretary may renew a grant awarded under this subsection for 1 additional 2-year period.

''(C) DIVERSITY OF PROJECTS.—In awarding grants under this subsection, the Secretary shall ensure that, to the extent practicable, grants are distributed among eligible entities that will serve geographically diverse areas, including urban, suburban, and rural areas.

''(D) LIMITATION.—The Secretary shall not award more than 1 grant under this subsection to an eligible entity during a grant competition.

''(3) COST-SHARING.—

''(A) IN GENERAL.—An eligible entity that receives a grant under this subsection shall provide, from non-Federal sources, not less than 25 percent of the funds for the total cost for each year of activities carried out under this subsection.

''(B) ACCEPTABLE CONTRIBUTIONS.—An eligible entity that receives a grant under this subsection may meet the requirement of subparagraph (A) by providing contributions in cash or in kind, fairly evaluated, including plant, equipment, and services.

''(C) WAIVERS.—The Secretary may waive or modify the requirement of subparagraph (A) in cases of demonstrated financial hardship.

''(4) APPLICATIONS.—In order to receive a grant under this subsection, an eligible entity shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may reasonably require. Such application shall include, at a minimum, a certification that the services provided by an eligible entity under the grant to a local educational agency or to a school served by the local educational agency will not result in direct fees for participating students or parents.

''(5) DEFINITION OF ELIGIBLE ENTITY.—In this subsection, the term 'eligible entity' means—

''(A) an institution of higher education that provides course materials or resources that are evidence-based in increasing academic achievement, graduation rates, or rates of postsecondary education matriculation;

''(B) a national nonprofit entity with a demonstrated record of raising student academic achievement, graduation rates, and rates of higher education attendance, matriculation, or completion, or of effectiveness in providing preparation and professional development activities and programs

for teachers, principals, and other school leaders; or

''(C) a partnership consisting of—

''(i) 1 or more entities described in subparagraph (A) or (B); and

''(ii) a for-profit entity.

''(d) SCHOOL LEADER RECRUITMENT AND SUPPORT PROGRAMS.—

''(1) IN GENERAL.—From the funds reserved by the Secretary under subsection (a)(3), the Secretary shall award grants, on a competitive basis, to eligible entities to enable such entities to improve the recruitment, preparation, placement, support, and retention of effective principals and other school leaders in high-need schools, which may include—

''(A) developing or implementing leadership training programs designed to prepare and support principals and other school leaders in high-need schools, including through new or alternative pathways and school leader residency programs;

''(B) developing or implementing programs or activities for recruiting, selecting, and developing aspiring or current principals and other school leaders to serve in high-need schools;

''(C) developing or implementing programs for recruiting, developing, and placing school leaders to improve schools identified for intervention and support under section 1114(a)(1)(A), including through cohort-based activities that build effective instructional and school leadership teams and develop a school culture, design, instructional program, and professional development program focused on improving student learning;

''(D) providing continuous professional development for principals and other school leaders in high-need schools;

''(E) developing and disseminating information on best practices and strategies for effective school leadership in high-need schools, such as training and supporting principals to identify, develop, and maintain school leadership teams using various leadership models; and

''(F) other evidence-based programs or activities described in section 2101(c)(3) or section 2103(b)(4) focused on principals and other school leaders in high-need schools.

''(2) PROGRAM PERIODS AND DIVERSITY OF PROJECTS.—

''(A) IN GENERAL.—A grant awarded by the Secretary to an eligible entity under this subsection shall be for a period of not more than 5 years.

''(B) RENEWAL.—The Secretary may renew a grant awarded under this subsection for 1 additional 2-year period.

''(C) DIVERSITY OF PROJECTS.—In awarding grants under this subsection, the Secretary shall ensure that, to the extent practicable, grants are distributed among eligible entities that will serve geographically diverse areas, including urban, suburban, and rural areas.

''(D) LIMITATION.—The Secretary shall not award more than 1 grant under this subsection to an eligible entity during a grant competition.

''(3) COST-SHARING.—

''(A) IN GENERAL.—An eligible entity that receives a grant under this subsection shall provide, from non-Federal sources, not less than 25 percent of the funds for the total cost for each year of activities carried out under this subsection.

''(B) ACCEPTABLE CONTRIBUTIONS.—An eligible entity that receives a grant under this subsection may meet the requirement of subparagraph (A) by providing contributions in cash or in-kind, fairly evaluated, including plant, equipment, and services.

''(C) WAIVERS.—The Secretary may waive or modify the requirement of subparagraph (A) in cases of demonstrated financial hardship.

''(4) APPLICATIONS.—An eligible entity that desires a grant under this subsection shall submit to the Secretary an application at such time, in such manner, and accompanied by such information as the Secretary may require.

''(5) PRIORITY.—In awarding grants under this subsection, the Secretary shall give priority to an eligible entity with a record of preparing or developing principals who—

''(A) have improved school-level student outcomes;

''(B) have become principals in high-need schools; and

''(C) remain principals in high-need schools for multiple years.

''(6) DEFINITIONS.—In this subsection—

''(A) the term 'eligible entity' means—

''(i) a local educational agency, including an educational service agency, that serves a high-need school or a consortium of such agencies;

''(ii) a State educational agency or a consortium of such agencies;

''(iii) a State educational agency in partnership with 1 or more local educational agencies or educational service agencies that serve a high-need school; or

''(iv) an entity described in clause (i), (ii), or (iii) in partnership with 1 or more nonprofit organizations or institutions of higher education; and

''(B) the term 'high-need school' means—

''(i) an elementary school in which not less than 50 percent of the enrolled students are from families with incomes below the poverty line; or

''(ii) a high school in which not less than 40 percent of the enrolled students are from families with incomes below the poverty line.

"SEC. 2106. SUPPLEMENT, NOT SUPPLANT.

''Funds made available under this part shall be used to supplement, and not supplant, non-Federal funds that would otherwise be used for activities authorized under this part.

"PART B—TEACHER AND SCHOOL LEADER INCENTIVE PROGRAM

"SEC. 2201. PURPOSES; DEFINITIONS.

''(a) PURPOSES.—The purposes of this part are—

''(1) to assist States, local educational agencies, and nonprofit organizations to develop, implement, improve, or expand comprehensive performance-based compensation systems or human capital management systems for teachers, principals, and other school leaders (especially for teachers, principals, and other school leaders in high-need schools) who raise student academic achievement and close the achievement gap between high- and low-performing students; and

''(2) to study and review performance-based compensation systems or human capital management systems for teachers, principals, and other school leaders to evaluate the effectiveness, fairness, quality, consistency, and reliability of the systems.

''(b) DEFINITIONS.—In this part:

''(1) ELIGIBLE ENTITY.—The term 'eligible entity' means—

''(A) a local educational agency, including a charter school that is a local educational agency, or a consortium of local educational agencies;

''(B) a State educational agency or other State agency designated by the chief executive of a State to participate under this part; or

''(C) a partnership consisting of—

''(i) 1 or more agencies described in subparagraph (A) or (B); and

''(ii) at least 1 nonprofit or for-profit entity.

''(2) HIGH-NEED SCHOOL.—The term 'high-need school' means a public elementary school or secondary school that is located in an area in which the percentage of students from families with incomes below the poverty line is 30 percent or more.

''(3) HUMAN CAPITAL MANAGEMENT SYSTEM.—The term 'human capital management system' means a system—

''(A) by which a local educational agency makes and implements human capital decisions, such as decisions on preparation, recruitment, hiring, placement, retention, dismissal, compensation, professional development, tenure, and promotion; and

''(B) that includes a performance-based compensation system.

''(4) PERFORMANCE-BASED COMPENSATION SYSTEM.—The term 'performance-based compensation system' means a system of compensation for teachers, principals, and other school leaders that—

''(A) differentiates levels of compensation based in part on measurable increases in student academic achievement; and

''(B) may include—

''(i) differentiated levels of compensation, which may include bonus pay, on the basis of the employment responsibilities and success of effective teachers, principals, and other school leaders in hard-to-staff schools or high-need subject areas; and

''(ii) recognition of the skills and knowledge of teachers, principals, and other school leaders as demonstrated through—

''(I) successful fulfillment of additional responsibilities or job functions, such as teacher leadership roles; and

''(II) evidence of professional achievement and mastery of content knowledge and superior teaching and leadership skills.

"SEC. 2202. TEACHER AND SCHOOL LEADER INCENTIVE FUND GRANTS.

''(a) GRANTS AUTHORIZED.—From the amounts appropriated to carry out this part, the Secretary shall award grants, on a competitive basis, to eligible entities to enable the eligible entities to develop, implement, improve, or expand performance-based compensation systems or human capital management systems, in schools served by the eligible entity.

''(b) DURATION OF GRANTS.—

''(1) IN GENERAL.—A grant awarded under this part shall be for a period of not more than 3 years.

''(2) RENEWAL.—The Secretary may renew a grant awarded under this part for a period of up to 2 years if the grantee demonstrates to the Secretary that the grantee is effectively utilizing funds. Such renewal may include allowing the grantee to scale up or replicate the successful program.

''(3) LIMITATION.—A local educational agency may receive (whether individually or as part of a consortium or partnership) a grant under this part only twice, as of the date of enactment of the Every Child Achieves Act of 2015.

''(c) APPLICATIONS.—An eligible entity desiring a grant under this part shall submit an application to the Secretary, at such time, in such manner, and containing such information as the Secretary may reasonably require. The application shall include—

''(1) a description of the performance-based compensation system or human capital management system that the eligible entity proposes to develop, implement, improve, or expand through the grant;

''(2) a description of the most pressing gaps or insufficiencies in student access to effective teachers and school leaders in high-need schools, including gaps or inequities in how effective teachers and school leaders are distributed across the local educational agency, as identified using factors such as data on school resources, staffing patterns, school environment, educator support systems, and other school-level factors;

''(3) a description and evidence of the support and commitment from teachers, principals, and other school leaders, which may include charter school leaders, in the school (including organizations representing teachers, principals, and other school leaders), the community, and the local educational agency to the activities proposed under the grant;

''(4) a description of how the eligible entity will develop and implement a fair, rigorous, valid, reliable, and objective process to evaluate teacher, principal, school leader, and student performance under the system that is based in part on measures of student academic achievement, including the baseline performance against which evaluations of improved performance will be made;

''(5) a description of the local educational agencies or schools to be served under the grant, including such student academic achievement, demographic, and socioeconomic information as the Secretary may request;

''(6) a description of the quality of teachers, principals, and other school leaders in the local educational agency and the schools to be served under the grant and the extent to which the system will increase the quality of teachers, principals, and other school leaders in a high-need school;

''(7) a description of how the eligible entity will use grant funds under this part in each year of the grant, including a timeline for implementation of such activities;

''(8) a description of how the eligible entity will continue the activities assisted under the grant after the grant period ends;

''(9) a description of the State, local, or other public or private funds that will be used to supplement the grant, including funds under part A, and sustain the activities assisted under the grant at the end of the grant period;

''(10) a description of—

''(A) the rationale for the project;

''(B) how the proposed activities are evidence-based; and

''(C) if applicable, the prior experience of the eligible entity in developing and implementing such activities; and

''(11) a description of how activities funded under this part will be evaluated, monitored, and publically reported.

''(d) AWARD BASIS.—

''(1) PRIORITY.—In awarding a grant under this part, the Secretary shall give priority to an eligible entity that concentrates the activities proposed to be assisted under the grant on teachers, principals, and other school leaders serving in high-need schools.

''(2) EQUITABLE DISTRIBUTION.—To the extent practicable, the Secretary shall ensure an equitable geographic distribution of grants under this part, including the distribution of such grants between rural and urban areas.

''(e) USE OF FUNDS.—

''(1) IN GENERAL.—An eligible entity that receives a grant under this part shall use the grant funds to develop, implement, improve, or expand, in collaboration with teachers, principals, other school leaders, and members of the public, a performance-based compensation system or human capital management system consistent with this part.

''(2) AUTHORIZED ACTIVITIES.—Grant funds under this part may be used for the following:

''(A) Developing or improving an evaluation and support system, including as part of a human capital management system as applicable, that—

''(i) reflects clear and fair measures of teacher, principal, and other school leader performance, based in part on demonstrated improvement in student academic achievement; and

''(ii) provides teachers, principals, and other school leaders with ongoing, differentiated, targeted, and personalized support and feedback for improvement, including professional development opportunities designed to increase effectiveness.

''(B) Conducting outreach within a local educational agency or a State to gain input on how to construct an evaluation system described in subparagraph (A) and to develop support for the evaluation system, including by training appropriate personnel in how to observe and evaluate teachers, principals, and other school leaders.

''(C) Providing principals and other school leaders with—

''(i) balanced autonomy to make budgeting, scheduling, and other school-level decisions in a manner that meets the needs of the school without compromising the intent or essential components of the policies of the local educational agency or State; and

''(ii) authority to make staffing decisions that meet the needs of the school, such as building an instructional leadership team that includes teacher leaders or offering opportunities for teams or pairs of effective teachers or candidates to teach or start teaching in high-need schools together.

''(D) Implementing, as part of a comprehensive performance-based compensation system, a differentiated salary structure, which may include bonuses and stipends, to—

''(i) teachers who—

''(I)(aa) teach in high-need schools; or

''(bb) teach in high-need subjects;

''(II) raise student academic achievement; or

''(III) take on additional leadership responsibilities; or

''(ii) principals and other school leaders who serve in high-need schools and raise student academic achievement in the schools.

''(E) Improving the local educational agency's system and process for the recruitment, selection, placement, and retention of effective teachers and school leaders in high-need schools, such as by improving local educational agency policies and procedures to ensure that high-need schools are competitive and timely in—

''(i) attracting, hiring, and retaining effective educators;

''(ii) offering bonuses or higher salaries to effective teachers; or

''(iii) establishing or strengthening residency programs.

''(F) Instituting career advancement opportunities characterized by increased responsibility and pay that reward and recognize effective teachers and school leaders in high-need schools and enable them to expand their leadership and results, such as through teacher-led professional development, mentoring, coaching, hybrid roles, administrative duties, and career ladders.

''(f) MATCHING REQUIREMENT.—Each eligible entity that receives a grant under this part shall provide, from non-Federal sources, an amount equal to 50 percent of the amount of the grant (which may be provided in cash or in-kind) to carry out the activities supported by the grant.

''(g) SUPPLEMENT, NOT SUPPLANT.—Grant funds provided under this part shall be used to supplement, not supplant, other Federal or State funds available to carry out activities described in this part.

"SEC. 2203. REPORTS.

''(a) ACTIVITIES SUMMARY.—Each eligible entity receiving a grant under this part shall provide to the Secretary a summary of the activities assisted under the grant.

''(b) REPORT.—The Secretary shall provide to Congress an annual report on the implementation of the program carried out under this part, including—

''(1) information on eligible entities that received grant funds under this part, including—

''(A) information provided by eligible entities to the Secretary in the applications submitted under section 2202(c);

''(B) the summaries received under subsection (a); and

''(C) grant award amounts; and

''(2) student academic achievement and, as applicable, growth data from the schools participating in the programs supported under the grant.

''(c) EVALUATION AND TECHNICAL ASSISTANCE.—

''(1) RESERVATION OF FUNDS.—Of the total amount reserved under section 2003(c) for this part for a fiscal year, the Secretary may reserve for such fiscal year not more than 1 percent for the cost of the evaluation under paragraph (2) and for technical assistance in carrying out this part.

''(2) EVALUATION.—From amounts reserved under paragraph (1), the Secretary, acting through the Director of the Institute of Education Sciences, shall carry out an independent evaluation to measure the effectiveness of the program assisted under this part.

''(3) CONTENTS.—The evaluation under paragraph (2) shall measure—

''(A) the effectiveness of the program in improving student academic achievement;

''(B) the satisfaction of the participating teachers, principals, and other school leaders; and

''(C) the extent to which the program assisted the eligible entities in recruiting and retaining high-quality teachers, principals, and other school leaders, especially in high-need subject areas.''.

SEC. 2003. AMERICAN HISTORY AND CIVICS EDUCATION.

Title II (20 U.S.C. 6601 et seq.), as amended by section 2002, is further amended by adding at the end the following:

"PART C—AMERICAN HISTORY AND CIVICS EDUCATION

"SEC. 2301. PROGRAM AUTHORIZED.

''(a) IN GENERAL.—From amounts appropriated to carry out this part, the Secretary is authorized to carry out an American history and civics education program to improve—

''(1) the quality of American history, civics, and government education by educating students about the history and principles of the Constitution of the United States, including the Bill of Rights; and

''(2) the quality of the teaching of American history, civics, and government in elementary schools and secondary schools, including the teaching of traditional American history.

''(b) FUNDING ALLOTMENT.—From amounts made available under section 2305 for a fiscal year, the Secretary shall—

''(1) use not less than 85 percent for activities under section 2302;

''(2) use not less than 10 percent for activities under section 2303; and

''(3) use not more than 5 percent for activities under section 2304.

"SEC. 2302. TEACHING OF TRADITIONAL AMERICAN HISTORY.

''(a) IN GENERAL.—From the amounts reserved by the Secretary under section 2301(b)(1), the Secretary shall award grants, on a competitive basis, to local educational agencies—

''(1) to carry out activities to promote the teaching of traditional American history in elementary schools and secondary schools as a separate academic subject (not as a component of social studies); and

''(2) for the development, implementation, and strengthening of programs to teach traditional American history as a separate academic subject (not as a component of social

studies) within elementary school and secondary school curricula, including the implementation of activities—

''(A) to improve the quality of instruction; and

''(B) to provide professional development and teacher education activities with respect to American history.

''(b) REQUIRED PARTNERSHIP.—A local educational agency that receives a grant under subsection (a) shall carry out activities under the grant in partnership with 1 or more of the following:

''(1) An institution of higher education.

''(2) A nonprofit history or humanities organization.

''(3) A library or museum.

''(c) APPLICATION.—To be eligible to receive a grant under this section, a local educational agency shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may reasonably require.

''(d) GRANT TERMS.—Grants awarded under subsection (a) shall be for a term of not more than 5 years.

''SEC. 2303. PRESIDENTIAL AND CONGRESSIONAL ACADEMIES FOR AMERICAN HISTORY AND CIVICS.

''(a) IN GENERAL.—From the amounts reserved under section 2301(b)(2), the Secretary shall award not more than 12 grants, on a competitive basis, to—

''(1) eligible entities to establish Presidential Academies for the Teaching of American History and Civics (in this section referred to as the 'Presidential Academies') in accordance with subsection (e); and

''(2) eligible entities to establish Congressional Academies for Students of American History and Civics (in this section referred to as the 'Congressional Academies') in accordance with subsection (f).

''(b) APPLICATION.—An eligible entity that desires to receive a grant under subsection (a) shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may reasonably require.

''(c) ELIGIBLE ENTITY.—The term 'eligible entity' under this section means—

''(1) an institution of higher education or nonprofit educational organization, museum, library, or research center with demonstrated expertise in historical methodology or the teaching of American history and civics; or

''(2) a consortium of entities described in paragraph (1).

''(d) GRANT TERMS.—Grants awarded to eligible entities under subsection (a) shall be for a term of not more than 5 years.

''(e) PRESIDENTIAL ACADEMIES.—

''(1) USE OF FUNDS.—Each eligible entity that receives a grant under subsection (a)(1) shall use the grant funds to establish a Presidential Academy that offers a seminar or institute for teachers of American history and civics, which—

''(A) provides intensive professional development opportunities for teachers of American history and civics to strengthen such teachers' knowledge of the subjects of American history and civics;

''(B) is led by a team of primary scholars and core teachers who are accomplished in the field of American history and civics;

''(C) is conducted during the summer or other appropriate time; and

''(D) is of not less than 2 weeks and not more than 6 weeks in duration.

''(2) SELECTION OF TEACHERS.—Each year, each Presidential Academy shall select between 50 and 300 teachers of American history and civics from public or private elementary schools and secondary schools to attend the seminar or institute under paragraph (1).

''(3) TEACHER STIPENDS.—Each teacher selected to participate in a seminar or institute under this subsection shall be awarded a fixed stipend based on the length of the seminar or institute to ensure that such teacher does not incur personal costs associated with the teacher's participation in the seminar or institute.

''(4) PRIORITY.—In awarding grants under this subsection, the Secretary shall give priority to eligible entities that coordinate or align their activities with the National Park Service National Centennial Parks initiative to develop innovative and comprehensive programs using the resources of the National Parks.

''(f) CONGRESSIONAL ACADEMIES.—

''(1) USE OF FUNDS.—Each eligible entity that receives a grant under subsection (a)(2) shall use the grant funds to establish a Congressional Academy that offers a seminar or institute for outstanding students of American history and civics, which—

''(A) broadens and deepens such students' understanding of American history and civics;

''(B) is led by a team of primary scholars and core teachers who are accomplished in the field of American history and civics;

''(C) is conducted during the summer or other appropriate time; and

''(D) is of not less than 2 weeks and not more than 6 weeks in duration.

''(2) SELECTION OF STUDENTS.—

''(A) IN GENERAL.—Each year, each Congressional Academy shall select between 100 and 300 eligible students to attend the seminar or institute under paragraph (1).

''(B) ELIGIBLE STUDENTS.—A student shall be eligible to attend a seminar or institute offered by a Congressional Academy under this subsection if the student—

''(i) is recommended by the student's secondary school principal or other school leader to attend the seminar or institute; and

''(ii) will be a junior or senior in the academic year following attendance at the seminar or institute.

''(3) STUDENT STIPENDS.—Each student selected to participate in a seminar or institute under this subsection shall be awarded a fixed stipend based on the length of the seminar or institute to ensure that such student does not incur personal costs associated with the student's participation in the seminar or institute.

''(g) MATCHING FUNDS.—

''(1) IN GENERAL.—An eligible entity that receives funds under subsection (a) shall provide, toward the cost of the activities assisted under the grant, from non-Federal sources, an amount equal to 100 percent of the amount of the grant.

''(2) WAIVER.—The Secretary may waive all or part of the matching requirement described in paragraph (1) for any fiscal year for an eligible entity if the Secretary determines that applying the matching requirement would result in serious hardship or an inability to carry out the activities described in subsection (e) or (f).

''SEC. 2304. NATIONAL ACTIVITIES.

''(a) PURPOSE.—The purpose of this section is to promote new and existing evidence-based strategies to encourage innovative American history, civics and government, and geography instruction, learning strategies, and professional development activities and programs for teachers, principals, and other school leaders, particularly such instruction, strategies, activities, and programs that benefit low-income students and underserved populations.

''(b) IN GENERAL.—From the funds reserved by the Secretary under section 2301(b)(3), the Secretary shall award grants, on a competitive basis, to eligible entities for the purposes of—

''(1) expanding, developing, implementing, evaluating, and disseminating for voluntary use, innovative, evidenced-based approaches or professional development programs in American history, civics and government, and geography, which may include—

''(A) hands-on civic engagement activities for teachers and low-income students; and

''(B) programs that educate students about the history and principles of the Constitution of the United States, including the Bill of Rights and that demonstrate scalability, accountability, and a focus on underserved populations; and

''(2) developing other innovative approaches that—

''(A) improve the quality of student achievement in, and teaching of, American history, civics and government, and geography, in elementary schools and secondary schools; and

''(B) demonstrate innovation, scalability, accountability, and a focus on underserved populations.

''(c) PROGRAM PERIODS AND DIVERSITY OF PROJECTS.—

''(1) IN GENERAL.—A grant awarded by the Secretary to an eligible entity under this section shall be for a period of not more than 3 years.

''(2) RENEWAL.—The Secretary may renew a grant awarded under this section for 1 additional 2-year period.

''(3) DIVERSITY OF PROJECTS.—In awarding grants under this section, the Secretary shall ensure that, to the extent practicable, grants are distributed among eligible entities that will serve geographically diverse areas, including urban, suburban, and rural areas.

''(d) APPLICATIONS.—In order to receive a grant under this section, an eligible entity shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may reasonably require.

''(e) ELIGIBLE ENTITY.—In this section, the term 'eligible entity' means an institution of higher education or other nonprofit or for-profit organization with demonstrated expertise in the development of evidence-based approaches for improving the quality of American history, geography, and civics learning and teaching.

''SEC. 2305. AUTHORIZATION OF APPROPRIATIONS.

''There are authorized to be appropriated to carry out this part such sums as may be necessary for fiscal years 2016 through 2021.''.

SEC. 2004. LITERACY EDUCATION.

Title II (20 U.S.C. 6601 et seq.), as amended by sections 2001 through 2003, is further amended by adding at the end the following:

''PART D—LITERACY EDUCATION FOR ALL, RESULTS FOR THE NATION

''SEC. 2401. PURPOSES; DEFINITIONS.

''(a) PURPOSES.—The purposes of this part are—

''(1) to improve student academic achievement in reading and writing by providing Federal support to States to develop, revise, or update comprehensive literacy instruction plans that, when implemented, ensure high-quality instruction and effective strategies in reading and writing from early education through grade 12; and

''(2) for States to provide targeted subgrants to State-designated early childhood education programs and local educational agencies and their public or private partners to implement evidenced-based programs that ensure high-quality comprehensive literacy instruction for students most in need.

''(b) DEFINITIONS.—In this part:

''(1) COMPREHENSIVE LITERACY INSTRUCTION.—The term 'comprehensive literacy instruction' means instruction that—

''(A) includes developmentally appropriate, contextually explicit, and systematic instruction, and frequent practice, in reading and writing across content areas;

''(B) includes age-appropriate, explicit, systematic, and intentional instruction in phonological awareness, phonic decoding, vocabulary, language structure, reading fluency, and reading comprehension;

''(C) includes age-appropriate, explicit instruction in writing, including opportunities for children to write with clear purposes, with critical reasoning appropriate to the topic and purpose, and with specific instruction and feedback from instructional staff;

''(D) makes available and uses diverse, high-quality print materials that reflect the reading and development levels, and interests, of children;

''(E) uses differentiated instructional approaches, including individual and small group instruction and discussion;

''(F) provides opportunities for children to use language with peers and adults in order to develop language skills, including developing vocabulary;

''(G) includes frequent practice of reading and writing strategies;

''(H) uses age-appropriate, valid, and reliable screening assessments, diagnostic assessments, formative assessment processes, and summative assessments to identify a child's learning needs, to inform instruction, and to monitor the child's progress and the effects of instruction;

''(I) uses strategies to enhance children's motivation to read and write and children's engagement in self-directed learning;

''(J) incorporates the principles of universal design for learning;

''(K) depends on teachers' collaboration in planning, instruction, and assessing a child's progress and on continuous professional learning; and

''(L) links literacy instruction to the challenging State academic standards under section 1111(b)(1), including the ability to navigate, understand, and write about, complex print and digital subject matter.

''(2) ELIGIBLE ENTITY.—The term 'eligible entity' means an entity that serves a high percentage of high-need schools and consists of—

''(A) one or more local educational agencies that—

''(i) have the highest number or proportion of children who are counted under section 1124(c), in comparison to other local educational agencies in the State;

''(ii) are among the local educational agencies in the State with the highest number or percentages of children reading or writing below grade level, based on the most currently available State academic assessment data under section 1111(b)(2); or

''(iii) serve a significant number or percentage of schools that are identified under section 1114(a)(1)(A);

''(B) one or more State-designated early childhood education programs, which may include home-based literacy programs for preschool aged children, that have a demonstrated record of providing comprehensive literacy instruction for the age group such program proposes to serve; or

''(C) a local educational agency, described in subparagraph (A), or consortium of such local educational agencies, or a State-designated early childhood education program, which may include home-based literacy programs for preschool aged children, acting in partnership with 1 or more public or private nonprofit organizations or agencies (which may include State-designated early childhood education programs) that have a demonstrated record of effectiveness in—

''(i) improving literacy achievement of children, consistent with the purposes of their participation, from birth through grade 12; and

''(ii) providing professional development in comprehensive literacy instruction.

''(3) HIGH-NEED SCHOOL.—

''(A) IN GENERAL.—The term 'high-need school' means—

''(i) an elementary school or middle school in which not less than 50 percent of the enrolled students are children from low-income families; or

''(ii) a high school in which not less than 40 percent of the enrolled students are children from low-income families, which may be calculated using comparable data from the schools that feed into the high school.

''(B) LOW-INCOME FAMILY.—For purposes of subparagraph (A), the term 'low-income family' means a family—

''(i) in which the children are eligible for a free or reduced price lunch under the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.);

''(ii) receiving assistance under the program of block grants to States for temporary assistance for needy families established under part A of title IV of the Social Security Act (42 U.S.C. 601 et seq.); or

''(iii) in which the children are eligible to receive medical assistance under the Medicaid program under title XIX of the Social Security Act (42 U.S.C. 1396 et seq.).

''SEC. 2402. COMPREHENSIVE LITERACY STATE DEVELOPMENT GRANTS.

''(a) GRANTS AUTHORIZED.—From the amounts appropriated to carry out this part and not reserved under subsection (b), the Secretary shall award grants, on a competitive basis, to State educational agencies to enable the State educational agencies to—

''(1) provide subgrants to eligible entities serving a diversity of geographic areas, giving priority to entities serving greater numbers or percentages of disadvantaged children; and

''(2) develop or enhance comprehensive literacy instruction plans that ensure high-quality instruction and effective strategies in reading and writing for children from early childhood education through grade 12, including English learners and children with disabilities.

''(b) RESERVATION.—From the amounts appropriated to carry out this part for a fiscal year, the Secretary shall reserve—

''(1) not more than a total of 5 percent for national activities including a national evaluation, technical assistance and training, data collection, and reporting;

''(2) one-half of 1 percent for the Secretary of the Interior to carry out a program described in this part at schools operated or funded by the Bureau of Indian Education; and

''(3) one-half of 1 percent for the outlying areas to carry out a program under this part.

''(c) DURATION OF GRANTS.—A grant awarded under this part shall be for a period of not more than 5 years. Such grant may be renewed for an additional 2-year period upon the termination of the initial period of the grant if the grant recipient demonstrates to the satisfaction of the Secretary that—

''(1) the State has made adequate progress; and

''(2) renewing the grant for an additional 2-year period is necessary to carry out the objectives of the grant described in subsection (d).

''(d) STATE APPLICATIONS.—

''(1) IN GENERAL.—A State educational agency desiring a grant under this part shall submit an application to the Secretary, at such time and in such manner as the Secretary may require. The State educational agency shall collaborate with the State agency responsible for administering early childhood education programs and the State agency responsible for administering child care programs in the State in writing and implementing the early childhood education portion of the grant application under this subsection.

''(2) CONTENTS.—An application described in paragraph (1) shall include, at a minimum, the following:

''(A) A needs assessment that analyzes literacy needs across the State and in high-need schools and local educational agencies that serve high-need schools, including identifying the most pressing gaps in literacy proficiency and inequities in student access to effective teachers of literacy, considering each of the categories of students, as defined in section 1111(b)(3)(A).

''(B) A description of how the State educational agency, in collaboration with the State literacy team, if applicable, will develop a State comprehensive literacy instruction plan or will revise and update an already existing State comprehensive literacy instruction plan.

''(C) An implementation plan that includes a description of how the State educational agency will carry out the State activities described in subsection (e).

''(D) An assurance that the State educational agency will use implementation grant funds described in subsection (e)(1) for comprehensive literacy instruction programs as follows:

''(i) Not less than 15 percent of such grant funds shall be used for State and local programs and activities pertaining to children from birth through kindergarten entry.

''(ii) Not less than 40 percent of such grant funds shall be used for State and local programs and activities, allocated equitably among the grades of kindergarten through grade 5.

''(iii) Not less than 40 percent of such grant funds shall be used for State and local programs and activities, allocated equitably among grades 6 through 12.

''(E) An assurance that the State educational agency will give priority in awarding a subgrant under section 2403 to an eligible entity that—

''(i) serves children from birth through age 5 who are from families with income levels at or below 200 percent of the Federal poverty line; or

''(ii) is a local educational agency serving a high number or percentage of high-need schools.

''(e) STATE ACTIVITIES.—

''(1) IN GENERAL.—A State educational agency receiving a grant under this section shall use not less than 95 percent of such grant funds to award subgrants to eligible entities, based on their needs assessment and a competitive application process.

''(2) RESERVATION.—A State educational agency receiving a grant under this section may reserve not more than 5 percent for activities identified through the needs assessment and comprehensive literacy plan described in subparagraphs (A) and (B) of subsection (d)(2), including the following activities:

''(A) Providing technical assistance, or engaging qualified providers to provide technical assistance, to eligible entities to enable the eligible entities to design and implement literacy programs.

''(B) Coordinating with institutions of higher education in the State to provide recommendations to strengthen and enhance pre-service courses for students preparing to teach children from birth through grade 12 in explicit, systematic, and intensive instruction in evidence-based literacy methods.

''(C) Reviewing and updating, in collaboration with teachers, statewide educational and professional organizations representing

teachers, and statewide educational and professional organizations representing institutions of higher education, State licensure or certification standards in the area of literacy instruction in early education through grade 12.

''(D) Making publicly available, including on the State educational agency's website, information on promising instructional practices to improve child literacy achievement.

''(E) Administering and monitoring the implementation of subgrants by eligible entities.

''(3) ADDITIONAL USES.—After carrying out the activities described in paragraphs (1) and (2), a State educational agency may use any remaining amount to carry out 1 or more of the following activities:

''(A) Developing literacy coach training programs and training literacy coaches.

''(B) Administration and evaluation of activities carried out under this part.

''SEC. 2403. SUBGRANTS TO ELIGIBLE ENTITIES IN SUPPORT OF BIRTH THROUGH KINDERGARTEN ENTRY LITERACY.

''(a) SUBGRANTS.—

''(1) IN GENERAL.—A State educational agency receiving a grant under this part shall, in consultation with the State agencies responsible for administering early childhood education programs and services, including the State agency responsible for administering child care programs, and, if applicable, the State Advisory Council on Early Childhood Education and Care designated or established pursuant to section 642B(b)(1)(A)(i) of the Head Start Act (42 U.S.C. 9837b(b)(1)(A)(i))), use a portion of the grant funds, in accordance with section 2402(d)(2)(D)(i), to award subgrants, on a competitive basis, to eligible entities to enable the eligible entities to support high-quality early literacy initiatives for children from birth through kindergarten entry.

''(2) DURATION.—The term of a subgrant under this section shall be determined by the State educational agency awarding the subgrant and shall in no case exceed 5 years.

''(3) SUFFICIENT SIZE AND SCOPE.—Each subgrant awarded under this section shall be of sufficient size and scope to allow the eligible entity to carry out high-quality early literacy initiatives for children from birth through kindergarten entry.

''(b) LOCAL APPLICATIONS.—An eligible entity desiring to receive a subgrant under this section shall submit an application to the State educational agency, at such time, in such manner, and containing such information as the State educational agency may require. Such application shall include a description of—

''(1) how the subgrant funds will be used to enhance the language and literacy development and school readiness of children, from birth through kindergarten entry, in early childhood education programs, which shall include an analysis of data that support the proposed use of subgrant funds;

''(2) how the subgrant funds will be used to prepare and provide ongoing assistance to staff in the programs, through high-quality professional development;

''(3) how the activities assisted under the subgrant will be coordinated with comprehensive literacy instruction at the kindergarten through grade 12 levels;

''(4) how the subgrant funds will be used to evaluate the success of the activities assisted under the subgrant in enhancing the early language and literacy development of children from birth through kindergarten entry; and

''(5) such other information as the State educational agency may require.

''(c) LOCAL USES OF FUNDS.—An eligible entity that receives a subgrant under this section shall use the subgrant funds, consistent with the entity's approved application under subsection (b), to—

''(1) carry out high-quality professional development opportunities for early childhood educators, teachers, principals, other school leaders, paraprofessionals, specialized instructional support personnel, and instructional leaders;

''(2) train providers and personnel to develop and administer high-quality early childhood education literacy initiatives; and

''(3) coordinate the involvement of families, early childhood education program staff, principals, other school leaders, and teachers in literacy development of children served under the subgrant.

''SEC. 2404. SUBGRANTS TO ELIGIBLE ENTITIES IN SUPPORT OF KINDERGARTEN THROUGH GRADE 12 LITERACY.

''(a) SUBGRANTS TO ELIGIBLE ENTITIES.—

''(1) SUBGRANTS.—A State educational agency receiving a grant under this part shall use a portion of the grant funds, in accordance with clauses (ii) and (iii) of section 2402(d)(2)(D), to award subgrants, on a competitive basis, to eligible entities to enable the eligible entities to carry out the authorized activities described in subsections (b) and (c).

''(2) DURATION.—The term of a subgrant under this section shall be determined by the State educational agency awarding the subgrant and shall in no case exceed 5 years.

''(3) SUFFICIENT SIZE AND SCOPE.—A State educational agency shall award subgrants under this section of sufficient size and scope to allow the eligible entities to carry out high-quality comprehensive literacy instruction in each grade level for which the subgrant funds are provided.

''(4) LOCAL APPLICATIONS.—An eligible entity desiring to receive a subgrant under this section shall submit an application to the State educational agency at such time, in such manner, and containing such information as the State educational agency may require. Such application shall include, for each school that the eligible entity identifies as participating in a subgrant program under this section, the following information:

''(A) A description of the eligible entity's needs assessment conducted to identify how subgrant funds will be used to inform and improve comprehensive literacy instruction at the school.

''(B) How the school, the local educational agency, or a provider of high-quality professional development will provide ongoing high-quality professional development to all teachers, principals, other school leaders, and other instructional leaders served by the school.

''(C) How the school will identify children in need of literacy interventions or other support services.

''(D) An explanation of how the school will integrate comprehensive literacy instruction into core academic subjects.

''(E) A description of how the school will coordinate comprehensive literacy instruction with early childhood education and after-school programs and activities in the area served by the local educational agency.

''(b) LOCAL USES OF FUNDS FOR KINDERGARTEN THROUGH GRADE 5.—An eligible entity that receives a subgrant under this section shall use the subgrant funds to carry out the following activities pertaining to children in kindergarten through grade 5:

''(1) Developing and implementing a comprehensive literacy instruction plan across content areas for such children that—

''(A) serves the needs of all children, including children with disabilities and English learners, especially children who are reading or writing below grade level;

''(B) provides intensive, supplemental, accelerated, and explicit intervention and support in reading and writing for children whose literacy skills are below grade level; and

''(C) supports activities that are provided primarily during the regular school day but which may be augmented by after-school and out-of-school time instruction.

''(2) Providing high-quality professional development opportunities for teachers, literacy coaches, literacy specialists, English as a second language specialists (as appropriate), principals, other school leaders, specialized instructional support personnel, paraprofessionals, and other program staff.

''(3) Training principals, specialized instructional support personnel, and other school district personnel to support, develop, administer, and evaluate high-quality kindergarten through grade 5 literacy initiatives.

''(4) Coordinating the involvement of early childhood education program staff, principals, other instructional leaders, teachers, teacher literacy teams, English as a second language specialists (as appropriate), special educators, and school personnel in the literacy development of children served under this subsection.

''(5) Engaging families and encouraging family literacy experiences and practices to support literacy development.

''(c) LOCAL USES OF FUNDS FOR GRADES 6 THROUGH 12.—An eligible entity that receives a subgrant under this section shall use subgrant funds to carry out the following activities pertaining to children in grades 6 through 12:

''(1) Developing and implementing a comprehensive literacy instruction plan described in subsection (b)(1) for children in grades 6 through 12.

''(2) Training principals, specialized instruction support personnel, and other school district personnel to support, develop, administer, and evaluate high-quality comprehensive literacy instruction initiatives for grades 6 through 12.

''(3) Assessing the quality of adolescent comprehensive literacy instruction in core academic subjects, and career and technical education subjects where such career and technical education subjects provide for the integration of core academic subjects.

''(4) Providing time for teachers to meet to plan evidence-based adolescent comprehensive literacy instruction in core academic subjects, and career and technical education subjects where such career and technical education subjects provide for the integration of core academic subjects.

''(5) Coordinating the involvement of principals, other instructional leaders, teachers, teacher literacy teams, English as a second language specialists (as appropriate), paraprofessionals, special educators, and school personnel in the literacy development of children served under this subsection.

''(d) ALLOWABLE USES.—An eligible entity that receives a subgrant under this section may, in addition to carrying out the activities described in subsection (b) or (c), use subgrant funds to carry out the following activities pertaining to children in kindergarten through grade 12:

''(1) Recruiting, placing, training, and compensating literacy coaches.

''(2) Connecting out-of-school learning opportunities to in-school learning in order to improve the literacy achievement of the children.

''(3) Training families and caregivers to support the improvement of adolescent literacy.

''(4) Providing for a multitier system of support.

''(5) Forming a school literacy leadership team to help implement, assess, and identify

necessary changes to the literacy initiatives in 1 or more schools to ensure success.

''(6) Providing time for teachers (and other literacy staff, as appropriate, such as school librarians) to meet to plan comprehensive literacy instruction.

''SEC. 2405. NATIONAL EVALUATION AND INFORMATION DISSEMINATION.

''(a) NATIONAL EVALUATION.—From funds reserved under section 2402(b)(1), the Director of the Institute of Education Sciences shall conduct a national evaluation of the grant and subgrant programs assisted under this part. Such evaluation shall include evidence-based research that applies rigorous and systematic procedures to obtain valid knowledge relevant to the implementation and effect of the programs and shall directly coordinate with individual State evaluations of the programs' implementation and impact.

''(b) PROGRAM IMPROVEMENT.—The Secretary shall—

''(1) provide the findings of the evaluation conducted under this section to State educational agencies and subgrant recipients for use in program improvement;

''(2) make such findings publicly available, including on the websites of the Department and the Institute of Education Sciences; and

''(3) submit such findings to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Education and the Workforce of the House of Representatives.

''SEC. 2406. SUPPLEMENT, NOT SUPPLANT.

''Grant funds provided under this part shall be used to supplement, and not supplant, other Federal or State funds available to carry out activities described in this part.''.

SEC. 2005. IMPROVING SCIENCE, TECHNOLOGY, ENGINEERING, AND MATHEMATICS INSTRUCTION AND STUDENT ACHIEVEMENT.

Title II (20 U.S.C. 6601 et seq.), as amended by sections 2001 through 2004, is further amended by adding at the end the following:

''PART E—IMPROVING SCIENCE, TECHNOLOGY, ENGINEERING, AND MATHEMATICS INSTRUCTION AND STUDENT ACHIEVEMENT

''SEC. 2501. PURPOSE.

''The purpose of this part is to improve student academic achievement in science, technology, engineering, and mathematics, including computer science, by—

''(1) improving instruction in such subjects through grade 12;

''(2) improving student engagement in, and increasing student access to, such subjects;

''(3) improving the quality and effectiveness of classroom instruction by recruiting, training, and supporting highly rated teachers and providing robust tools and supports for students and teachers in such subjects;

''(4) increasing student access to high-quality informal and after-school programs that target the identified subjects and improving the coordination of such programs with classroom instruction in the identified subjects; and

''(5) closing student achievement gaps, and preparing more students to be college and career ready, in such subjects.

''SEC. 2502. DEFINITIONS.

''In this part:

''(1) ELIGIBLE SUBGRANTEE.—The term 'eligible subgrantee' means—

''(A) a high-need local educational agency;

''(B) an educational service agency serving more than 1 high-need local educational agency;

''(C) a consortium of high-need local educational agencies; or

''(D) an entity described in subparagraph (A) or (C) of paragraph (2) that has signed a memorandum of agreement with an entity described in subparagraph (A), (B), or (C) of this paragraph to implement the requirements of this part in partnership with such entity.

''(2) OUTSIDE PARTNER.—The term 'outside partner' means an entity that has expertise and a demonstrated record of success in improving student learning and engagement in the identified subjects described in section 2504(b)(2), including any of the following:

''(A) A nonprofit or community-based organization, which may include a cultural organization, such as a museum or learning center.

''(B) A business.

''(C) An institution of higher education.

''(D) An educational service agency.

''(3) STEM MASTER TEACHER CORPS.—The term 'STEM master teacher corps' means a State-led effort to elevate the status of the science, technology, engineering, and mathematics teaching profession by recognizing, rewarding, attracting, and retaining outstanding science, technology, engineering, and mathematics teachers, particularly in high-need and rural schools, by—

''(A) selecting candidates to be master teachers in the corps on the basis of—

''(i) content knowledge based on a screening examination; and

''(ii) pedagogical knowledge of and success in teaching;

''(B) offering such teachers opportunities to—

''(i) work with one another in scholarly communities;

''(ii) participate in and lead high-quality professional development; and

''(C) providing such teachers with additional appropriate and substantial compensation for the work described in subparagraph (B) and in the master teacher community.

''SEC. 2503. GRANTS; ALLOTMENTS.

''(a) IN GENERAL.—From amounts made available to carry out this part for a fiscal year, the Secretary shall award grants to State educational agencies, through allotments described in subsection (b), to enable State educational agencies to carry out the activities described in section 2505.

''(b) DISTRIBUTION OF FUNDS.—

''(1) IN GENERAL.—Subject to paragraph (2), for each fiscal year, the Secretary shall allot to each State—

''(A) an amount that bears the same relationship to 35 percent of the amount available to carry out this part for such year, as the number of individuals ages 5 through 17 in the State, as determined by the Secretary on the basis of the most recent satisfactory data, bears to the number of those individuals in all such States, as so determined; and

''(B) an amount that bears the same relationship to 65 percent of the amount available to carry out this part for such year as the number of individuals ages 5 through 17 from families with incomes below the poverty line in the State, as determined by the Secretary on the basis of the most recent satisfactory data, bears to the number of those individuals in all such States, as so determined.

''(2) FUNDING MINIMUM.—No State receiving an allotment under this subsection may receive less than one-half of 1 percent of the total amount allotted under paragraph (1) for a fiscal year.

''(c) REALLOTMENT OF UNUSED FUNDS.—If a State does not successfully apply for an allotment under this part, the Secretary shall reallot the amount of the State's allotment to the remaining States in accordance with this section.

''SEC. 2504. APPLICATIONS.

''(a) IN GENERAL.—Each State desiring an allotment under section 2503(b) shall submit an application to the Secretary at such time, in such manner, and accompanied by such information as the Secretary may require.

''(b) CONTENTS.—At a minimum, an application submitted under subsection (a) shall include the following:

''(1) A description of the needs, including assets, identified by the State educational agency based on a State analysis, which shall include—

''(A) an analysis of science, technology, engineering, and mathematics education quality and outcomes in the State, which may include results from a pre-existing analysis;

''(B) labor market information regarding the industry and business workforce needs within the State; and

''(C) an analysis of the quality of pre-service preparation at all public institutions of higher education (including alternative pathways to teacher licensure or certification) for individuals preparing to teach science, technology, engineering, and mathematics subjects in the State.

''(2) An identification of the specific subjects that the State educational agency will address through the activities described in section 2505, consistent with the needs identified under paragraph (1) (referred to in this part as 'identified subjects').

''(3) A description, in a manner that addresses any needs identified under paragraph (1), of—

''(A) how grant funds will be used by the State educational agency to improve instruction in the identified subjects;

''(B) the process that the State educational agency will use for awarding subgrants, including how relevant stakeholders will be involved;

''(C) how the State's proposed project will ensure an increase in access for students who are members of groups underrepresented in science, technology, engineering, and mathematics subject fields to high-quality courses in 1 or more of the identified subjects; and

''(D) how the State educational agency will continue to involve stakeholders in education reform efforts related to science, technology, engineering, and mathematics instruction.

''SEC. 2505. AUTHORIZED ACTIVITIES.

''(a) REQUIRED ACTIVITIES.—Each State educational agency that receives an allotment under this part shall use the grant funds reserved under subsection (d)(2) to carry out each of the following activities:

''(1) Increasing access for students through grade 12 who are members of groups underrepresented in science, technology, engineering, and mathematics subject fields to high-quality courses in the identified subjects.

''(2) Implementing evidence-based programs of instruction based on high-quality standards and assessments in the identified subjects.

''(3) Providing professional development and other comprehensive systems of support for teachers and school leaders to promote high-quality instruction and instructional leadership in the identified subjects.

''(b) PERMISSIBLE ACTIVITIES.—Each State educational agency that receives an allotment under this part may use the grant funds reserved under subsection (d)(2) to carry out 1 or more of the following activities:

''(1) Recruiting qualified teachers and instructional leaders who are trained in identified subjects, including teachers who have transitioned into the teaching profession from a careers in the science, technology, engineering, and mathematics fields.

''(2) Providing induction and mentoring services to new teachers in identified subjects.

''(3) Developing instructional supports for identified subjects, such as curricula and assessments, which shall be evidence-based and aligned with challenging State academic standards under section 1111(b)(1).

''(4) Supporting the development of a State-wide STEM master teacher corps.

''(c) SUBGRANTS.—

''(1) IN GENERAL.—Each State educational agency that receives a grant under this part shall use the amounts not reserved under subsection (d) to award subgrants, on a competitive basis, to eligible subgrantees to enable the eligible subgrantees to carry out the activities described in paragraph (4).

''(2) MINIMUM SUBGRANT.—A State educational agency shall award subgrants under this subsection that are of sufficient size and scope to support high-quality, evidence-based, effective programs that are consistent with the purpose of this part.

''(3) SUBGRANTEE APPLICATION.—

''(A) IN GENERAL.—Each eligible subgrantee desiring a subgrant under this subsection shall submit an application to the State educational agency at such time, in such manner, and accompanied by such information as the State educational agency may require.

''(B) CONTENTS OF SUBGRANTEE APPLICATION.—At a minimum, the application described in subparagraph (A) shall include the following:

''(i) A description of the activities that the eligible subgrantee will carry out, and how such activities will improve teaching and student academic achievement in the State's identified subjects.

''(ii) A description of how the eligible subgrantee will use funds provided under this subsection to serve students and teachers in high-need schools.

''(iii) A description of how funds provided under this subsection will be coordinated with other Federal, State, and local programs and activities, including career and technical education programs authorized under the Carl D. Perkins Career and Technical Education Act of 2006.

''(iv) If the eligible subgrantee is working with outside partners, a description of how such outside partners will be involved in improving instruction and increasing access to high-quality learning experiences in the State's identified subjects.

''(4) SUBGRANTEE USE OF FUNDS.—

''(A) REQUIRED USE OF FUNDS.—Each subgrantee under this subsection shall use the subgrant funds to carry out activities for students through grade 12, as described in the subgrantee's application, which shall include—

''(i) high-quality teacher and instructional leader recruitment, support, and evaluation in the State's identified subjects;

''(ii) professional development, which may include development and support for instructional coaches, to enable teachers and instructional leaders to increase student achievement in identified subjects;

''(iii) activities to—

''(I) improve the content knowledge of teachers in the State's identified subjects;

''(II) facilitate professional collaboration, which may include providing time for such collaborations with school personnel, after-school program personnel, and personnel of informal programs that target the identified subjects; and

''(III) improve the integration of informal and after-school programs that target the identified subjects with classroom instruction, such as through the use of strategic partnerships with science, technology, engineering, and mathematics researchers, and other professionals from relevant fields who may be able to assist in activities focused in science, technology, engineering, and mathematics; and

''(iv) the development, adoption, and improvement of high-quality curricula and instructional supports that—

''(I) are aligned with the challenging State academic standards under section 1111(b)(1); and

''(II) the eligible subgrantee will use to improve student academic achievement in the identified subjects.

''(B) ALLOWABLE USE OF FUNDS.—In addition to the required activities described in subparagraph (A), each eligible subgrantee that receives a subgrant under this subsection may also use the subgrant funds to—

''(i) support the participation of low-income students in nonprofit competitions related to science, technology, engineering, and mathematics subjects (such as robotics, science research, invention, mathematics, computer science, and technology competitions);

''(ii) broaden secondary school students' access to, and interest in, careers that require academic preparation in 1 or more identified subjects;

''(iii) broaden the access of secondary school students to early college high school or dual or concurrent enrollment courses in science, technology, engineering, or mathematics subjects, including providing professional development to teachers and leaders related to this work;

''(iv) partner with established after-school and science, technology, engineering, and mathematics networks to provide technical assistance to after-school programs to improve their practice, such as through developing quality standards and appropriate learning outcomes for science, technology, engineering, and mathematics programming in after-school programs;

''(v) provide hands-on learning and exposure to science, technology, engineering, and mathematics research facilities and businesses through in-person or virtual distance-learning experiences;

''(vi) support the use of field-based or service learning that enables students to use the local environment and community as a learning resource and to enhance the students' understanding of the identified subjects through environmental science education; and

''(vii) address science, technology, engineering, and mathematics needs identified in the State plan under section 102 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3112), or by a local workforce development board under section 107(d), or in the local plan submitted under section 108, of such Act (29 U.S.C. 3122(d), 3123), for the State, local area (as defined in section 3 of such Act (29 U.S.C. 3102)), or region (as so defined) that the eligible subgrantee is serving.

''(C) MATCHING FUNDS.—A State may require an eligible subgrantee receiving a subgrant under this subsection to demonstrate that such subgrantee has obtained a commitment from 1 or more outside partners to match, using non-Federal funds, a portion of the amount of subgrant funds, in an amount determined by the State.

''(d) STATE ACTIVITIES.—

''(1) IN GENERAL.—Each State educational agency that receives an allotment under this part may use not more than 5 percent of grant funds for—

''(A) administrative costs;

''(B) monitoring the implementation of subgrants;

''(C) providing technical assistance to eligible subgrantees; and

''(D) evaluating subgrants in coordination with the evaluation described in section 2506(c).

''(2) RESERVATION.—Each State educational agency that receives an allotment under this part shall reserve not less than 15 and not more than 20 percent of grant funds, inclusive of the amount described in paragraph (1), for additional State activities, consistent with subsections (a) and (b).

''SEC. 2506. PERFORMANCE METRICS; REPORT; EVALUATION.

''(a) ESTABLISHMENT OF PERFORMANCE METRICS.—The Secretary, acting through the Director of the Institute of Education Sciences, shall establish performance metrics to evaluate the effectiveness of the activities carried out under this part.

''(b) ANNUAL REPORT.—Each State educational agency that receives an allotment under this part shall prepare and submit an annual report to the Secretary, which shall include information relevant to the performance metrics described in subsection (a).

''(c) EVALUATION.—The Secretary shall—

''(1) acting through the Director of the Institute of Education Sciences, and in consultation with the Director of the National Science Foundation—

''(A) evaluate the implementation and impact of the activities supported under this part, including progress measured by the metrics established under subsection (a);

''(B) identify best practices to improve instruction in science, technology, engineering, and mathematics subjects; and

''(C) ensure that the Department is taking appropriate action to avoid unnecessary duplication of efforts between the activities being supported under this part and other programmatic activities supported by the Department or by other Federal agencies; and

''(2) disseminate, in consultation with the National Science Foundation, research on best practices to improve instruction in science, technology, engineering, and mathematics subjects.

''SEC. 2507. SUPPLEMENT NOT SUPPLANT.

''Funds received under this part shall be used to supplement, and not supplant, funds that would otherwise be used for activities authorized under this part.''.

SEC. 2006. GENERAL PROVISIONS.

Title II (20 U.S.C. 6601 et seq.), as amended by sections 2001 through 2005, is further amended by adding at the end the following:

''PART F—GENERAL PROVISIONS

''SEC. 2601. RULES OF CONSTRUCTION.

''(a) PROHIBITION AGAINST FEDERAL MANDATES, DIRECTION, OR CONTROL.—Nothing in this title shall be construed to authorize the Secretary or any other officer or employee of the Federal Government to mandate, direct, or control a State, local educational agency, or school's—

''(1) instructional content or materials, curriculum, program of instruction, academic standards, or academic assessments;

''(2) teacher, principal, or other school leader evaluation system;

''(3) specific definition of teacher, principal, or other school leader effectiveness; or

''(4) teacher, principal, or other school leader professional standards, certification, or licensing.

''(b) SCHOOL OR DISTRICT EMPLOYEES.—Nothing in this title shall be construed to alter or otherwise affect the rights, remedies, and procedures afforded school or school district employees under Federal, State, or local laws (including applicable regulations or court orders) or under the terms of collective bargaining agreements, memoranda of understanding, or other agreements between such employees and their employers.''.

TITLE III—LANGUAGE INSTRUCTION FOR ENGLISH LEARNERS AND IMMIGRANT STUDENTS

SEC. 3001. GENERAL PROVISIONS.

Title III (20 U.S.C. 6801 et seq.) is amended—

(1) in the title heading, by striking ''**LIMITED ENGLISH PROFICIENT**'' and inserting ''**ENGLISH LEARNERS**'';

(2) in part A—

(A) by striking section 3122;

(B) redesignating sections 3123, 3124, 3125, 3126, 3127, 3128, and 3129 as sections 3122, 3123, 3124, 3125, 3126, 3127, and 3128, respectively; and

(C) by striking subpart 4;

(3) by striking part B;

(4) by redesignating part C as part B; and

(5) in part B, as redesignated by paragraph (4)—

(A) by redesignating section 3301 as section 3201;

(B) by striking section 3302; and

(C) by redesignating sections 3303 and 3304 as sections 3202 and 3203, respectively.

SEC. 3002. AUTHORIZATION OF APPROPRIATIONS.

Section 3001 (20 U.S.C. 6801) is amended to read as follows:

''SEC. 3001. AUTHORIZATION OF APPROPRIATIONS.

''There are authorized to be appropriated to carry out this title such sums as may be necessary for each of fiscal years 2016 through 2021.''.

SEC. 3003. ENGLISH LANGUAGE ACQUISITION, LANGUAGE ENHANCEMENT, AND ACADEMIC ACHIEVEMENT.

Part A of title III (20 U.S.C. 6811 et seq.) is amended—

(1) in section 3102, by striking paragraphs (1) through (9) and inserting the following:

''(1) to help ensure that English learners, including immigrant children and youth, attain English proficiency, and develop high levels of academic achievement in English;

''(2) to assist all English learners, including immigrant children and youth, to achieve at high levels in academic subjects so that children who are English learners can meet the same challenging State academic standards that all children are expected to meet, consistent with section 1111(b)(1);

''(3) to assist early childhood educators, teachers, principals and other school leaders, State educational agencies, and local educational agencies in establishing, implementing, and sustaining effective language instruction educational programs designed to assist in teaching English learners, including immigrant children and youth;

''(4) to assist early childhood educators, teachers, principals and other school leaders, State educational agencies, and local educational agencies to develop and enhance their capacity to provide effective instruction programs designed to prepare English learners, including immigrant children and youth, to enter all-English instruction settings;

''(5) to promote parental, family, and community participation in language instruction educational programs for the parents, families, and communities of English learners; and

''(6) to provide incentives to grantees to implement policies and practices that will lead to significant improvements in the instruction and achievement of English learners.'';

(2) in section 3111—

(A) in subsection (b)—

(i) in paragraph (2), by striking subparagraphs (A) through (D) and inserting the following:

''(A) Establishing and implementing, with timely and meaningful consultation with local educational agencies representing the geographic diversity of the State, standardized statewide entrance and exit procedures, including a requirement that all students who may be English learners are assessed for such status within 30 days of enrollment in a school in the State.

''(B) Providing effective teacher and principal preparation, professional development activities, and other evidence-based activities related to the education of English learners, which may include assisting teachers, principals, and other educators in—

''(i) meeting State and local certification and licensing requirements for teaching English learners; and

''(ii) improving teaching skills in meeting the diverse needs of English learners, including how to implement effective programs and curricula on teaching English learners.

''(C) Planning, evaluation, administration, and interagency coordination related to the subgrants referred to in paragraph (1).

''(D) Providing technical assistance and other forms of assistance to eligible entities that are receiving subgrants from a State educational agency under this subpart, including assistance in—

''(i) identifying and implementing effective language instruction educational programs and curricula for teaching English learners, including those in early childhood settings;

''(ii) helping English learners meet the same State academic standards that all children are expected to meet;

''(iii) identifying or developing, and implementing, measures of English proficiency; and

''(iv) strengthening and increasing parent, family, and community engagement in programs that serve English learners.

''(E) Providing recognition, which may include providing financial awards, to recipients of subgrants under section 3115 that have significantly improved the achievement and progress of English learners in meeting—

''(i) annual timelines and goals for progress established under section 1111(c)(1)(K) based on the State's English language proficiency assessment under section 1111(b)(2)(G); and

''(ii) the challenging State academic standards described in section 1111(b)(1).''; and

(ii) in paragraph (3)—

(I) in the heading, by inserting ''DIRECT'' before ''ADMINISTRATIVE''; and

(II) by inserting ''direct'' before ''administrative costs''; and

(B) in subsection (c)—

(i) in paragraph (1)—

(I) in the matter preceding subparagraph (A), by striking ''section 3001(a)'' and inserting ''section 3001'';

(II) in subparagraph (B), by inserting ''and'' after the semicolon;

(III) in subparagraph (C)—

(aa) by striking ''3303'' both places it appears and inserting ''3202'';

(bb) by striking ''not more than 0.5 percent of such amount shall be reserved for evaluation activities conducted by the Secretary and''; and

(cc) by striking ''; and'' and inserting a period; and

(IV) by striking subparagraph (D);

(ii) by striking paragraphs (2) and (4);

(iii) by redesignating paragraph (3) as paragraph (2);

(iv) in paragraph (2)(A), as redesignated by clause (iii)—

(I) in the matter preceding clause (i), by striking ''section 3001(a)'' and inserting ''section 3001''; and

(II) in clause (i), by striking ''limited English proficient'' and all that follows through ''States;'' and inserting ''English learners in the State bears to the number of English learners in all States, as determined by the Secretary under paragraph (3);''; and

(v) by adding at the end the following:

''(3) USE OF DATA FOR DETERMINATIONS.—In making State allotments under paragraph (2)(A) for each fiscal year, the Secretary shall—

''(A) determine the number of English learners in a State and in all States, using the most accurate, up-to-date data, which shall be—

''(i) data available from the American Community Survey conducted by the Department of Commerce, which may be multiyear estimates;

''(ii) the number of students being assessed for English language proficiency, based on the State's English language proficiency assessment under section 1111(b)(2)(G), which may be multiyear estimates; or

''(iii) a combination of data available under clauses (i) and (ii); and

''(B) determine the number of immigrant children and youth in the State and in all States based only on data available from the American Community Survey conducted by the Department of Commerce, which may be multiyear estimates.'';

(3) in section 3113—

(A) in subsection (a), by inserting ''reasonably'' before ''require'';

(B) in subsection (b)—

(i) in paragraph (1), by striking ''making'' and inserting ''awarding''; and

(ii) by striking paragraphs (2) through (6) and inserting the following:

''(2) describe how the agency will establish and implement, with timely and meaningful consultation with local educational agencies representing the geographic diversity of the State, standardized, statewide entrance and exit procedures, including an assurance that all students who may be English learners are assessed for such status within 30 days of enrollment in a school in the State;

''(3) provide an assurance that—

''(A) the agency will ensure that eligible entities receiving a subgrant under this subpart comply with the requirement in section 1111(b)(2)(B)(ix) to annually assess in English all English learners who have been in the United States for 3 or more years;

''(B) the agency will ensure that eligible entities receiving a subgrant under this subpart annually assess the English proficiency of all English learners participating in a program funded under this subpart, consistent with section 1111(b)(2)(G);

''(C) in awarding subgrants under section 3114, the agency will address the needs of school systems of all sizes and in all geographic areas, including school systems with rural and urban schools;

''(D) subgrants to eligible entities under section 3114(d)(1) will be of sufficient size and scope to allow such entities to carry out effective language instruction educational programs for English learners;

''(E) the agency will require an eligible entity receiving a subgrant under this subpart to use the subgrant in ways that will build such recipient's capacity to continue to offer effective language instruction educational programs that assist English learners in meeting challenging State academic standards described in section 1111(b)(1);

''(F) the agency will monitor each eligible entity receiving a subgrant under this subpart for compliance with applicable Federal fiscal requirements; and

''(G) the plan has been developed in consultation with local educational agencies, teachers, administrators of programs implemented under this subpart, parents of English learners, and other relevant stakeholders;

''(4) describe how the agency will coordinate its programs and activities under this subpart with other programs and activities under this Act and other Acts, as appropriate;

''(5) describe how each eligible entity will be given the flexibility to teach English learners—

''(A) using a high-quality, effective language instruction curriculum for teaching English learners; and

''(B) in the manner the eligible entities determine to be the most effective;

''(6) describe how the agency will assist eligible entities in meeting—

''(A) annual timelines and goals for progress established under section 1111(c)(1)(K) based on the State's English language proficiency assessment under section 1111(b)(2)(G); and

''(B) the challenging State academic standards described in section 1111(b)(1);

''(7) describe how the agency will assist eligible entities in decreasing the number of English learners who have not yet acquired English proficiency within 5 years of their initial classification as an English learner;

''(8) describe how the agency will ensure that the unique needs of the State's population of English learners and immigrant children and youth are being addressed; and

''(9) describe how the agency will monitor and evaluate the progress of each eligible entity receiving funds under this subpart toward meeting the timelines and goals for English proficiency required under section 1111(c)(1)(K) and the steps the State will take to further assist eligible entities if such strategies funded under this part are not effective in making such progress and meeting academic goals established under section 1111(b)(3)(B)(i) for English learners, such as providing technical assistance and modifying such strategies.'';

(C) in subsection (d)(2)(B), by striking ''part'' and inserting ''subpart''; and

(D) in subsection (f), by striking '', objectives,'';

(4) in section 3114—

(A) in subsection (a)—

(i) by striking ''section 3111(c)(3)'' and inserting ''section 3111(c)(2)''; and

(ii) by striking ''limited English proficient children'' both places the term appears and inserting ''English learners''; and

(B) in subsection (d)(1)—

(i) by striking ''section 3111(c)(3)'' and inserting ''section 3111(c)(2)''; and

(ii) by striking ''preceding the fiscal year'';

(5) by striking section 3115 and inserting the following:

''SEC. 3115. SUBGRANTS TO ELIGIBLE ENTITIES.

''(a) PURPOSES OF SUBGRANTS.—A State educational agency may make a subgrant to an eligible entity from funds received by the agency under this subpart only if the entity agrees to expend the funds to improve the education of English learners by assisting the children to learn English and meet the challenging State academic standards described in section 1111(b)(1). In carrying out activities with such funds, the eligible entity shall use effective approaches and methodologies for teaching English learners and immigrant children and youth for the following purposes:

''(1) Developing and implementing new language instruction educational programs and academic content instruction programs for English learners and immigrant children and youth, including early childhood education programs, elementary school programs, and secondary school programs.

''(2) Carrying out highly focused, innovative, locally designed activities to expand or enhance existing language instruction educational programs and academic content instruction programs for English learners and immigrant children and youth.

''(3) Implementing, within an individual school, schoolwide programs for restructuring, reforming, and upgrading all relevant programs, activities, and operations relating to language instruction educational programs and academic content instruction for English learners and immigrant children and youth.

''(4) Implementing, within the entire jurisdiction of a local educational agency, agency-wide programs for restructuring, reforming, and upgrading all relevant programs, activities, and operations relating to language instruction educational programs and academic content instruction for English learners and immigrant children and youth.

''(b) DIRECT ADMINISTRATIVE EXPENSES.—Each eligible entity receiving funds under section 3114(a) for a fiscal year may use not more than 2 percent of such funds for the cost of administering this subpart.

''(c) REQUIRED SUBGRANTEE ACTIVITIES.—An eligible entity receiving funds under section 3114(a) shall use the funds—

''(1) to increase the English language proficiency of English learners by providing effective language instruction educational programs that meet the needs of English learners and are based on high-quality research demonstrating success in increasing—

''(A) English language proficiency; and

''(B) student academic achievement;

''(2) to provide effective professional development to classroom teachers (including teachers in classroom settings that are not the settings of language instruction educational programs), principals, other school leaders, administrators, and other school or community-based organizational personnel, that is—

''(A) designed to improve the instruction and assessment of English learners;

''(B) designed to enhance the ability of such teachers, principals, and other school leaders to understand and implement appropriate curricula, assessment practices, and instruction strategies for English learners;

''(C) effective in increasing children's English language proficiency or substantially increasing the subject matter knowledge, teaching knowledge, and teaching skills of such teachers; and

''(D) of sufficient intensity and duration (which shall not include activities such as 1-day or short-term workshops and conferences) to have a positive and lasting impact on the teachers' performance in the classroom, except that this subparagraph shall not apply to an activity that is one component of a long-term, comprehensive professional development plan established by a teacher and the teacher's supervisor based on an assessment of the needs of the teacher, the supervisor, the students of the teacher, and any local educational agency employing the teacher, as appropriate; and

''(3) to provide and implement effective parent, family, and community engagement activities in order to enhance or supplement language instruction educational programs for English Learners.

''(d) AUTHORIZED SUBGRANTEE ACTIVITIES.—Subject to subsection (c), an eligible entity receiving funds under section 3114(a) may use the funds to achieve 1 of the purposes described in subsection (a) by undertaking 1 or more of the following activities:

''(1) Upgrading program objectives and effective instructional strategies.

''(2) Improving the instructional program for English learners by identifying, acquiring, and upgrading curricula, instruction materials, educational software, and assessment procedures.

''(3) Providing to English learners—

''(A) tutorials and academic or career and technical education; and

''(B) intensified instruction.

''(4) Developing and implementing effective preschool, elementary school, or secondary school language instruction educational programs that are coordinated with other relevant programs and services.

''(5) Improving the English language proficiency and academic achievement of English learners.

''(6) Providing community participation programs, family literacy services, and parent and family outreach and training activities to English learners and their families—

''(A) to improve the English language skills of English learners; and

''(B) to assist parents and families in helping their children to improve their academic achievement and becoming active participants in the education of their children.

''(7) Improving the instruction of English learners, including English learners with a disability, by providing for—

''(A) the acquisition or development of educational technology or instructional materials;

''(B) access to, and participation in, electronic networks for materials, training, and communication; and

''(C) incorporation of the resources described in subparagraphs (A) and (B) into curricula and programs, such as those funded under this subpart.

''(8) Carrying out other activities that are consistent with the purposes of this section.

''(e) ACTIVITIES BY AGENCIES EXPERIENCING SUBSTANTIAL INCREASES IN IMMIGRANT CHILDREN AND YOUTH.—

''(1) IN GENERAL.—An eligible entity receiving funds under section 3114(d)(1) shall use the funds to pay for activities that provide enhanced instructional opportunities for immigrant children and youth, which may include—

''(A) family literacy, parent and family outreach, and training activities designed to assist parents and families to become active participants in the education of their children;

''(B) recruitment of, and support for personnel, including early childhood educators, teachers, paraprofessionals who have been specifically trained, or are being trained, to provide services to immigrant children and youth;

''(C) provision of tutorials, mentoring, and academic or career counseling for immigrant children and youth;

''(D) identification and acquisition of curricular materials, educational software, and technologies to be used in the program carried out with funds;

''(E) basic instruction services that are directly attributable to the presence of immigrant children and youth in the local educational agency involved, including the payment of costs of providing additional classroom supplies, costs of transportation, or such other costs as are directly attributable to such additional basic instructional services;

''(F) other instructional services that are designed to assist immigrant children and youth to achieve in elementary schools and secondary schools in the United States, such as programs of introduction to the educational system and civics education; and

''(G) activities, coordinated with community-based organizations, institutions of higher education, private sector entities, or other entities with expertise in working with immigrants, to assist parents and families of immigrant children and youth by offering comprehensive community services.

''(2) DURATION OF SUBGRANTS.—The duration of a subgrant made by a State educational agency under section 3114(d)(1) shall be determined by the agency in its discretion.

''(f) SELECTION OF METHOD OF INSTRUCTION.—

''(1) IN GENERAL.—To receive a subgrant from a State educational agency under this subpart, an eligible entity shall select one or more methods or forms of effective instruction to be used in the programs and activities undertaken by the entity to assist English learners to attain English language

proficiency and meet challenging State academic standards described in section 1111(b)(1).

''(2) CONSISTENCY.—Such selection shall be consistent with sections 3124 through 3126.

''(g) SUPPLEMENT, NOT SUPPLANT.—Federal funds made available under this subpart shall be used so as to supplement the level of Federal, State, and local public funds that, in the absence of such availability, would have been expended for programs for English learners and immigrant children and youth and in no case to supplant such Federal, State, and local public funds.'';

(6) in section 3116—

(A) in subsection (b), by striking paragraphs (1) through (6) and inserting the following:

''(1) describe the high-quality programs and activities proposed to be developed, implemented, and administered under the subgrant and how these activities will help English learners increase their English language proficiency and meet the challenging State academic standards described in section 1111(b)(1);

''(2) describe how the eligible entity will ensure that elementary schools and secondary schools receiving funds under this subpart assist English learners in meeting—

''(A) annual timelines and goals for progress established under 1111(c)(1)(K) based on the State's English language proficiency assessment under section 1111(b)(2)(G); and

''(B) the challenging State academic standards described in section 1111(b)(1);

''(3) describe how the eligible entity will promote parent, family, and community engagement in the education of English learners;

''(4) describe how language instruction educational programs carried out under the subgrant will ensure that English learners being served by the programs develop English proficiency and demonstrate such proficiency through academic content mastery;

''(5) contain assurances that—

''(A) each local educational agency that is included in the eligible entity is complying with section 1112(d)(2) prior to, and throughout, each school year as of the date of application, and will continue to comply with such section throughout each school year for which the grant is received;

''(B) the eligible entity complies with any State law, including State constitutional law, regarding the education of English learners, consistent with sections 3125 and 3126;

''(C) the eligible entity has based its proposed plan on high-quality research on teaching English learners;

''(D) the eligible entity consulted with teachers, researchers, school administrators, parents and family members, community members, public or private entities, and institutions of higher education, in developing and implementing such plan; and

''(E) the eligible entity will, if applicable, coordinate activities and share relevant data under the plan with local Head Start and Early Head Start agencies, including migrant and seasonal Head Start agencies, and other early childhood education providers.'';

(B) in subsection (c), by striking ''limited English proficient children'' and inserting ''English learners''; and

(C) by striking subsection (d);

(7) by striking section 3121 and inserting the following:

''SEC. 3121. REPORTING.

''(a) IN GENERAL.—Each eligible entity that receives a subgrant from a State educational agency under subpart 1 shall provide such agency, at the conclusion of every second fiscal year during which the subgrant is received, with a report, in a form prescribed by the agency, on the activities conducted and children served under such subpart that includes—

''(1) a description of the programs and activities conducted by the entity with funds received under subpart 1 during the 2 immediately preceding fiscal years;

''(2) the number and percentage of English learners in the programs and activities who meet the annual State-determined goals for progress established under section 1111(c)(1)(K), including disaggregated, at a minimum, by—

''(A) long-term English learners; and

''(B) English learners with a disability;

''(3) the number and percentage of English learners in the programs and activities attaining English language proficiency based on State English language proficiency standards established under section 1111(b)(1)(F) by the end of each school year, as determined by the State's English language proficiency assessment under section 1111(b)(2)(G);

''(4) the number and percentage of English learners who exit the language instruction educational programs based on their attainment of English language proficiency;

''(5) the number and percentage of English learners meeting challenging State academic standards described in section 1111(b)(1) for each of the 4 years after such children are no longer receiving services under this part, including disaggregated, at a minimum, by—

''(A) long-term English learners; and

''(B) English learners with a disability;

''(6) the number and percentage of English learners who have not attained English language proficiency within 5 years of initial classification as an English learner; and

''(7) any other information as the State educational agency may require.

''(b) REPORT.—A report provided by an eligible entity under subsection (a) shall be used by the entity and the State educational agency for improvement or programs and activities under this part.

''(c) SPECIAL RULE FOR SPECIALLY QUALIFIED AGENCIES.—Each specially qualified agency receiving a grant under this part shall provide the reports described in subsection (a) to the Secretary subject to the same requirements as apply to eligible entities providing such evaluations to State educational agencies under such subsection.'';

(8) in section 3122, as redesignated by section 3001(2)—

(A) in subsection (a)—

(i) by striking ''evaluations'' and inserting ''reports''; and

(ii) by striking ''children who are limited English proficient'' and inserting ''English learners''; and

(B) in subsection (b)—

(i) in paragraph (1)—

(I) by striking ''limited English proficient children'' and inserting ''English learners''; and

(II) by striking ''children who are limited English proficient'' and inserting ''English learners'';

(ii) in paragraph (4), by striking ''section 3111(b)(2)(C)'' and inserting ''section 3111(b)(2)(D)'';

(iii) in paragraph (6), by striking ''major findings of scientifically based research carried out under this part'' and inserting ''findings of the evaluation related to English learners carried out under section 9601'';

(iv) in paragraph (8)—

(I) by striking ''of limited English proficient children'' and inserting ''of English learners''; and

(II) by striking ''into classrooms where instruction is not tailored for limited English proficient children''; and

(v) in paragraph (9), by striking ''title'' and inserting ''part'';

(9) in section 3123, as redesignated by section 3001(2)—

(A) by striking ''children of limited English proficiency'' and inserting ''English learners''; and

(B) by striking ''limited English proficient children'' and inserting ''English learners'';

(10) in section 3124, as redesignated by section 3001(2)—

(A) in paragraph (1), by striking ''limited English proficient children'' and inserting ''English learners''; and

(B) in paragraph (2), by striking ''limited English proficient children'' and inserting ''English learners'';

(11) in section 3128, as redesignated by section 3001(2), by striking ''limited English proficient children'' and inserting ''English learners''; and

(12) by striking section 3131 and inserting the following:

''SEC. 3131. NATIONAL PROFESSIONAL DEVELOPMENT PROJECT.

''The Secretary shall use funds made available under section 3111(c)(1)(C) to award grants on a competitive basis, for a period of not more than 5 years, to institutions of higher education or public or private entities with relevant experience and capacity (in consortia with State educational agencies or local educational agencies) to provide for professional development, capacity building, or evidence-based activities that will improve classroom instruction for English learners and assist educational personnel working with such children to meet high professional standards, including standards for certification and licensure as teachers who work in language instruction educational programs or serve English learners. Grants awarded under this section may be used—

''(1) for preservice or inservice effective professional development programs that will assist local schools and may assist institutions of higher education to upgrade the qualifications and skills of educational personnel who are not certified or licensed, especially educational paraprofessionals, and for other activities to increase teacher and school leader effectiveness;

''(2) for the development of curricula or other instructional strategies appropriate to the needs of the consortia participants involved;

''(3) to support strategies that strengthen and increase parent, family, and community member engagement in the education of English learners;

''(4) to develop, share, and disseminate effective practices in the instruction of English learners and in increasing the student academic achievement of English learners, such as through the use of technology-based programs;

''(5) in conjunction with other Federal need-based student financial assistance programs, for financial assistance, and costs related to tuition, fees, and books for enrolling in courses required to complete the degree involved, to meet certification or licensing requirements for teachers who work in language instruction educational programs or serve English learners; and

''(6) as appropriate, to support strategies that promote school readiness of English learners and their transition from early childhood education programs, such as Head Start or State-run preschool programs to elementary school programs.''.

SEC. 3004. OTHER PROVISIONS.

Part B of title III, as redesignated by section 3001(4), is amended—

(1) in section 3201, as redesignated by section 3001(5)—

(A) by striking paragraphs (3), (4), and (5);

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

''(3) ELIGIBLE ENTITY.—The term 'eligible entity' means—

''(A) one or more local educational agencies; or

''(B) one or more local educational agencies, in collaboration with an institution of higher education, educational service agency, community-based organization, or State educational agency.

''(4) ENGLISH LEARNER WITH A DISABILITY.—The term 'English learner with a disability' means an English learner who is also a child with a disability, as that term is defined in section 602 of the Individuals with Disabilities Education Act.'';

(C) by redesignating paragraphs (6) through (8) as paragraphs (5) through (7), respectively;

(D) in paragraph (7)(A), as redesignated by subparagraph (C), by striking ''a limited English proficient child'' and inserting ''an English learner'';

(E) by inserting after paragraph (7) the following:

''(8) LONG-TERM ENGLISH LEARNER.—The term 'long-term English learner' means an English learner who has attended schools in the United States for not less than 5 years and who has not yet exited from English learner status by the culmination of the fifth year of services.''; and

(F) in paragraph (13), by striking '', as defined in section 3141,''; and

(2) in section 3202, as redesignated by section 3001(5)—

(A) in the matter preceding paragraph (1), by striking ''limited English proficient children'' and inserting ''English learners''; and

(B) in paragraph (4)—

(i) in subparagraph (A), by striking ''limited English proficient children'' and inserting ''English learners, including English learners with a disability (as defined in section 3141), that includes information on best practices on instructing and serving English learners''; and

(ii) in subparagraph (B), by striking ''limited English proficient children'' and inserting ''English learners''; and

(3) in section 3203, as redesignated by section 3001(5)—

(A) by striking ''limited English proficient individuals'' and inserting ''English learners''; and

(B) by striking ''limited English proficient children'' and inserting ''English learners''.

SEC. 3005. AMERICAN COMMUNITY SURVEY RESEARCH.

(a) STUDY.—The Director of the Institute of Education Sciences and the Secretary of Education, in consultation with the Director of the Bureau of the Census, shall conduct research on the accuracy of the American Community Survey language items for assessing population prevalence of English learner children and youth, including—

(1) the strength of such survey's association with more comprehensive English language proficiency measures;

(2) the effects on responses of situational, cultural, demographic, and socioeconomic factors;

(3) placement of the item in the questionnaire; and

(4) the ability of adult responders to make English language proficiency distinctions.

(b) IMPLEMENTATION.—The Director of the Bureau of the Census shall use the results of the study described in subsection (a) to improve the accuracy of the American Community Survey language items for assessing population prevalence of English learner students.

TITLE IV—SAFE AND HEALTHY STUDENTS

SEC. 4001. GENERAL PROVISIONS.

Title IV (20 U.S.C. 7101 et seq.) is amended—

(1) by redesignating subpart 3 of part A as subpart 5 of part F of title IX, as redesignated by section 9106(1), and moving that subpart to follow subpart 4 of part F of title IX, as redesignated by sections 2001 and 9106(1);

(2) by redesignating section 4141 as section 9561;

(3) by redesignating section 4155 as section 9537 and moving that section so as to follow section 9536;

(4) by redesignating part C as subpart 6 of part F of title IX, as redesignated by section 9106(1), and moving that subpart to follow subpart 5 of part F of title IX, as redesignated by section 9106(1) and paragraph (1);

(5) by redesignating sections 4301, 4302, 4303, and 4304, as sections 9571, 9572, 9573, and 9574, respectively; and

(6) by striking the title heading and inserting the following:

"TITLE IV—SAFE AND HEALTHY STUDENTS".

SEC. 4002. GRANTS TO STATES AND LOCAL EDUCATIONAL AGENCIES.

Part A of title IV (20 U.S.C. 7101 et seq.) is amended to read as follows:

"PART A—GRANTS TO STATES AND LOCAL EDUCATIONAL AGENCIES

"SEC. 4101. PURPOSE.

''The purpose of this part is to improve students' safety, health, well-being, and academic achievement during and after the school day by—

''(1) increasing the capacity of local educational agencies, schools, and local communities to improve conditions for learning through the creation of safe, healthy, supportive, and drug-free environments;

''(2) carrying out programs designed to improve school safety and promote students' physical and mental health and well-being;

''(3) preventing and reducing substance use and abuse, school violence, harassment, and bullying; and

''(4) strengthening parent and community engagement to ensure a healthy, safe, and supportive school environment.

"SEC. 4102. DEFINITIONS.

''In this part:

''(1) CONTROLLED SUBSTANCE.—The term 'controlled substance' means a drug or other substance identified under Schedule I, II, III, IV, or V in section 202(c) of the Controlled Substances Act (21 U.S.C. 812(c)).

''(2) DRUG.—The term 'drug' includes controlled substances, the illegal use of alcohol or tobacco (including smokeless tobacco products and electronic cigarettes), and the harmful, abusive, or addictive use of substances, including inhalants and anabolic steroids.

''(3) DRUG AND VIOLENCE PREVENTION.—The term 'drug and violence prevention' means—

''(A) with respect to drugs, prevention, early intervention, rehabilitation referral, or education related to the illegal use of drugs, such as raising awareness about the evidence-based consequences of drug use; and

''(B) with respect to violence, the promotion of school safety, such that students and school personnel are free from violent and disruptive acts, including sexual harassment and abuse, and victimization associated with prejudice and intolerance, on school premises, going to and from school, and at school-sponsored activities, through the creation and maintenance of a school environment that is free of weapons and fosters individual responsibility and respect for the rights of others.

''(4) SCHOOL-BASED MENTAL HEALTH SERVICES PROVIDER.—The term 'school-based mental health services provider' includes a State licensed or State certified school counselor, school psychologist, school social worker, or other State licensed or certified mental health professional qualified under State law to provide such mental health services to children and adolescents, including children in early childhood education programs.

''(5) STATE.—The term 'State' means each of the 50 States, the District of Columbia, and the Commonwealth of Puerto Rico.

"SEC. 4103. FORMULA GRANTS TO STATES.

''(a) RESERVATIONS.—From the total amount appropriated under section 4108 for a fiscal year, the Secretary shall reserve—

''(1) not more than 5 percent for national activities, which the Secretary may carry out directly or through grants, contracts, or agreements with public or private entities or individuals, or other Federal agencies, such as providing technical assistance to States and local educational agencies carrying out activities under this part or conducting a national evaluation;

''(2) one-half of 1 percent for allotments for the United States Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands, to be distributed among those outlying areas on the basis of their relative need, as determined by the Secretary, in accordance with the purpose of this part;

''(3) one-half of 1 percent for the Secretary of the Interior for programs under this part in schools operated or funded by the Bureau of Indian Education; and

''(4) such funds as may be necessary for the Project School Emergency Response to Violence program (referred to as 'Project SERV'), which is authorized to provide education-related services to local educational agencies and institutions of higher education in which the learning environment has been disrupted due to a violent or traumatic crisis, and which funds shall remain available for obligation until expended.

''(b) STATE ALLOTMENTS.—

''(1) ALLOTMENT.—

''(A) IN GENERAL.—In accordance with subparagraph (B), the Secretary shall allot among each of the States the total amount made available to carry out this part for any fiscal year and not reserved under subsection (a).

''(B) DETERMINATION OF STATE ALLOTMENT AMOUNTS.—Subject to paragraph (2), the Secretary shall allot the amount made available under subparagraph (A) for a fiscal year among the States in proportion to the number of individuals, aged 5 to 17, who reside within the State and are from families with incomes below the poverty line for the most recent fiscal year for which satisfactory data are available, compared to the number of such individuals who reside in all such States for that fiscal year.

''(2) SMALL STATE MINIMUM.—No State receiving an allotment under paragraph (1) shall receive less than one-half of 1 percent of the total amount allotted under such paragraph.

''(3) PUERTO RICO.—The amount allotted under subparagraph (A) to the Commonwealth of Puerto Rico for a fiscal year may not exceed one-half of 1 percent of the total amount allotted under such subparagraph.

''(4) REALLOTMENT.—If a State does not receive an allotment under this part for a fiscal year, the Secretary shall reallot the amount of the State's allotment to the remaining States in accordance with this section.

''(c) STATE USE OF FUNDS.—

''(1) IN GENERAL.—Each State that receives an allotment under this section shall reserve not less than 95 percent of the amount allotted to such State under subsection (b), for

each fiscal year, for subgrants to local educational agencies, which may include consortia of such agencies, under section 4104.

''(2) STATE ADMINISTRATION.—A State educational agency shall use not more than 1 percent of the amount made available to the State under subsection (b) for the administrative costs of carrying out its responsibilities under this part.

''(3) STATE ACTIVITIES.—A State educational agency shall use the amount made available to the State under subsection (b) and not reserved under paragraph (1) for activities and programs designed to meet the purposes of this part, which—

''(A) shall include—

''(i) providing training, technical assistance, and capacity building to local educational agencies that are recipients of a subgrant under section 4104, which may include identifying and disseminating best practices for professional development and capacity building for teachers, administrators, and specialized instructional support personnel in schools that are served by local educational agencies under this part; and

''(ii) publicly reporting on how funds made available under this part are being expended by local educational agencies under section 4104; and

''(B) may include—

''(i) identifying and eliminating State barriers to the coordination and integration of programs, initiatives, and funding streams that meet the purposes of this part, so that local educational agencies can better coordinate with other agencies, schools and community-based services and programs;

''(ii) assisting local educational agencies to expand access to or coordination of resources for school-based counseling and mental health programs, such as through school-based mental health services partnership programs described in section 4105(a)(4)(C);

''(iii) supporting programs and activities that offer a variety of well-rounded educational experiences to students;

''(iv) supporting activities that promote physical and mental health and well-being for students and staff;

''(v) designing and implementing a grant process for local entities that wish to use funds to reduce exclusionary discipline practices in elementary schools and secondary schools, in a manner consistent with State or federally identified best practices on the subject;

''(vi) assisting in the creation of a continuum of evidence-based or promising practices in the reduction of juvenile delinquency;

''(vii) promoting gender equity in education by supporting local educational agencies in meeting the requirements of title IX of the Education Amendments of 1972 (20 U.S.C. 1681 et seq.);

''(viii) providing local educational agencies with evidence-based resources—

''(I) addressing—

''(aa) student athletic safety, such as developing a plan for concussion safety and recovery practices (which may include policies that prohibit student athletes suspected of having a concussion from returning to play the same day);

''(bb) cardiac conditions such as cardiomyopathy; and

''(cc) exposure to excessive heat and humidity; and

''(II) relating to the development of recommended guidelines for an emergency action plan for youth athletics; and

''(ix) other activities identified by the State that meet the purposes of this part.

''(d) STATE PLAN.—

''(1) IN GENERAL.—In order to receive an allotment under this section for any fiscal year, a State shall submit a plan to the Secretary, at such time and in such manner as the Secretary may reasonably require.

''(2) CONTENTS.—Each plan submitted by a State under this section shall include the following:

''(A) A description of how the State educational agency will use funds received under this part for State-level activities.

''(B) A description of program objectives and outcomes for activities under this part.

''(C) An assurance that the State educational agency will review existing resources and programs across the State and will coordinate any new plans and resources under this part with such existing programs and resources.

''(D) An assurance that the State educational agency will monitor the implementation of activities under this part and provide technical assistance to local educational agencies in carrying out such activities.

''(3) ANNUAL REPORT.—Each State receiving a grant under this part shall annually prepare and submit a report to the Secretary, which shall include—

''(A) how the State and local educational agencies used funds provided under this part; and

''(B) the degree to which the State and local educational agencies have made progress toward meeting the objectives and outcomes described in the plan submitted by the State under paragraph (2)(B).

''SEC. 4104. SUBGRANTS TO LOCAL EDUCATIONAL AGENCIES.

''(a) ALLOCATIONS TO LOCAL EDUCATIONAL AGENCIES.—

''(1) IN GENERAL.—A State that receives an allotment under this part for a fiscal year shall provide the amount made available under section 4103(c)(1) for subgrants to local educational agencies, which may include consortia of such agencies, in accordance with this section.

''(2) FUNDS TO LOCAL EDUCATIONAL AGENCIES.—From the funds reserved by a State under section 4103(c)(1), the State shall allocate to each local educational agency or consortium of such agencies in the State an amount that bears the same relationship to such funds as the number of individuals aged 5 to 17 from families with incomes below the poverty line in the geographic area served by the agency, as determined by the Secretary on the basis of the most recent satisfactory data, bears to the number of such individuals in the geographic areas served by all the local educational agencies in the State, as so determined.

''(3) ADMINISTRATIVE COSTS.—Of the amount received under paragraph (2), a local educational agency or consortium of such agencies may use not more than 2 percent for the direct administrative costs of carrying out its responsibilities under this part.

''(b) LOCAL APPLICATIONS.—

''(1) IN GENERAL.—To be eligible to receive a subgrant under this section, a local educational agency or consortium of such agencies shall submit an application to the State educational agency at such time, in such manner, and containing such information as the State educational agency may reasonably require.

''(2) CONSULTATION.—

''(A) IN GENERAL.—A local educational agency or consortium of such agencies shall conduct a needs assessment described in paragraph (3), and develop its application, through consultation with parents, teachers, principals, school leaders, specialized instructional support personnel, early childhood educators, students, community-based organizations, local government representatives (which may include a local law enforcement agency, local juvenile court, local child welfare agency, or local public housing agency), Indian tribes or tribal organizations (if applicable) that may be located in the region served by the local educational agency, and others with relevant and demonstrated expertise in programs and activities designed to meet the purpose of this part.

''(B) CONTINUED CONSULTATION.—On an ongoing basis, the local educational agency or consortium of such agencies shall consult with the individuals and organizations described in subparagraph (A) in order to seek advice regarding how best—

''(i) to improve the local activities in order to meet the purpose of this part; and

''(ii) to coordinate such activities under this part with other related strategies, programs, and activities being conducted in the community.

''(3) NEEDS ASSESSMENT.—

''(A) IN GENERAL.—To be eligible to receive a subgrant under this section, a local educational agency or consortium of such agencies shall conduct a comprehensive needs assessment of the local educational agency or agencies proposed to be served and of all schools within the jurisdiction of the local educational agency or agencies proposed to be served.

''(B) REQUIREMENTS.—In conducting the needs assessment required under subparagraph (A), the local educational agency or consortium of such agencies shall—

''(i) take into account applicable and available school-level data on indicators or measures of school quality, climate and safety, and discipline, including those described in section 1111(d)(1)(C)(v); and

''(ii) take into account risk factors in the community, school, family, or peer-individual domains that—

''(I) are known through prospective, longitudinal research efforts to be predictive of drug use, violent behavior, harassment, disciplinary issues, and to have an effect on the physical and mental health and well-being of youth in the school and community; and

''(II) may include using available State and local data on incidence, prevalence, and perception of such risk factors.

''(4) CONTENTS.—Each application submitted under this subsection shall be based on the needs assessment described in paragraph (3) and shall include the following:

''(A) The results of the needs assessment described in paragraph (3) and an identification of each school that will be served by a subgrant under this section.

''(B) A description of the activities that the local educational agency or consortium of such agencies will carry out under this part and how these activities are aligned with the results of the needs assessment conducted under paragraph (3).

''(C) A description of the performance indicators that the local educational agency or consortium of such agencies will use to evaluate the effectiveness of the activities carried out under this section.

''(D) a description of the programs or activities that the local educational agency or consortium of such agencies will carry out under this part to assist schools in facilitating safe relationship behavior between and among students, as determined necessary by the local educational agency to meet the purposes of this part and which may include—

''(i) providing age-appropriate education and training, and

''(ii) improving instructional practices on developing effective communication skills, and on how to recognize and prevent coercion, violence, or abuse, including teen and dating violence, stalking, domestic abuse, and sexual violence and harassment.

''(E) An assurance that such activities will comply with the principles of effectiveness described in section 4105(b), and foster a

healthy, safe, and supportive school environment that improves students' safety, health, and well-being during and after the school day.

''(F) An assurance that the local educational agency or consortium of such agencies will prioritize the distribution of funds to schools served by the local educational agency or consortium of such agencies that—

''(i) are among the schools with the greatest needs as identified through the needs assessment conducted under paragraph (3);

''(ii) have the highest percentages or numbers of children counted under section 1124(c);

''(iii) are identified under section 1114(a)(1)(A); or

''(iv) are identified as a persistently dangerous public elementary school or secondary school under section 9532.

''(G) An assurance that the local educational agency or consortium of such agencies will comply with section 9501 (regarding equitable participation by private school children and teachers).

''SEC. 4105. LOCAL EDUCATIONAL AGENCY AUTHORIZED ACTIVITIES.

''(a) LOCAL EDUCATIONAL AGENCY ACTIVITIES.—A local educational agency or consortium of such agencies that receives a subgrant under section 4104 shall use the subgrant funds to develop, implement, and evaluate comprehensive programs and activities, which are coordinated with other schools and community-based services and programs and may be conducted in partnership with nonprofit organizations with a demonstrated record of success in implementing activities, that are in accordance with the purpose of this part and—

''(1) foster safe, healthy, supportive, and drug-free environments that support student academic achievement;

''(2) are consistent with the principles of effectiveness described in subsection (b);

''(3) promote the involvement of parents in the activity or program, as appropriate; and

''(4) may include, among other programs and activities—

''(A) drug and violence prevention activities and programs (including programs to educate students against the use of alcohol, tobacco, marijuana, smokeless tobacco products, and electronic cigarettes), including professional development and training for school and specialized instructional support personnel and interested community members in prevention, education, early identification, and intervention mentoring, and, where appropriate, rehabilitation referral, as related to drug and violence prevention;

''(B) programs that support extended learning opportunities, including before- and after-school programs and activities, programs during summer recess periods, and expanded learning time;

''(C) in accordance with subsections (c) and (d), school-based mental health services, including early identification of mental-health symptoms, drug use and violence, and appropriate referrals to direct individual or group counseling services provided by qualified school or community-based mental health services providers;

''(D) in accordance with subsections (c) and (d), school-based mental health services partnership programs that—

''(i) are conducted in partnership with a public or private mental-health entity or health care entity, which may also include a child welfare agency, family-based mental health entity, trauma network, or other community-based entity; and

''(ii) provide comprehensive school-based mental health services and supports and staff development for school and community personnel working in the school that are based on trauma-informed and evidence practices, are coordinated (where appropriate) with early intervening services carried out under the Individuals with Disabilities Education Act, are provided by qualified mental and behavioral health professionals who are certified or licensed by the State involved and practicing within their area of expertise, and may include—

''(I) the early identification of social, emotional, or behavioral problems, or substance use disorders, and the provision of early intervening services;

''(II) notwithstanding section 4107, the treatment or referral for treatment of students with social, emotional, or behavioral health problems, or substance use disorders;

''(III) the development and implementation of programs to assist children in dealing with trauma and violence; and

''(IV) the development of mechanisms, based on best practices, for children to report incidents of violence or plans by other children or adults to commit violence;

''(E) emergency planning and intervention services following traumatic crisis events;

''(F) programs that train school personnel to identify warning signs of youth drug abuse and suicide;

''(G) mentoring programs and activities for children who—

''(i) are at risk of academic failure, dropping out of school, or involvement in criminal or delinquent activities, drug use and abuse; or

''(ii) lack strong positive role models;

''(H) early childhood, elementary school, and secondary school counseling programs, including college and career guidance programs, such as—

''(i) postsecondary education and career awareness and exploration activities;

''(ii) efforts to enhance the use of information about local workforce needs in postsecondary education and career guidance programs, which may include training counselors to effectively utilize labor market information in assisting students with postsecondary education and career planning;

''(iii) the development of personalized learning plans for students; and

''(iv) financial literacy and Federal financial aid awareness activities;

''(I) programs or activities that support a healthy, active lifestyle, including nutritional education and regular, structured physical education programs for early childhood, elementary school, and secondary school students;

''(J) implementation of schoolwide positive behavioral interventions and supports, including through coordination with similar activities carried out under the Individuals with Disabilities Education Act, in order to improve academic outcomes for students and reduce the need for suspensions, expulsions, and other actions that remove students from instruction;

''(K) programs and activities that offer a variety of well-rounded educational experience for students, such as those that—

''(i) use music and the arts as tools to promote constructive student engagement, problem solving, and conflict resolution; or

''(ii) further students' understanding and knowledge of computer science from elementary school through secondary school;

''(L) systems of high-capacity, integrated student supports;

''(M) strategies that establish learning environments to further students' academic and nonacademic skills essential for school readiness and academic success, such as by providing integrated systems of student and family supports and building teacher, principal, and other school leader capacity;

''(N) bullying and harassment prevention programs or activities, including professional development and training for school and specialized instructional support personnel in the prevention, early identification, and early intervention, as related to bullying and harassment;

''(O) programs or activities designed to increase school safety and improve school climate, which may include training for school personnel related to conflict prevention and resolution practices and raising awareness of issues such as—

''(i) suicide prevention;

''(ii) effective and trauma-informed practices in classroom management;

''(iii) crisis management techniques;

''(iv) conflict resolution practices;

''(v) human trafficking (defined, for purposes of this subparagraph, as an act or practice described in paragraph (9) or (10) of section 103 of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7102)); and

''(vi) school-based violence prevention strategies;

''(P) programs or activities that integrate health and safety practices into school or athletic programs, such as developing a plan for concussion safety and recovery or cardiac safety or implementing an excessive heat action plan to be used during school-sponsored athletic activities;

''(Q) pay-for-success initiatives that produce a measurable, clearly defined outcome that results in social benefit and direct cost savings to the local, State, or Federal Government;

''(R) programs or activities to connect youth who are involved in, or are at risk of involvement in, juvenile delinquency or street gang activity to evidence-based and promising prevention and intervention practices related to juvenile delinquency and criminal street gang activity;

''(S) child sexual abuse awareness and prevention programs or activities, such as programs or activities designed to provide—

''(i) age-appropriate and developmentally-appropriate instruction for early childhood education program, elementary school, and secondary school students in child sexual abuse awareness and prevention, including how to recognize child sexual abuse and how to safely report child sexual abuse; and

''(ii) information to parents and guardians of early childhood education program, elementary school, and secondary school students about child sexual abuse awareness and prevention, including how to recognize child sexual abuse and how to discuss child sexual abuse with a child;

''(T) the development and implementation of a school asthma management plan;

''(U) assisting schools in educating children facing substance abuse in the home, which may include providing professional development, training, and technical assistance to elementary schools and secondary schools that serve communities with high rates of substance abuse;

''(V) instructional and support activities and programs, such as activities and programs addressing chronic disease management, led by school nurses, nurse practitioners, social workers, and other appropriate specialists or professionals to help maintain the well-being of students;

''(W) programs and activities that facilitate safe relationship behavior between and among students; and

''(X) other activities and programs identified as necessary by the local educational agency through the needs assessment conducted under section 4104(b)(3) that will increase student achievement and otherwise meet the purpose of this part.

''(b) PRINCIPLES OF EFFECTIVENESS.—

''(1) IN GENERAL.—For a program or activity developed or carried out under this part to meet principles of effectiveness, such program or activity shall—

''(A) be based upon an assessment of objective data regarding the need for programs and activities in the early childhood, elementary school, secondary school, or community to be served to—

''(i) improve school safety and promote students' physical and mental health and well-being, healthy eating and nutrition, and physical fitness; and

''(ii) strengthen parent and community engagement to ensure a healthy, safe, and supportive school environment;

''(B) be based upon established State requirements and evidence-based criteria aimed at ensuring a healthy, safe, and supportive school environment for students in the early childhood, elementary school, secondary school, or community that will be served by the program; and

''(C) include meaningful and ongoing consultation with and input from teachers, principals, school leaders, and parents in the development of the application and administration of the program or activity.

''(2) PERIODIC EVALUATION.—

''(A) IN GENERAL.—The program or activity shall undergo a periodic independent, third-party evaluation to assess the extent to which the program or activity has helped the local educational agency or school provide students with a healthy, safe, and supportive school environment that promotes school safety and students' physical and mental health and well-being.

''(B) USE OF RESULTS.—The local educational agency or consortium of such agencies shall ensure that the results of the periodic evaluations described under subparagraph (A) are—

''(i) used to refine, improve, and strengthen the program or activity, and to refine locally determined criteria described under paragraph (1)(B); and

''(ii) made available to the public and the State.

''(3) PROHIBITION.—Nothing in this subsection shall be construed to authorize the Secretary or any other officer or employee of the Federal Government to mandate, direct, or control, the principles of effectiveness developed or utilized by a local educational agency under this subsection.

''(c) PARENTAL CONSENT.—

''(1) IN GENERAL.—Each local educational agency receiving a subgrant under this part shall obtain prior written, informed consent from the parent of each child who is under 18 years of age to participate in any mental-health assessment service or treatment that is funded under this part and conducted in connection with an elementary school or secondary school under this part.

''(2) EXCEPTION.—Notwithstanding paragraph (1), the written, informed consent described in such paragraph shall not be required in—

''(A) an emergency, where it is necessary to protect the immediate health and safety of the student, other students, or school personnel; or

''(B) other instances where parental consent cannot be reasonably obtained, as defined by the Secretary.

''(d) PRIVACY.—Each local educational agency receiving a subgrant under this part shall ensure that student mental health records are accorded the privacy protections provided under section 444 of the General Education Provisions Act (20 U.S.C. 1232g) (commonly referred to as the 'Family Educational Rights and Privacy Act of 1974').

''SEC. 4106. SUPPLEMENT, NOT SUPPLANT.

''Funds made available under this part shall be used to supplement, and not supplant, non-Federal funds that would otherwise be used for activities authorized under this part.

''SEC. 4107. PROHIBITIONS.

''(a) PROHIBITED USE OF FUNDS.—No funds under this part may be used for—

''(1) construction; or

''(2) medical services or drug treatment or rehabilitation, except for integrated student supports or referral to treatment for impacted students, which may include students who are victims of, or witnesses to, crime or who illegally use drugs.

''(b) PROHIBITION ON MANDATORY MEDICATION.—No child shall be required to obtain a prescription for a substance covered by the Controlled Substances Act (21 U.S.C. 801 et seq.) as a condition of receiving an evaluation, services, or attending a school receiving assistance under this part.

''SEC. 4108. AUTHORIZATION OF APPROPRIATIONS.

''There are authorized to be appropriated to carry out this part such sums as may be necessary for each of fiscal years 2016 through 2021.''.

SEC. 4003. 21ST CENTURY COMMUNITY LEARNING CENTERS.

(a) PROGRAM AUTHORIZED.—Part B of title IV (20 U.S.C. 7171 et seq.) is amended to read as follows:

''PART B—21ST CENTURY COMMUNITY LEARNING CENTERS

''SEC. 4201. PURPOSE; DEFINITIONS.

''(a) PURPOSE.—The purpose of this part is to provide opportunities for communities to establish or expand activities in community learning centers that—

''(1) provide opportunities for academic enrichment, including providing tutorial services to help students, particularly students who attend low-performing schools, to meet challenging State academic standards described in section 1111(b)(1);

''(2) offer students a broad array of additional services, programs, and activities, such as youth development activities, service learning, nutrition and health education, drug and violence prevention programs, counseling programs, art, music, physical fitness and wellness programs, technology education programs, financial literacy programs, environmental literacy programs, mathematics, science, career and technical programs, internship or apprenticeship programs, and other ties to an in-demand industry sector or occupation for high school students that are designed to reinforce and complement the regular academic program of participating students; and

''(3) offer families of students served by community learning centers opportunities for active and meaningful engagement in their children's education, including opportunities for literacy and related educational development.

''(b) DEFINITIONS.—In this part:

''(1) COMMUNITY LEARNING CENTER.—The term 'community learning center' means an entity that—

''(A) assists students to meet challenging State academic standards described in section 1111(b)(1) by providing the students with academic enrichment activities and a broad array of other activities (such as programs and activities described in subsection (a)(2)) during nonschool hours or periods when school is not in session (such as before and after school or during summer recess) that—

''(i) reinforce and complement the regular academic programs of the schools attended by the students served; and

''(ii) are targeted to the students' academic needs and aligned with the instruction students receive during the school day; and

''(B) offers families of students served by such center opportunities for literacy, and related educational development and opportunities for active and meaningful engagement in their children's education.

''(2) COVERED PROGRAM.—The term 'covered program' means a program for which —

''(A) the Secretary made a grant under part B of title IV (as such part was in effect on the day before the date of enactment of the Every Child Achieves Act of 2015); and

''(B) the grant period had not ended on that date of enactment.

''(3) ELIGIBLE ENTITY.—The term 'eligible entity' means a local educational agency, community-based organization, Indian tribe or tribal organization (as such terms are defined in section 4 of the Indian Self-Determination and Education Act (25 U.S.C. 450b)), another public or private entity, or a consortium of 2 or more such agencies, organizations, or entities.

''(4) EXTERNAL ORGANIZATION.—The term 'external organization' means—

''(A) a nonprofit organization with a record of success in running or working with after school programs; or

''(B) in the case of a community where there is no such organization, a nonprofit organization in the community that enters into a formal agreement or partnership with an organization described in subparagraph (A) to receive mentoring and guidance.

''(5) RIGOROUS PEER-REVIEW PROCESS.—The term 'rigorous peer-review process' means a process by which—

''(A) employees of a State educational agency who are familiar with the 21st century community learning center program under this part review all applications that the State receives for awards under this part for completeness and applicant eligibility;

''(B) the State educational agency selects peer reviewers for such applications, who shall—

''(i) be selected for their expertise in providing effective academic, enrichment, youth development, and related services to children; and

''(ii) not include any applicant, or representative of an applicant, that has submitted an application under this part for the current application period; and

''(C) the peer reviewers described in subparagraph (B) review and rate the applications to determine the extent to which the applications meet the requirements under sections 4204(b) and 4205.

''(6) STATE.—The term 'State' means each of the 50 States, the District of Columbia, and the Commonwealth of Puerto Rico.

''SEC. 4202. ALLOTMENTS TO STATES.

''(a) RESERVATION.—From the funds appropriated under section 4206 for any fiscal year, the Secretary shall reserve—

''(1) such amounts as may be necessary to make continuation awards to grant recipients under covered programs (under the terms of those grants);

''(2) not more than 1 percent for national activities, which the Secretary may carry out directly or through grants and contracts, such as providing technical assistance to eligible entities carrying out programs under this part or conducting a national evaluation; and

''(3) not more than 1 percent for payments to the outlying areas and the Bureau of Indian Affairs, to be allotted in accordance with their respective needs for assistance under this part, as determined by the Secretary, to enable the outlying areas and the Bureau to carry out the purpose of this part.

''(b) STATE ALLOTMENTS.—

''(1) DETERMINATION.—From the funds appropriated under section 4206 for any fiscal year and remaining after the Secretary makes reservations under subsection (a), the Secretary shall allot to each State for the fiscal year an amount that bears the same relationship to the remainder as the amount the State received under subpart 2 of part A

of title I for the preceding fiscal year bears to the amount all States received under that subpart for the preceding fiscal year, except that no State shall receive less than an amount equal to one-half of 1 percent of the total amount made available to all States under this subsection.

''(2) REALLOTMENT OF UNUSED FUNDS.—If a State does not receive an allotment under this part for a fiscal year, the Secretary shall reallot the amount of the State's allotment to the remaining States in accordance with this part.

''(c) STATE USE OF FUNDS.—

''(1) IN GENERAL.—Each State that receives an allotment under this part shall reserve not less than 93 percent of the amount allotted to such State under subsection (b), for each fiscal year for awards to eligible entities under section 4204.

''(2) STATE ADMINISTRATION.—A State educational agency may use not more than 2 percent of the amount made available to the State under subsection (b) for—

''(A) the administrative costs of carrying out its responsibilities under this part;

''(B) establishing and implementing a rigorous peer-review process for subgrant applications described in section 4204(b) (including consultation with the Governor and other State agencies responsible for administering youth development programs and adult learning activities); and

''(C) awarding of funds to eligible entities (in consultation with the Governor and other State agencies responsible for administering youth development programs and adult learning activities).

''(3) STATE ACTIVITIES.—A State educational agency may use not more than 5 percent of the amount made available to the State under subsection (b) for the following activities:

''(A) Monitoring and evaluation of programs and activities assisted under this part.

''(B) Providing capacity building, training, and technical assistance under this part.

''(C) Comprehensive evaluation (directly, or through a grant or contract) of the effectiveness of programs and activities assisted under this part.

''(D) Providing training and technical assistance to eligible entities that are applicants for or recipients of awards under this part.

''(E) Ensuring that any eligible entity that receives an award under this part from the State aligns the activities provided by the program with State academic standards.

''(F) Ensuring that any such eligible entity identifies and partners with external organizations, if available, in the community.

''(G) Working with teachers, principals, parents, the local workforce, the local community, and other stakeholders to review and improve State policies and practices to support the implementation of effective programs under this part.

''(H) Coordinating funds received under this part with other Federal and State funds to implement high-quality programs.

''(I) Providing a list of prescreened external organizations, as described in section 4203(a)(11).

''SEC. 4203. STATE APPLICATION.

''(a) IN GENERAL.—In order to receive an allotment under section 4202 for any fiscal year, a State shall submit to the Secretary, at such time as the Secretary may require, an application that—

''(1) designates the State educational agency as the agency responsible for the administration and supervision of programs assisted under this part;

''(2) describes how the State educational agency will use funds received under this part, including funds reserved for State-level activities;

''(3) contains an assurance that the State educational agency—

''(A) will make awards under this part to eligible entities that serve students who primarily attend schools that have been identified under section 1114(a)(1)(A) and other schools determined by the local educational agency to be in need of intervention and support and the families of such students; and

''(B) will further give priority to eligible entities that propose in the application to serve students described in subclauses (I) and (II) of section 4204(i)(1)(A)(i);

''(4) describes the procedures and criteria the State educational agency will use for reviewing applications and awarding funds to eligible entities on a competitive basis, which shall include procedures and criteria that take into consideration the likelihood that a proposed community learning center will help participating students meet State and local content and student academic achievement standards;

''(5) describes how the State educational agency will ensure that awards made under this part are—

''(A) of sufficient size and scope to support high-quality, effective programs that are consistent with the purpose of this part; and

''(B) in amounts that are consistent with section 4204(h);

''(6) describes the steps the State educational agency will take to ensure that programs implement effective strategies, including providing ongoing technical assistance and training, evaluation, dissemination of promising practices, and coordination of professional development for staff in specific content areas as well as youth development;

''(7) describes how programs under this part will be coordinated with programs under this Act, and other programs as appropriate;

''(8) contains an assurance that the State educational agency—

''(A) will make awards for programs for a period of not less than 3 years and not more than 5 years; and

''(B) will require each eligible entity seeking such an award to submit a plan describing how the activities to be funded through the award will continue after funding under this part ends;

''(9) contains an assurance that funds appropriated to carry out this part will be used to supplement, and not supplant, other Federal, State, and local public funds expended to provide programs and activities authorized under this part and other similar programs;

''(10) contains an assurance that the State educational agency will require eligible entities to describe in their applications under section 4204(b) how the transportation needs of participating students will be addressed;

''(11) describes how the State will prescreen external organizations that could provide assistance in carrying out the activities under this part, and develop and make available to eligible entities a list of external organizations that successfully completed the prescreening process;

''(12) provides—

''(A) an assurance that the application was developed in consultation and coordination with appropriate State officials, including the chief State school officer, and other State agencies administering before- and after-school (or summer school) programs, the heads of the State health and mental health agencies or their designees, statewide after-school networks (where applicable) and representatives of teachers, local educational agencies, and community-based organizations; and

''(B) a description of any other representatives of teachers, parents, students, or the business community that the State has selected to assist in the development of the application, if applicable;

''(13) describes the results of the State's needs and resources assessment for before- and after-school activities, which shall be based on the results of on-going State evaluation activities;

''(14) describes how the State educational agency will evaluate the effectiveness of programs and activities carried out under this part, which shall include, at a minimum—

''(A) a description of the performance indicators and performance measures that will be used to evaluate programs and activities with emphasis on alignment with the regular academic program of the school and the academic needs of participating students, including performance indicators and measures that—

''(i) are able to track student success and improvement over time;

''(ii) include State assessment results and other indicators of student success and improvement, such as improved attendance during the school day, better classroom grades, regular (or consistent) program attendance, and on-time advancement to the next grade level; and

''(iii) for high school students, may include indicators such as career competencies, successful completion of internships or apprenticeships, or work-based learning opportunities;

''(B) a description of how data collected for the purposes of subparagraph (A) will be collected; and

''(C) public dissemination of the evaluations of programs and activities carried out under this part; and

''(15) provides for timely public notice of intent to file an application and an assurance that the application will be available for public review after submission.

''(b) DEEMED APPROVAL.—An application submitted by a State educational agency pursuant to subsection (a) shall be deemed to be approved by the Secretary unless the Secretary makes a written determination, prior to the expiration of the 120-day period beginning on the date on which the Secretary received the application, that the application is not in compliance with this part.

''(c) DISAPPROVAL.—The Secretary shall not finally disapprove the application, except after giving the State educational agency notice and an opportunity for a hearing.

''(d) NOTIFICATION.—If the Secretary finds that the application is not in compliance, in whole or in part, with this part, the Secretary shall—

''(1) give the State educational agency notice and an opportunity for a hearing; and

''(2) notify the State educational agency of the finding of noncompliance and, in such notification—

''(A) cite the specific provisions in the application that are not in compliance; and

''(B) request additional information, only as to the noncompliant provisions, needed to make the application compliant.

''(e) RESPONSE.—If the State educational agency responds to the Secretary's notification described in subsection (d)(2) during the 45-day period beginning on the date on which the agency received the notification, and resubmits the application with the requested information described in subsection (d)(2)(B), the Secretary shall approve or disapprove such application prior to the later of—

''(1) the expiration of the 45-day period beginning on the date on which the application is resubmitted; or

''(2) the expiration of the 120-day period described in subsection (b).

''(f) FAILURE TO RESPOND.—If the State educational agency does not respond to the

Secretary's notification described in subsection (d)(2) during the 45-day period beginning on the date on which the agency received the notification, such application shall be deemed to be disapproved.

''(g) LIMITATION.—The Secretary may not impose a priority or preference for States or eligible entities that seek to use funds made available under this part to extend the regular school day.

''SEC. 4204. LOCAL COMPETITIVE SUBGRANT PROGRAM.

''(a) IN GENERAL.—

''(1) COMMUNITY LEARNING CENTERS.—A State that receives funds under this part for a fiscal year shall provide the amount made available under section 4202(c)(1) to award subgrants to eligible entities for community learning centers in accordance with this part.

''(2) EXPANDED LEARNING PROGRAM ACTIVITIES.—A State that receives funds under this part for a fiscal year may also use funds under section 4202(c)(1) to support those enrichment and engaging academic activities described in section 4205(a) that—

''(A) are included as part of an expanded learning program that provide students at least 300 additional program hours before, during, or after the traditional school day;

''(B) supplement but do not supplant school day requirements; and

''(C) are awarded to entities that meet the requirements of subsection (i).

''(b) APPLICATION.—

''(1) IN GENERAL.—To be eligible to receive a subgrant under this part, an eligible entity shall submit an application to the State educational agency at such time, in such manner, and including such information as the State educational agency may reasonably require.

''(2) CONTENTS.—Each application submitted under paragraph (1) shall include—

''(A) a description of the activities to be funded, including—

''(i) an assurance that the program will take place in a safe and easily accessible facility;

''(ii) a description of how students participating in the program carried out by the community learning center will travel safely to and from the center and home, if applicable; and

''(iii) a description of how the eligible entity will disseminate information about the community learning center (including its location) to the community in a manner that is understandable and accessible;

''(B) a description of how such activities are expected to improve student academic achievement as well as overall student success;

''(C) a demonstration of how the proposed program will coordinate Federal, State, and local programs and make the most effective use of public resources;

''(D) an assurance that the proposed program was developed and will be carried out—

''(i) in active collaboration with the schools the students attend (including through the sharing of relevant student data among the schools), all participants in the eligible entity, and any partnership entities described in subparagraph (H), while complying with applicable laws relating to privacy and confidentiality; and

''(ii) in alignment with State and local content and student academic achievement standards;

''(E) a description of how the activities will meet the measures of effectiveness described in section 4205(b);

''(F) an assurance that the program will target students who primarily attend schools eligible for schoolwide programs under section 1113(b) and the families of such students;

''(G) an assurance that subgrant funds under this part will be used to increase the level of State, local, and other non-Federal funds that would, in the absence of funds under this part, be made available for programs and activities authorized under this part, and in no case supplant Federal, State, local, or non-Federal funds;

''(H) a description of the partnership between a local educational agency, a community-based organization, and another public entity or private entity, if appropriate;

''(I) an evaluation of the community needs and available resources for the community learning center and a description of how the program proposed to be carried out in the center will address those needs (including the needs of working families);

''(J) a demonstration that the eligible entity will use best practices, including research or evidence-based practices, to provide educational and related activities that will complement and enhance academic performance, achievement, postsecondary and workforce preparation, and positive youth development of the students;

''(K) a description of a preliminary plan for how the community learning center will continue after funding under this part ends;

''(L) an assurance that the community will be given notice of an intent to submit an application and that the application and any waiver request will be available for public review after submission of the application;

''(M) if the eligible entity plans to use volunteers in activities carried out through the community learning center, a description of how the eligible entity will encourage and use appropriately qualified persons to serve as the volunteers; and

''(N) such other information and assurances as the State educational agency may reasonably require.

''(c) APPROVAL OF CERTAIN APPLICATIONS.—The State educational agency may approve an application under this part for a program to be located in a facility other than an elementary school or secondary school only if the program will be at least as available and accessible to the students to be served as if the program were located in an elementary school or secondary school.

''(d) PERMISSIVE LOCAL MATCH.—

''(1) IN GENERAL.—A State educational agency may require an eligible entity to match subgrant funds awarded under this part, except that such match may not exceed the amount of the subgrant and may not be derived from other Federal or State funds.

''(2) SLIDING SCALE.—The amount of a match under paragraph (1) shall be established based on a sliding scale that takes into account—

''(A) the relative poverty of the population to be targeted by the eligible entity; and

''(B) the ability of the eligible entity to obtain such matching funds.

''(3) IN-KIND CONTRIBUTIONS.—Each State educational agency that requires an eligible entity to match funds under this subsection shall permit the eligible entity to provide all or any portion of such match in the form of in-kind contributions.

''(4) CONSIDERATION.—Notwithstanding this subsection, a State educational agency shall not consider an eligible entity's ability to match funds when determining which eligible entities will receive subgrants under this part.

''(e) PEER REVIEW.—In reviewing local applications under this part, a State educational agency shall use a rigorous peer-review process or other methods of ensuring the quality of such applications.

''(f) GEOGRAPHIC DIVERSITY.—To the extent practicable, a State educational agency shall distribute subgrant funds under this part equitably among geographic areas within the State, including urban and rural communities.

''(g) DURATION OF AWARDS.—Subgrants under this part shall be awarded for a period of not less than 3 years and not more than 5 years.

''(h) AMOUNT OF AWARDS.—A subgrant awarded under this part may not be made in an amount that is less than $50,000.

''(i) PRIORITY.—

''(1) IN GENERAL.—In awarding subgrants under this part, a State educational agency shall give priority to applications—

''(A) proposing to target services to—

''(i) students who primarily attend schools that—

''(I) have been identified under section 1114(a) and other schools determined by the local educational agency to be in need of intervention and support to improve student academic achievement and other outcomes; and

''(II) enroll students who may be at risk for academic failure, dropping out of school, involvement in criminal or delinquent activities, or who lack strong positive role models; and

''(ii) the families of students described in clause (i);

''(B) submitted jointly by eligible entities consisting of not less than 1—

''(i) local educational agency receiving funds under part A of title I; and

''(ii) another eligible entity; and

''(C) demonstrating that the activities proposed in the application—

''(i) are, as of the date of the submission of the application, not accessible to students who would be served; or

''(ii) would expand accessibility to high-quality services that may be available in the community.

''(2) SPECIAL RULE.—The State educational agency shall provide the same priority under paragraph (1) to an application submitted by a local educational agency if the local educational agency demonstrates that it is unable to partner with a community-based organization in reasonable geographic proximity and of sufficient quality to meet the requirements of this part.

''(3) LIMITATION.—A State educational agency may not impose a priority or preference for eligible entities that seek to use funds made available under this part to extend the regular school day.

''(j) RENEWABILITY OF AWARDS.—A State educational agency may renew a subgrant provided under this part to an eligible entity, based on the eligible entity's performance during the original subgrant period.

''SEC. 4205. LOCAL ACTIVITIES.

''(a) AUTHORIZED ACTIVITIES.—Each eligible entity that receives an award under section 4204 may use the award funds to carry out a broad array of activities that advance student academic achievement and support student success, including—

''(1) academic enrichment learning programs, mentoring programs, remedial education activities, and tutoring services, that are aligned with—

''(A) State and local content and student academic achievement standards; and

''(B) local curricula that are designed to improve student academic achievement;

''(2) core academic subject education activities, including such activities that enable students to be eligible for credit recovery or attainment;

''(3) literacy education programs, including financial literacy programs and environmental literacy programs;

''(4) programs that support a healthy, active lifestyle, including nutritional education and regular, structured physical activity programs;

''(5) services for individuals with disabilities;

''(6) programs that provide after-school activities for students who are English learners that emphasize language skills and academic achievement;

''(7) cultural programs;

''(8) telecommunications and technology education programs;

''(9) expanded library service hours;

''(10) parenting skills programs that promote parental involvement and family literacy;

''(11) programs that provide assistance to students who have been truant, suspended, or expelled to allow the students to improve their academic achievement;

''(12) drug and violence prevention programs and counseling programs;

''(13) programs that build skills in science, technology, engineering, and mathematics (referred to in this paragraph as 'STEM') and that foster innovation in learning by supporting nontraditional STEM education teaching methods; and

''(14) programs that partner with in-demand fields of the local workforce or build career competencies and career readiness and ensure that local workforce and career readiness skills are aligned with the Carl D. Perkins Career and Technical Education Act of 2006 and the Workforce Innovation and Opportunity Act.

''(b) MEASURES OF EFFECTIVENESS.—

''(1) IN GENERAL.—For a program or activity developed pursuant to this part to meet the measures of effectiveness, monitored by the State educational agency as described in section 4203(a)(14), such program or activity shall—

''(A) be based upon an assessment of objective data regarding the need for before- and after-school programs (including during summer recess periods) and activities in the schools and communities;

''(B) be based upon an established set of performance measures aimed at ensuring the availability of high-quality academic enrichment opportunities;

''(C) if appropriate, be based upon evidence-based research that the program or activity will help students meet the State and local student academic achievement standards;

''(D) ensure that measures of student success align with the regular academic program of the school and the academic needs of participating students and include performance indicators and measures described in section 4203(a)(14)(A); and

''(E) collect the data necessary for the measures of student success described in subparagraph (D).

''(2) PERIODIC EVALUATION.—

''(A) IN GENERAL.—The program or activity shall undergo a periodic evaluation in conjunction with the State educational agency's overall evaluation plan as described in section 4203(a)(14), to assess the program's progress toward achieving the goal of providing high-quality opportunities for academic enrichment and overall student success.

''(B) USE OF RESULTS.—The results of evaluations under subparagraph (A) shall be—

''(i) used to refine, improve, and strengthen the program or activity, and to refine the performance measures;

''(ii) made available to the public upon request, with public notice of such availability provided; and

''(iii) used by the State to determine whether a subgrant is eligible to be renewed under section 4204(j).

''SEC. 4206. AUTHORIZATION OF APPROPRIATIONS.

''There are authorized to be appropriated to carry out this part such sums as may be necessary for each of fiscal years 2016 through 2021.''.

(b) TRANSITION.—The recipient of a multiyear grant award under part B of title IV of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7171 et seq.), as such Act was in effect on the day before the date of enactment of this Act, shall continue to receive funds in accordance with the terms and conditions of such award.

SEC. 4004. ELEMENTARY SCHOOL AND SECONDARY SCHOOL COUNSELING PROGRAMS.

Title IV (20 U.S.C. 7101 et seq.), as amended by section 4001, is further amended by inserting after part B the following:

''PART C—ELEMENTARY SCHOOL AND SECONDARY SCHOOL COUNSELING PROGRAMS

''SEC. 4301. ELEMENTARY SCHOOL AND SECONDARY SCHOOL COUNSELING PROGRAMS.

''(a) GRANTS AUTHORIZED.—

''(1) IN GENERAL.—The Secretary is authorized to award grants to eligible entities to enable such agencies to establish or expand elementary school and secondary school counseling programs that comply with the requirements of subsection (c).

''(2) SPECIAL CONSIDERATION.—In awarding grants under this section, the Secretary shall—

''(A) give special consideration to applications describing programs that—

''(i) demonstrate the greatest need for new or additional counseling services among children in the schools served by the eligible entity, in part by providing information on current ratios, as of the date of application for a grant under this section, of students to school counselors, students to school social workers, and students to school psychologists;

''(ii) propose promising and innovative approaches for initiating or expanding school counseling; and

''(iii) show strong potential for replication and dissemination; and

''(B) give priority to—

''(i) schools that serve students in rural and remote areas;

''(ii) schools in need of intervention and support and schools that are the persistently lowest-achieving schools; or

''(iii) schools with a high percentage of students aged 5 through 17 who—

''(I) are in poverty, as counted in the most recent census data approved by the Secretary;

''(II) are eligible for a free or reduced price lunch under the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.);

''(III) are in families receiving assistance under the State program funded under part A of title IV of the Social Security Act; or

''(IV) are eligible to receive medical assistance under the Medicaid program.

''(3) EQUITABLE DISTRIBUTION.—In awarding grants under this section, the Secretary shall ensure an equitable geographic distribution among the regions of the United States and among eligible entities located in urban, rural, and suburban areas.

''(4) DURATION.—A grant under this section shall be awarded for a period not to exceed 3 years.

''(5) MAXIMUM GRANT.—A grant awarded under this section shall not exceed $400,000 for any fiscal year.

''(b) APPLICATIONS.—

''(1) IN GENERAL.—Each eligible entity desiring a grant under this section shall submit an application to the Secretary at such time, in such manner, and accompanied by such information as the Secretary may reasonably require.

''(2) CONTENTS.—Each application for a grant under this section shall—

''(A) describe the school population to be targeted by the program, the particular counseling needs of such population, and the current school counseling resources available for meeting such needs;

''(B) include the information described in subparagraphs (B) through (D) of section 4104(b)(4), with respect to the grant under this part;

''(C) document that the eligible entity has personnel qualified to develop, implement, and administer the program; and

''(D) document how the eligible entity will engage in meaningful consultation with parents and families in the development of such program.

''(c) USE OF FUNDS.—Each eligible entity receiving a grant under this part shall use grant funds to develop, implement, and evaluate comprehensive, evidence-based, school counseling programs through activities that incorporate evidence-based practices, such as—

''(1) the implementation of a comprehensive school counseling program to meet the counseling and educational needs of all students;

''(2) increasing the range, availability, quantity, and quality of counseling services, provided by qualified school counselors, school psychologists, school social workers, and other qualified school-based mental health services providers, in the elementary schools and secondary schools of the eligible entity;

''(3) the implementation of innovative approaches to increase children's understanding of peer and family relationships, peer and family interaction, work and self, decisionmaking, or academic and career planning;

''(4) the implementation of academic, postsecondary education and career planning programs;

''(5) the initiation of partnerships with community groups, social service agencies, or other public or private non-profit entities in collaborative efforts to enhance the program and promote school-linked integration of services, as long as the eligible entity documents how such partnership supplements, not supplants, existing school-employed school-based mental health services providers and services, in accordance with subsection (f);

''(6) the implementation of a team approach to school counseling in the schools served by the eligible entity by working toward ratios of school counselors, school social workers, and school psychologists to students recommended to enable such personnel to effectively address the needs of students; and

''(7) any other activity determined necessary by the eligible entity that meets the purpose of this part.

''(d) LIMITATION ON ADMINISTRATIVE COSTS.—Not more than 4 percent of the amounts made available under this section for any fiscal year may be used for administrative costs to carry out this section.

''(e) REPORT.—Not later than 2 years after assistance is made available to eligible entities under subsection (a), the Secretary shall make publicly available a report—

''(1) evaluating the programs assisted pursuant to each grant under this section; and

''(2) outlining the information from eligible entities regarding the ratios of students to—

''(A) school counselors;

''(B) school social workers; and

''(C) school psychologists.

''(f) SUPPLEMENT, NOT SUPPLANT.—Funds made available under this section shall be used to supplement, and not supplant, other

Federal, State, or local funds used for providing school-based counseling and mental health services to students.

''(g) DEFINITIONS.—In this section:

''(1) ELIGIBLE ENTITY.—The term 'eligible entity' means—

''(A) a local educational agency;

''(B) an educational service agency serving more than 1 local educational agency; or

''(C) a consortium of local educational agencies.

''(2) SCHOOL-BASED MENTAL HEALTH SERVICES PROVIDER.—The term 'school-based mental health services provider' has the meaning given the term in section 4102.

''(3) SCHOOL COUNSELOR.—The term 'school counselor' means an individual who meets the criteria for licensure or certification as a school counselor in the State where the individual is employed.

''(4) SCHOOL PSYCHOLOGIST.—The term 'school psychologist' means an individual who is licensed or certified in school psychology by the State in which the individual is employed.

''(5) SCHOOL SOCIAL WORKER.—The term 'school social worker' means an individual who is licensed or certified as a school social worker for the State in which the individual is employed.

''(h) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section such sums as may be necessary for each of fiscal years 2016 through 2021.''.

SEC. 4005. PHYSICAL EDUCATION PROGRAM.

Title IV (20 U.S.C. 7101 et seq.), as amended by sections 4001 and 4004, is further amended by adding at the end the following:

''PART D—PHYSICAL EDUCATION PROGRAM

''SEC. 4401. PURPOSE.

''The purpose of this part is to award grants and contracts to initiate, expand, and improve physical education programs for all students in kindergarten through grade 12.

''SEC. 4402. PROGRAM AUTHORIZED.

''(a) AUTHORIZATION.—From amounts made available to carry out this part, the Secretary is authorized to award grants or contracts to local educational agencies and community-based organizations to pay the Federal share of the costs of initiating, expanding, and improving physical education programs (including after-school programs) for students in kindergarten through grade 12, by—

''(1) providing materials and support to enable students to participate actively in physical education activities; and

''(2) providing funds for staff and teacher training and education relating to physical education.

''(b) PROGRAM ELEMENTS.—A physical education program that receives assistance under this part may provide for 1 or more of the following:

''(1) Fitness education and assessment to help students understand, improve, or maintain their physical well-being.

''(2) Instruction in a variety of motor skills and physical activities designed to enhance the physical, mental, and social or emotional development of every student.

''(3) Development of, and instruction in, cognitive concepts about motor skill and physical fitness that support a lifelong healthy lifestyle.

''(4) Opportunities to develop positive social and cooperative skills through physical activity participation.

''(5) Instruction in healthy eating habits and good nutrition.

''(6) Opportunities for professional development for teachers of physical education to stay abreast of the latest research, issues, and trends in the field of physical education.

''(c) SPECIAL RULE.—For purposes of this part, extracurricular activities, such as team sports and Reserve Officers' Training Corps program activities, shall not be considered as part of the curriculum of a physical education program assisted under this part.

''SEC. 4403. APPLICATIONS.

''(a) SUBMISSION.—Each local educational agency or community-based organization desiring a grant or contract under this part shall submit to the Secretary an application that contains a plan to initiate, expand, or improve physical education programs in order to make progress toward meeting State standards for physical education.

''(b) PRIVATE SCHOOL AND HOME-SCHOOLED STUDENTS.—An application for a grant or contract under this part may provide for the participation, in the activities funded under this part, of—

''(1) students enrolled in private nonprofit elementary schools or secondary schools, and their parents and teachers; or

''(2) home-schooled students, and their parents and teachers.

''SEC. 4404. REQUIREMENTS.

''(a) ANNUAL REPORT TO THE SECRETARY.—In order to continue receiving funding after the first year of a multiyear grant or contract under this part, the administrator of the grant or contract for the local educational agency or community-based organization shall submit to the Secretary an annual report that—

''(1) describes the activities conducted during the preceding year; and

''(2) demonstrates that progress has been made toward meeting State standards for physical education.

''(b) ADMINISTRATIVE EXPENSES.—Not more than 5 percent of the funds made available under this part to a local educational agency or community-based organization for any fiscal year may be used for administrative expenses.

''SEC. 4405. ADMINISTRATIVE PROVISIONS.

''(a) FEDERAL SHARE.—The Federal share under this part may not exceed—

''(1) 90 percent of the total cost of a program for the first year for which the program receives assistance under this part; and

''(2) 75 percent of such cost for the second and each subsequent such year.

''(b) PROPORTIONALITY.—To the extent practicable, the Secretary shall ensure that grants awarded under this part are equitably distributed among local educational agencies, and community-based organizations, serving urban and rural areas.

''(c) REPORT TO CONGRESS.—Not later than June 1, 2017, the Secretary shall submit a report to Congress that—

''(1) describes the programs assisted under this part;

''(2) documents the success of such programs in improving physical fitness; and

''(3) makes such recommendations as the Secretary determines appropriate for the continuation and improvement of the programs assisted under this part.

''(d) AVAILABILITY OF FUNDS.—Amounts made available to the Secretary to carry out this part shall remain available until expended.

''SEC. 4406. SUPPLEMENT, NOT SUPPLANT.

''Funds made available under this part shall be used to supplement, and not supplant, any other Federal, State, or local funds available for physical education activities.

''SEC. 4407. AUTHORIZATION OF APPROPRIATIONS.

''There are authorized to be appropriated to carry out this part such sums as may be necessary for each of fiscal years 2016 through 2021.''.

TITLE V—EMPOWERING PARENTS AND EXPANDING OPPORTUNITY THROUGH INNOVATION

SEC. 5001. GENERAL PROVISIONS.

Title V (20 U.S.C. 7201 et seq.) is amended—

(1) by striking the title heading and inserting ''**EMPOWERING PARENTS AND EXPANDING OPPORTUNITY THROUGH INNOVATION**'';

(2) by striking part A;

(3) by striking subparts 2 and 3 of part B;

(4) by striking part D;

(5) by redesignating parts B and C as parts A and B, respectively;

(6) in part A, as redesignated by paragraph (5), by striking ''**Subpart 1—Charter School Programs**'';

(7) by redesignating sections 5201 through 5211 as sections 5101 through 5111, respectively;

(8) by redesignating sections 5301 through 5307 as sections 5201 through 5207, respectively;

(9) by striking sections 5308 and 5310; and

(10) by redesignating sections 5309 and 5311 as sections 5208 and 5209, respectively.

SEC. 5002. PUBLIC CHARTER SCHOOLS.

Part A of title V (20 U.S.C. 7221 et seq.), as redesignated by section 5001(5), is amended—

(1) by striking sections 5101 through 5105, as redesignated by section 5001(7), and inserting the following:

''SEC. 5101. PURPOSE.

''It is the purpose of this part to—

''(1) provide financial assistance for the planning, program design, and initial implementation of charter schools;

''(2) increase the number of high-quality charter schools available to students across the United States;

''(3) evaluate the impact of such schools on student achievement, families, and communities, and share best practices among charter schools and other public schools;

''(4) encourage States to provide support to charter schools for facilities financing in an amount more nearly commensurate to the amount the States have typically provided for traditional public schools;

''(5) expand opportunities for children with disabilities, students who are English learners, and other traditionally underserved students to attend charter schools and meet the challenging State academic standards under section 1111(b)(1); and

''(6) support efforts to strengthen the charter school authorizing process to improve performance management, including transparency, monitoring, including financial audits, and evaluation of such schools.

''SEC. 5102. PROGRAM AUTHORIZED.

''(a) IN GENERAL.—The Secretary is authorized to carry out a charter school program that supports charter schools that serve early childhood, elementary school, and secondary school students by—

''(1) supporting the startup of charter schools, the replication of high-quality charter schools, and the expansion of high-quality charter schools;

''(2) assisting charter schools in accessing credit to acquire and renovate facilities for school use; and

''(3) carrying out national activities to support—

''(A) the startup of charter schools, the replication of high-quality charter schools, and the expansion of high-quality charter schools;

''(B) the dissemination of best practices of charter schools for all schools;

''(C) the evaluation of the impact of the charter school program under this part on schools participating in such program; and

''(D) stronger charter school authorizing.

''(b) FUNDING ALLOTMENT.—From the amount made available under section 5111 for a fiscal year, the Secretary shall—

''(1) reserve 12.5 percent to support charter school facilities assistance under section 5104;

''(2) reserve not less than 25 percent to carry out national activities under section 5105; and

''(3) use the remaining amount after the reservations under paragraphs (1) and (2) to carry out section 5103.

''(c) PRIOR GRANTS AND SUBGRANTS.—The recipient of a grant or subgrant under this part (as such part was in effect on the day before the date of enactment of the Every Child Achieves Act of 2015) shall continue to receive funds in accordance with the terms and conditions of such grant or subgrant.

''SEC. 5103. GRANTS TO SUPPORT HIGH-QUALITY CHARTER SCHOOLS.

''(a) STATE ENTITY DEFINED.—For purposes of this section, the term 'State entity' means—

''(1) a State educational agency;

''(2) a State charter school board;

''(3) a Governor of a State; or

''(4) a charter school support organization.

''(b) PROGRAM AUTHORIZED.—From the amount available under section 5102(b)(3), the Secretary shall award, on a competitive basis, grants to State entities having applications approved under subsection (f) to enable such entities to—

''(1) award subgrants to eligible applicants to enable such eligible applicants to—

''(A) open new charter schools;

''(B) replicate high-quality charter school models; or

''(C) expand high-quality charter schools; and

''(2) provide technical assistance to eligible applicants and authorized public chartering agencies in carrying out the activities described in paragraph (1), and work with authorized public chartering agencies in the State to improve authorizing quality, including developing capacity for, and conducting, fiscal oversight and auditing of charter schools.

''(c) STATE ENTITY USES OF FUNDS.—

''(1) IN GENERAL.—A State entity receiving a grant under this section shall—

''(A) use not less than 90 percent of the grant funds to award subgrants to eligible applicants, in accordance with the quality charter school program described in the State entity's application pursuant to subsection (f), for the purposes described in subparagraphs (A) through (C) of subsection (b)(1);

''(B) reserve not less than 7 percent of such funds to carry out the activities described in subsection (b)(2); and

''(C) reserve not more than 3 percent of such funds for administrative costs, which may include the administrative costs of providing technical assistance.

''(2) CONTRACTS AND GRANTS.—A State entity may use a grant received under this section to carry out the activities described in paragraph (1)(B) directly or through grants, contracts, or cooperative agreements.

''(3) RULES OF CONSTRUCTION.—

''(A) USE OF LOTTERY MECHANISMS.—Nothing in this Act shall prohibit the Secretary from awarding grants to State entities, or State entities from awarding subgrants to eligible applicants, that use a weighted lottery, or an equivalent lottery mechanism, to give better chances for school admission to all or a subset of educationally disadvantaged students if—

''(i) the use of a weighted lottery in favor of such students is not prohibited by State law, and such State law is consistent with the laws described in section 5110(2)(G); and

''(ii) such weighted lottery is not used for the purpose of creating schools exclusively to serve a particular subset of students.

''(B) STUDENTS WITH SPECIAL NEEDS.—Nothing in this paragraph shall be construed to prohibit schools from specializing in providing specific services for students with a demonstrated need for such services, such as students who need specialized instruction in reading, spelling, or writing.

''(d) PROGRAM PERIODS; PEER REVIEW; DISTRIBUTION OF SUBGRANTS; WAIVERS.—

''(1) PROGRAM PERIODS.—

''(A) GRANTS.—A grant awarded by the Secretary to a State entity under this section shall be for a period of not more than 3 years, and may be renewed by the Secretary for one additional 2-year period.

''(B) SUBGRANTS.—A subgrant awarded by a State entity under this section—

''(i) shall be for a period of not more than 3 years, of which an eligible applicant may use not more than 18 months for planning and program design; and

''(ii) may be renewed by the State entity for one additional 2-year period.

''(2) PEER REVIEW.—The Secretary, and each State entity awarding subgrants under this section, shall use a peer-review process to review applications for assistance under this section.

''(3) DISTRIBUTION OF SUBGRANTS.—Each State entity awarding subgrants under this section shall award subgrants in a manner that, to the extent practicable and applicable, ensures that such subgrants—

''(A) prioritize eligible applicants that plan to serve a significant number of students from low-income families;

''(B) are distributed throughout different areas, including urban, suburban, and rural areas; and

''(C) will assist charter schools representing a variety of educational approaches.

''(4) WAIVERS.—The Secretary may waive any statutory or regulatory requirement over which the Secretary exercises administrative authority under this Act with respect to charter schools supported under this part, except any such requirement relating to the elements of a charter school described in section 5110(2), if—

''(A) the waiver is requested in an approved application under this section; and

''(B) the Secretary determines that granting such waiver will promote the purpose of this part.

''(e) LIMITATIONS.—

''(1) GRANTS.—A State entity may not receive more than 1 grant under this section at a time.

''(2) SUBGRANTS.—An eligible applicant may not receive more than 1 subgrant under this section for each individual charter school for each grant period or renewal period, unless the eligible applicant demonstrates to the State entity that such individual charter school has demonstrated a strong track record of positive results over the course of the grant period regarding the elements described in subparagraphs (A) and (D) of section 5110(8).

''(f) APPLICATIONS.—A State entity desiring to receive a grant under this section shall submit an application to the Secretary at such time and in such manner as the Secretary may require. The application shall include the following:

''(1) DESCRIPTION OF PROGRAM.—A description of the State entity's objectives in running a quality charter school program under this section and how the objectives of the program will be carried out, including—

''(A) a description of how the State entity will—

''(i) support the opening of new charter schools and, if applicable, the replication of high-quality charter schools and the expansion of high-quality charter schools, including the proposed number of charter schools to be opened, replicated, or expanded under the State entity's program;

''(ii) inform eligible charter schools, developers, and authorized public chartering agencies of the availability of funds under the program;

''(iii) work with eligible applicants to ensure that the eligible applicants access all Federal funds that such applicants are eligible to receive, and help the charter schools supported by the applicants and the students attending those charter schools—

''(I) participate in the Federal programs in which the schools and students are eligible to participate; and

''(II) receive the commensurate share of Federal funds the schools and students are eligible to receive under such programs;

''(iv) in the case of a State entity that is not a State educational agency—

''(I) work with the State educational agency and the charter schools in the State to maximize charter school participation in Federal and State programs for charter schools; and

''(II) work with the State educational agency to operate the State entity's program under this section, if applicable;

''(v) ensure that each eligible applicant that receives a subgrant under the State entity's program—

''(I) is opening or expanding schools that meet the definition of a charter school under section 5110; and

''(II) is prepared to continue to operate such charter schools once the subgrant funds under this section are no longer available;

''(vi) support charter schools in local educational agencies with schools that have been identified by the State under section 1114(a)(1)(A);

''(vii) work with charter schools to promote inclusion of all students and support all students upon enrollment in order to promote retention of students in the school;

''(viii) work with charter schools on recruitment practices, including efforts to engage groups that may otherwise have limited opportunities to attend charter schools;

''(ix) share best and promising practices among charter schools and other public schools;

''(x) ensure that charter schools receiving funds under the State entity's program meet the educational needs of their students, including children with disabilities and students who are English learners; and

''(xi) support efforts to increase charter school quality initiatives, including meeting the quality authorizing elements described in paragraph (2)(D);

''(B) a description of how the State will monitor and hold authorized public chartering agencies accountable to ensure high-quality authorizing activity, such as by establishing authorizing standards and by approving, reapproving, and revoking the authority of an authorized public chartering agency based on the performance of the charter schools authorized by such agency in the areas of student achievement, student safety, financial and operational management, and compliance with all applicable statutes, except that nothing in this subparagraph shall be construed to require a State to alter State law, policies, or procedures regarding State practices for holding accountable authorized public chartering agencies;

''(C) a description of the extent to which the State entity—

''(i) is able to meet and carry out the priorities described in subsection (g)(2);

''(ii) is working to develop or strengthen a cohesive statewide system to support the opening of new charter schools and, if applicable, the replication of high-quality charter schools, and the expansion of high-quality charter schools; and

''(iii) will solicit and consider input from parents and other members of the community on the implementation and operation of each charter school receiving funds under the State entity's charter school program under this section;

''(D) a description of how the State entity will award subgrants, on a competitive basis, including—

''(i) a description of the application each eligible applicant desiring to receive a subgrant will be required to submit, which application shall include—

''(I) a description of the roles and responsibilities of eligible applicants, and of any charter management organizations or other organizations with which the eligible applicant will partner to open charter schools, including the administrative and contractual roles and responsibilities of such partners;

''(II) a description of the quality controls agreed to between the eligible applicant and the authorized public chartering agency involved, such as a contract or performance agreement, financial audits to ensure adequate fiscal oversight, how a school's performance on the State's accountability system and impact on student achievement (which may include student academic growth) will be one of the most important factors for renewal or revocation of the school's charter, and procedures to be followed in the case of the closure or dissolution of a charter school;

''(III) a description of how the autonomy and flexibility granted to a charter school is consistent with the definition of a charter school in section 5110;

''(IV) a description of the eligible applicant's planned activities and expenditures of subgrant funds for purposes of opening a new charter school, replicating a high-quality charter school, or expanding a high-quality charter school, and how the eligible applicant will maintain fiscal sustainability after the end of the subgrant period; and

''(V) a description of how the eligible applicant will ensure that each charter school the eligible applicant operates will engage parents as partners in the education of their children; and

''(ii) a description of how the State entity will review applications from eligible applicants;

''(E) in the case of a State entity that partners with an outside organization to carry out the entity's quality charter school program, in whole or in part, a description of the roles and responsibilities of the partner;

''(F) a description of how the State entity will help the charter schools receiving funds under the State entity's program address the transportation needs of the schools' students; and

''(G) a description of how the State in which the State entity is located addresses charter schools in the State's open meetings and open records laws.

''(2) ASSURANCES.—Assurances that—

''(A) each charter school receiving funds through the State entity's program will have a high degree of autonomy over budget and operations, including autonomy over personnel decisions;

''(B) the State entity will support charter schools in meeting the educational needs of their students, as described in paragraph (1)(A)(x);

''(C) the State entity will ensure that the authorized public chartering agency of any charter school that receives funds under the entity's program—

''(i) ensures that the charter school under the authority of such agency is meeting the requirements of this Act, part B of the Individuals with Disabilities Education Act, title VI of the Civil Rights Act of 1964, and section 504 of the Rehabilitation Act of 1973; and

''(ii) adequately monitors and provides adequate technical assistance to each charter school under the authority of such agency in recruiting, enrolling, retaining, and meeting the needs of all students, including children with disabilities and students who are English learners;

''(D) the State entity will promote quality authorizing, consistent with State law, such as through providing technical assistance to support each authorized public chartering agency in the State to improve such agency's ability to monitor the charter schools authorized by the agency, including by—

''(i) using annual performance data, which may include graduation rates and student academic growth data, as appropriate, to measure a school's progress toward becoming a high-quality charter school;

''(ii) reviewing the schools' independent, annual audits of financial statements conducted in accordance with generally accepted accounting principles, and ensuring that any such audits are publically reported; and

''(iii) holding charter schools accountable to the academic, financial, and operational quality controls agreed to between the charter school and the authorized public chartering agency involved, such as through renewal, non-renewal, or revocation of the school's charter; and

''(E) the State entity will ensure that each charter school in the State makes publicly available, consistent with the dissemination requirements of the annual State report card, including on the website of the school, information to help parents make informed decisions about the education options available to their children, including information on the educational program, student support services, parent contract requirements (as applicable), including any financial obligations or fees, enrollment criteria (as applicable), and annual performance and enrollment data for each of the categories of students, as defined in section 1111(b)(3)(A).

''(3) REQUESTS FOR WAIVERS.—

''(A) FEDERAL STATUTE AND REGULATION.—A request and justification for waivers of any Federal statutory or regulatory provisions that the State entity believes are necessary for the successful operation of the charter schools that will receive funds under the entity's program under this section.

''(B) STATE AND LOCAL RULES.—A description of any State or local rules, generally applicable to public schools, that will be waived, or otherwise not apply, to such schools or, in the case of a State entity defined in subsection (a)(4), a description of how the State entity will work with the State to request necessary waivers, if applicable.

''(g) SELECTION CRITERIA; PRIORITY.—

''(1) SELECTION CRITERIA.—The Secretary shall award grants to State entities under this section on the basis of the quality of the applications submitted under subsection (f), after taking into consideration—

''(A) the degree of flexibility afforded by the State's public charter school law and how the State entity will work to maximize the flexibility provided to charter schools under such law;

''(B) the proposed number of new charter schools to be opened, and, if applicable, the number of high-quality charter schools to be replicated or expanded under the program, and the number of new students to be served by such schools;

''(C) the likelihood that the schools opened, replicated, or expanded by eligible applicants receiving subgrant funds will increase the academic achievement of the school's students and progress toward becoming high-quality charter schools;

''(D) the quality of the State entity's plan to—

''(i) monitor the eligible applicants receiving subgrants under the State entity's program; and

''(ii) provide technical assistance and support for—

''(I) the eligible applicants receiving subgrants under the State entity's program; and

''(II) quality authorizing efforts in the State; and

''(E) the State entity's plan to solicit and consider input from parents and other members of the community on the implementation and operation of the charter schools in the State.

''(2) PRIORITY.—In awarding grants under this section, the Secretary shall give priority to a State entity to the extent that the entity meets the following criteria:

''(A) The State entity is located in a State that—

''(i) allows at least one entity that is not the local educational agency to be an authorized public chartering agency for each developer seeking to open a charter school in the State; or

''(ii) in the case of a State in which local educational agencies are the only authorized public chartering agencies, the State has an appeals process for the denial of an application for a charter school.

''(B) The State entity is located in a State that ensures that charter schools receive equitable financing, as compared to traditional public schools, in a prompt manner.

''(C) The State entity is located in a State that provides charter schools one or more of the following:

''(i) Funding for facilities.

''(ii) Assistance with facilities acquisition.

''(iii) Access to public facilities.

''(iv) The ability to share in bonds or mill levies.

''(v) The right of first refusal to purchase public school buildings.

''(vi) Low- or no-cost leasing privileges.

''(D) The State entity is located in a State that uses best practices from charter schools to help improve struggling schools and local educational agencies.

''(E) The State entity supports charter schools that support at-risk students through activities such as dropout prevention or dropout recovery.

''(F) The State entity ensures that each charter school has a high degree of autonomy over the charter school's budget and operations, including autonomy over personnel decisions.

''(G) The State entity has taken steps to ensure that all authorizing public chartering agencies implement best practices for charter school authorizing.

''(h) LOCAL USES OF FUNDS.—An eligible applicant receiving a subgrant under this section shall use such funds to carry out activities related to opening a new charter school, replicating a high-quality charter school, or expanding a high-quality charter school, which may include—

''(1) supporting the acquisition, expansion, or preparation of a charter school building to meet increasing enrollment needs, including financing the development of a new building and ensuring that a school building complies with applicable statutes and regulations;

''(2) paying costs associated with hiring additional teachers to serve additional students;

''(3) providing transportation to students to and from the charter school;

''(4) providing instructional materials, implementing teacher and principal or other school leader professional development programs, and hiring additional nonteaching staff;

''(5) supporting any necessary activities that assist the charter school in carrying out this section, such as preparing individuals to

serve as members of the charter school's board; and

''(6) providing early childhood education programs for children, including direct support to, and coordination with, school- or community-based early childhood education programs.

''(i) REPORTING REQUIREMENTS.—Each State entity receiving a grant under this section shall submit to the Secretary, at the end of the third year of the grant period and at the end of any renewal period, a report that includes the following:

''(1) The number of students served by each subgrant awarded under this section and, if applicable, the number of new students served during each year of the grant period.

''(2) The number and amount of subgrants awarded under this section to carry out each of the following:

''(A) The opening of new charter schools.

''(B) The replication of high-quality charter schools.

''(C) The expansion of high-quality charter schools.

''(3) The progress the State entity made toward meeting the priorities described in subparagraphs (E) through (G) of subsection (g)(2).

''(4) A description of—

''(A) how the State entity complied with, and ensured that eligible applicants complied with, the assurances described in the State entity's application;

''(B) how the State entity worked with authorized public chartering agencies, and how the agencies worked with the management company or leadership of the schools that receive subgrant funds, if applicable; and

''(C) how each recipient of a subgrant under this section uses the subgrant funds on early childhood education programs described in subsection (h)(6), if such recipient chooses to use such funds on such programs.

''SEC. 5104. FACILITIES FINANCING ASSISTANCE.

''(a) GRANTS TO ELIGIBLE ENTITIES.—

''(1) IN GENERAL.—From the amount reserved under section 5102(b)(1), the Secretary shall use not less than 50 percent to award not less than 3 grants, on a competitive basis, to eligible entities that have the highest-quality applications approved under subsection (d) to demonstrate innovative methods of helping charter schools to address the cost of acquiring, constructing, and renovating facilities by enhancing the availability of loans or bond financing.

''(2) ELIGIBLE ENTITY DEFINED.—For the purposes of this section, the term 'eligible entity' means—

''(A) a public entity, such as a State or local governmental entity;

''(B) a private nonprofit entity; or

''(C) a consortium of entities described in subparagraphs (A) and (B).

''(b) GRANTEE SELECTION.—The Secretary shall evaluate each application submitted under subsection (d), and shall determine whether the application is sufficient to merit approval.

''(c) GRANT CHARACTERISTICS.—Grants under subsection (a) shall be of sufficient size, scope, and quality so as to ensure an effective demonstration of an innovative means of enhancing credit for the financing of charter school acquisition, construction, or renovation.

''(d) APPLICATIONS.—

''(1) IN GENERAL.—An eligible entity desiring to receive a grant under this section shall submit an application to the Secretary in such form as the Secretary may reasonably require.

''(2) CONTENTS.—An application submitted under paragraph (1) shall contain—

''(A) a statement identifying the activities that the eligible entity proposes to carry out with funds received under subsection (a), including how the eligible entity will determine which charter schools will receive assistance, and how much and what types of assistance charter schools will receive;

''(B) a description of the involvement of charter schools in the application's development and the design of the proposed activities;

''(C) a description of the eligible entity's expertise in capital market financing;

''(D) a description of how the proposed activities will leverage the maximum amount of private-sector financing capital relative to the amount of government funding used and otherwise enhance credit available to charter schools, including how the entity will offer a combination of rates and terms more favorable than the rates and terms that a charter school could receive without assistance from the entity under this section;

''(E) a description of how the eligible entity possesses sufficient expertise in education to evaluate the likelihood of success of a charter school program for which facilities financing is sought; and

''(F) in the case of an application submitted by a State governmental entity, a description of the actions that the entity has taken, or will take, to ensure that charter schools within the State receive the funding that charter schools need to have adequate facilities.

''(e) CHARTER SCHOOL OBJECTIVES.—An eligible entity receiving a grant under this section shall use the funds deposited in the reserve account established under subsection (f) to assist one or more charter schools to access private-sector capital to accomplish one or more of the following objectives:

''(1) The acquisition (by purchase, lease, donation, or otherwise) of an interest (including an interest held by a third party for the benefit of a charter school) in improved or unimproved real property that is necessary to commence or continue the operation of a charter school.

''(2) The construction of new facilities, including predevelopment costs, or the renovation, repair, or alteration of existing facilities, necessary to commence or continue the operation of a charter school.

''(3) The predevelopment costs that are required to assess sites for purposes of paragraph (1) or (2) and that are necessary to commence or continue the operation of a charter school.

''(f) RESERVE ACCOUNT.—

''(1) USE OF FUNDS.—To assist charter schools in accomplishing the objectives described in subsection (e), an eligible entity receiving a grant under subsection (a) shall, in accordance with State and local law, directly or indirectly, alone or in collaboration with others, deposit the funds received under subsection (a) (other than funds used for administrative costs in accordance with subsection (g)) in a reserve account established and maintained by the eligible entity for this purpose. Amounts deposited in such account shall be used by the eligible entity for one or more of the following purposes:

''(A) Guaranteeing, insuring, and reinsuring bonds, notes, evidences of debt, loans, and interests therein, the proceeds of which are used for an objective described in subsection (e).

''(B) Guaranteeing and insuring leases of personal and real property for an objective described in such subsection.

''(C) Facilitating financing by identifying potential lending sources, encouraging private lending, and other similar activities that directly promote lending to, or for the benefit of, charter schools.

''(D) Facilitating the issuance of bonds by charter schools, or by other public entities for the benefit of charter schools, by providing technical, administrative, and other appropriate assistance (including the recruitment of bond counsel, underwriters, and potential investors and the consolidation of multiple charter school projects within a single bond issue).

''(2) INVESTMENT.—Funds received under this section and deposited in the reserve account established under paragraph (1) shall be invested in obligations issued or guaranteed by the United States or a State, or in other similarly low-risk securities.

''(3) REINVESTMENT OF EARNINGS.—Any earnings on funds received under subsection (a) shall be deposited in the reserve account established under paragraph (1) and used in accordance with this subsection.

''(g) LIMITATION ON ADMINISTRATIVE COSTS.—An eligible entity may use not more than 2.5 percent of the funds received under subsection (a) for the administrative costs of carrying out its responsibilities under this section (excluding subsection (k)).

''(h) AUDITS AND REPORTS.—

''(1) FINANCIAL RECORD MAINTENANCE AND AUDIT.—The financial records of each eligible entity receiving a grant under subsection (a) shall be maintained in accordance with generally accepted accounting principles and shall be subject to an annual audit by an independent public accountant.

''(2) REPORTS.—

''(A) GRANTEE ANNUAL REPORTS.—Each eligible entity receiving a grant under subsection (a) annually shall submit to the Secretary a report of the entity's operations and activities under this section.

''(B) CONTENTS.—Each annual report submitted under subparagraph (A) shall include—

''(i) a copy of the most recent financial statements, and any accompanying opinion on such statements, prepared by the independent public accountant reviewing the financial records of the eligible entity;

''(ii) a copy of any report made on an audit of the financial records of the eligible entity that was conducted under paragraph (1) during the reporting period;

''(iii) an evaluation by the eligible entity of the effectiveness of its use of the Federal funds provided under subsection (a) in leveraging private funds;

''(iv) a listing and description of the charter schools served during the reporting period, including the amount of funds used by each school, the type of project facilitated by the grant, and the type of assistance provided to the charter schools;

''(v) a description of the activities carried out by the eligible entity to assist charter schools in meeting the objectives set forth in subsection (e); and

''(vi) a description of the characteristics of lenders and other financial institutions participating in the activities carried out by the eligible entity under this section (excluding subsection (k)) during the reporting period.

''(C) SECRETARIAL REPORT.—The Secretary shall review the reports submitted under subparagraph (A) and shall provide a comprehensive annual report to Congress on the activities conducted under this section (excluding subsection (k)).

''(i) NO FULL FAITH AND CREDIT FOR GRANTEE OBLIGATION.—No financial obligation of an eligible entity entered into pursuant to this section (such as an obligation under a guarantee, bond, note, evidence of debt, or loan) shall be an obligation of, or guaranteed in any respect by, the United States. The full faith and credit of the United States is not pledged to the payment of funds that may be required to be paid under any obligation made by an eligible entity pursuant to any provision of this section.

''(j) RECOVERY OF FUNDS.—

''(1) IN GENERAL.—The Secretary, in accordance with chapter 37 of title 31, United States Code, shall collect—

''(A) all of the funds in a reserve account established by an eligible entity under subsection (f)(1) if the Secretary determines, not earlier than 2 years after the date on which the eligible entity first received funds under this section (excluding subsection (k)), that the eligible entity has failed to make substantial progress in carrying out the purposes described in subsection (f)(1); or

''(B) all or a portion of the funds in a reserve account established by an eligible entity under subsection (f)(1) if the Secretary determines that the eligible entity has permanently ceased to use all or a portion of the funds in such account to accomplish any purpose described in such subsection.

''(2) EXERCISE OF AUTHORITY.—The Secretary shall not exercise the authority provided in paragraph (1) to collect from any eligible entity any funds that are being properly used to achieve one or more of the purposes described in subsection (f)(1).

''(3) CONSTRUCTION.—This subsection shall not be construed to impair or affect the authority of the Secretary to recover funds under part D of the General Education Provisions Act.

''(k) PER-PUPIL FACILITIES AID PROGRAM.—

''(1) DEFINITION OF PER-PUPIL FACILITIES AID PROGRAM.—In this subsection, the term 'per-pupil facilities aid program' means a program in which a State makes payments, on a per-pupil basis, to charter schools to provide the schools with financing—

''(A) that is dedicated solely to funding charter school facilities; or

''(B) a portion of which is dedicated for funding charter school facilities.

''(2) GRANTS.—

''(A) IN GENERAL.—From the amount reserved under section 5102(b)(1) and remaining after the Secretary makes grants under subsection (a), the Secretary shall make grants, on a competitive basis, to States to pay for the Federal share of the cost of establishing or enhancing, and administering, per-pupil facilities aid programs.

''(B) PERIOD.—The Secretary shall award grants under this subsection for periods of not more than 5 years.

''(C) FEDERAL SHARE.—The Federal share of the cost described in subparagraph (A) for a per-pupil facilities aid program shall be not more than—

''(i) 90 percent of the cost, for the first fiscal year for which the program receives assistance under this subsection;

''(ii) 80 percent for the second such year;

''(iii) 60 percent for the third such year;

''(iv) 40 percent for the fourth such year; and

''(v) 20 percent for the fifth such year.

''(D) STATE SHARE.—A State receiving a grant under this subsection may partner with 1 or more organizations, and such organizations may provide not more than 50 percent of the State share of the cost of establishing or enhancing, and administering, the per-pupil facilities aid program.

''(E) MULTIPLE GRANTS.—A State may receive more than 1 grant under this subsection, so long as the amount of such grant funds provided to charter schools increases with each successive grant.

''(3) USE OF FUNDS.—

''(A) IN GENERAL.—A State that receives a grant under this subsection shall use the funds made available through the grant to establish or enhance, and administer, a per-pupil facilities aid program for charter schools in the State of the applicant.

''(B) EVALUATIONS; TECHNICAL ASSISTANCE; DISSEMINATION.—From the amount made available to a State through a grant under this subsection for a fiscal year, the State may reserve not more than 5 percent to carry out evaluations, to provide technical assistance, and to disseminate information.

''(C) SUPPLEMENT, NOT SUPPLANT.—In accordance with the method of determination described in section 1117, funds made available under this subsection shall be used to supplement, and not supplant, State and local public funds expended to provide per-pupil facilities aid programs, operations financing programs, or other programs, for charter schools.

''(4) REQUIREMENTS.—

''(A) VOLUNTARY PARTICIPATION.—No State may be required to participate in a program carried out under this subsection.

''(B) STATE LAW.—

''(i) IN GENERAL.—To be eligible to receive a grant under this subsection, a State shall establish or enhance, and administer, a per-pupil facilities aid program for charter schools in the State, that—

''(I) is specified in State law; and

''(II) provides annual financing, on a per-pupil basis, for charter school facilities.

''(ii) SPECIAL RULE.—A State that is required under State law to provide its charter schools with access to adequate facility space may be eligible to receive a grant under this subsection if the State agrees to use the funds to develop a per-pupil facilities aid program consistent with the requirements of this subsection.

''(5) APPLICATIONS.—To be eligible to receive a grant under this subsection, a State shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require.

''SEC. 5105. NATIONAL ACTIVITIES.

''(a) IN GENERAL.—From the amount reserved under section 5102(b)(2), the Secretary shall—

''(1) use not less than 80 percent of such funds to award grants in accordance with subsection (b); and

''(2) use the remainder of such funds to—

''(A) disseminate technical assistance to State entities in awarding subgrants under section 5103(b)(1)(A);

''(B) disseminate best practices regarding public charter schools;

''(C) evaluate the impact of the charter school program carried out under this part, including the impact on student achievement; and

''(D) award grants, on a competitive basis, for the purpose of carrying out the activities described in section 5103(h), to eligible applicants that desire to open a charter school, replicate a high-quality charter school, or expand a high-quality charter school in—

''(i) a State that did not apply for a grant under section 5103; or

''(ii) a State that did not receive a grant under section 5103.

''(b) GRANTS FOR THE REPLICATION AND EXPANSION OF HIGH-QUALITY CHARTER SCHOOLS.—The Secretary shall make grants, on a competitive basis, to eligible entities having applications approved under paragraph (2) to enable such entities to replicate a high-quality charter school or expand a high-quality charter school.

''(1) DEFINITION OF ELIGIBLE ENTITY.—For purposes of this subsection, the term 'eligible entity' means—

''(A) a charter management organization that, at the time of the application, operates or manages one or more high-quality charter schools; or

''(B) a nonprofit organization that oversees and coordinates the activities of a group of such charter management organizations.

''(2) APPLICATION REQUIREMENTS.—An eligible entity desiring to receive a grant under this subsection shall submit an application to the Secretary at such time and in such manner as the Secretary may require. The application shall include the following:

''(A) A description of the eligible entity's objectives for implementing a high-quality charter school program with funding under this subsection, including a description of the proposed number of high-quality charter schools to be replicated or expanded with funding under this subsection.

''(B) A description of the educational program that the eligible entity will implement in the charter schools that the eligible entity proposes to replicate or expand, including information on how the program will enable all students to meet the challenging State academic standards under section 1111(b)(1), the grade levels or ages of students who will be served, and the instructional practices that will be used.

''(C) A multi-year financial and operating model for the eligible entity, including a description of how the operation of the charter schools to be replicated or expanded will be sustained after the grant under this subsection has ended.

''(D) A description of how the eligible entity will inform all students in the community, including children with disabilities, students who are English learners, and other educationally disadvantaged students, about the charter schools to be replicated or expanded with funding under this subsection.

''(E) For each charter school currently operated or managed by the eligible entity—

''(i) student assessment results for all students and for each category of students described in section 1111(b)(2)(B)(xi); and

''(ii) attendance and student retention rates for the most recently completed school year and, if applicable, the most recent available 4-year adjusted cohort graduation rates and extended-year adjusted cohort graduation rates (as such rates were calculated on the day before enactment of the Every Child Achieves Act of 2015).

''(F) Information on any significant compliance issues encountered, within the last 3 years, by any school operated or managed by the eligible entity, including in the areas of student safety and financial management.

''(G) A request and justification for any waivers of Federal statutory or regulatory requirements that the eligible entity believes are necessary for the successful operation of the charter schools to be replicated or expanded with funding under this subsection.

''(3) SELECTION CRITERIA.—The Secretary shall select eligible entities to receive grants under this subsection, on the basis of the quality of the applications submitted under paragraph (2), after taking into consideration such factors as—

''(A) the degree to which the eligible entity has demonstrated success in increasing academic achievement and attainment for all students attending the charter schools the eligible entity operates or manages;

''(B) the degree to which the eligible entity has demonstrated success in increasing academic achievement and attainment for each of the categories of students, as defined in section 1111(b)(3)(A);

''(C) the quality of the eligible entity's financial and operating model as described under paragraph (2)(C), including the quality of the eligible entity's plan for sustaining the operation of the charter schools to be replicated or expanded after the grant under this subsection has ended;

''(D) a determination that the eligible entity has not operated or managed a significant proportion of charter schools that—

''(i) have been closed;

''(ii) have had a school charter revoked due to problems with statutory or regulatory compliance; or

''(iii) have had the school's affiliation with the eligible entity revoked; and

''(E) a determination that the eligible entity has not experienced significant problems with statutory or regulatory compliance that could lead to the revocation of a school's charter.

''(4) PRIORITY.—In awarding grants under this section, the Secretary shall give priority to eligible entities that operate or manage charter schools that, in the aggregate, serve students at least 60 percent of whom are eligible for a free or reduced price lunch under the Richard B. Russell National School Lunch Act.

''(5) TERMS AND CONDITIONS.—Except as otherwise provided in this subsection, grants awarded under subsection (a)(2)(D) and this subsection shall have the same terms and conditions as grants awarded to State entities under section 5103.'';

(2) in section 5106 (20 U.S.C. 7221e), as redesignated by section 5001(7), by adding at the end the following:

''(c) NEW OR SIGNIFICANTLY EXPANDING CHARTER SCHOOLS.—For purposes of implementing the hold harmless protections in sections 1122(c) and 1125A(g)(3) for a newly opened or significantly expanded charter school under subsection (a), a State educational agency shall calculate a hold-harmless base for the prior year that, as applicable, reflects the new or significantly expanded enrollment of the charter school.'';

(3) in section 5108 (20 U.S.C. 7221g), as redesignated by section 5001(7), by inserting ''as quickly as possible and'' before ''to the extent practicable'';

(4) in section 5110 (20 U.S.C. 7221i), as redesignated by section 5001(7)—

(A) by redesignating paragraphs (1), (2), and (3) as paragraphs (2), (5), and (6), respectively;

(B) by redesignating paragraph (4) as paragraph (1), and moving such paragraph so as to precede paragraph (2), as redesignated by subparagraph (A);

(C) in paragraph (2), as redesignated by subparagraph (A)—

(i) in subparagraph (G), by striking '', and part B'' and inserting '', the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.), section 444 of the General Education Provisions Act (20 U.S.C. 1232g) (commonly referred to as the 'Family Educational Rights and Privacy Act of 1974'), and part B'';

(ii) by striking subparagraph (H) and inserting the following:

''(H) is a school to which parents choose to send their children, and that—

''(i) admits students on the basis of a lottery, if more students apply for admission than can be accommodated; or

''(ii) in the case of a school that has an affiliated charter school (such as a school that is part of the same network of schools), automatically enrolls students who are enrolled in the immediate prior grade level of the affiliated charter school and, for any additional student openings or student openings created through regular attrition in student enrollment in the affiliated charter school and the enrolling school, admits students on the basis of a lottery as described in clause (i);'';

(iii) by striking subparagraph (I) and inserting the following:

''(I) agrees to comply with the same Federal and State audit requirements as do other elementary schools and secondary schools in the State, unless such State audit requirements are waived by the State;'';

(iv) in subparagraph (K), by striking ''and'' at the end;

(v) in subparagraph (L), by striking the period at the end and inserting ''; and''; and

(vi) by adding at the end the following:

''(M) may serve students in early childhood education programs or postsecondary students.'';

(D) by inserting after paragraph (2), as redesignated by subparagraph (A), the following:

''(3) CHARTER MANAGEMENT ORGANIZATION.—The term 'charter management organization' means a nonprofit organization that operates or manages multiple charter schools by centralizing or sharing certain functions or resources.

''(4) CHARTER SCHOOL SUPPORT ORGANIZATION.—The term 'charter school support organization' means a nonprofit, nongovernmental entity that is not an authorized public chartering agency and provides, on a statewide basis—

''(A) assistance to developers during the planning, program design, and initial implementation of a charter school; and

''(B) technical assistance to operating charter schools.'';

(E) in paragraph (6)(B), as redesignated by subparagraph (A), by striking ''under section 5203(d)(3)''; and

(F) by adding at the end the following:

''(7) EXPANSION OF A HIGH-QUALITY CHARTER SCHOOL.—The term 'expansion of a high-quality charter school' means increasing the enrollment at a high-quality charter school by not less than 50 percent or adding 2 or more grades to a high-quality charter school.

''(8) HIGH-QUALITY CHARTER SCHOOL.—The term 'high-quality charter school' means a charter school that—

''(A) shows evidence of strong academic results, which may include strong student academic growth, as determined by a State;

''(B) has no significant issues in the areas of student safety, financial and operational management, or statutory or regulatory compliance;

''(C) has demonstrated success in significantly increasing student academic achievement, including graduation rates where applicable, for all students served by the charter school; and

''(D) has demonstrated success in increasing student academic achievement, including graduation rates where applicable, for each of the categories of students, as defined in section 1111(b)(3)(A), except that such demonstration is not required in a case in which the number of students in a group is insufficient to yield statistically reliable information or the results would reveal personally identifiable information about an individual student.

''(9) REPLICATION OF A HIGH-QUALITY CHARTER SCHOOL.—The term 'replication of a high-quality charter school' means the opening of a charter school—

''(A) under an existing charter or an additional charter, if permitted by State law;

''(B) based on the model of a high-quality charter school; and

''(C) that will be operated or managed by the same nonprofit organization that operates or manages such high-quality charter school under an existing charter.''; and

(5) by striking section 5111 (20 U.S.C. 7221j), as redesignated by section 5001(7), and inserting the following:

''SEC. 5111. AUTHORIZATION OF APPROPRIATIONS.

''There are authorized to be appropriated to carry out this part such sums as may be necessary for each of fiscal years 2016 through 2021.''.

SEC. 5003. MAGNET SCHOOLS ASSISTANCE.

Part B of title V (20 U.S.C. 7231 et seq.), as redesignated by section 5001(5), is amended—

(1) in section 5201(b), as redesignated by section 5001(8)—

(A) in paragraph (1)—

(i) by inserting ''and the increase of socioeconomic integration'' before ''in elementary schools and secondary schools''; and

(ii) by inserting ''low-income and'' before ''minority students'';

(B) in paragraph (2)—

(i) by striking ''and implementation'' and inserting '', implementation, and expansion''; and

(ii) by striking ''content standards and student academic achievement standards'' and inserting ''standards under section 1111(b)(1)'';

(C) in paragraph (3), by striking ''and design'' and inserting '', design, and expansion'';

(D) in paragraph (4), by striking ''vocational'' and inserting ''career''; and

(E) in paragraph (6), by striking ''productive employment'' and inserting ''to enter into the workforce without the need for postsecondary education'';

(2) in section 5202, as redesignated by section 5001(8), by striking ''backgrounds'' and inserting '', ethnic, and socioeconomic backgrounds'';

(3) in section 5205(b), as redesignated by section 5001(8)—

(A) in paragraph (1)—

(i) in subparagraph (A), by inserting ''any available evidence on'' before ''how the proposed magnet school programs'';

(ii) in subparagraph (B), by inserting '', including any evidence available to support such description'' before the semicolon;

(iii) by redesignating subparagraphs (D) and (E) as subparagraphs (E) and (F), respectively; and

(iv) by inserting after subparagraph (C) the following:

''(D) how the applicant will assess, monitor, and evaluate the impact of the activities funded under this part on student achievement and integration;''; and

(B) in paragraph (2)—

(i) in the matter preceding subparagraph (A), by striking ''will'';

(ii) in subparagraph (A)—

(I) by inserting ''will'' before ''use grant funds''; and

(II) by striking ''section 5301(b)'' and inserting ''section 5201(b)'';

(iii) in subparagraph (B), by striking ''employ highly qualified'' and inserting ''will employ effective'';

(iv) in subparagraph (C), by striking ''not engage in'' and inserting ''is not currently engaging in and will not engage in'';

(v) in subparagraph (D), by inserting ''will'' before carry out; and

(vi) in subparagraph (E), by inserting ''will'' before ''give students'';

(4) in section 5206, as redesignated by section 5001(8), by striking paragraph (2) and inserting the following:

''(2) propose to—

''(A) carry out a new, evidence-based magnet school program;

''(B) significantly revise an existing magnet school program, using evidence-based methods and practices, as available; or

''(C) expand an existing magnet school program that has a demonstrated record of success in increasing student academic achievement, reducing isolation of minority groups, and increasing socioeconomic integration; and'';

(5) in section 5207, as redesignated by section 5001(8)—

(A) in subsection (a)—

(i) in paragraph (3), by striking ''who are highly qualified'';

(ii) in paragraph (6), by striking ''and'' at the end;

(iii) in paragraph (7), by striking the period and inserting ''; and''; and

(iv) by adding at the end the following:

''(8) to enable the local educational agency, or consortium of such agencies, or other organizations partnered with such agency or consortium, to establish, expand, or strengthen inter-district and regional magnet programs.''; and

(B) in subsection (b), by striking ''the State's challenging academic content'' and all that follows through the period and inserting ''the challenging State academic standards under section 1111(b)(1) or are directly related to improving student academic, career, or technological skills and professional skills.'';

(6) in section 5208, as redesignated by section 5001(10)—

(A) in subsection (a), by striking ''for a period'' and all that follows through the period and inserting ''for an initial period of not more than 3 fiscal years, and may be renewed for not more than an additional 2 years if the Secretary finds that the recipient of a grant under this part is achieving the intended outcomes of the grant and shows improvement in increasing student academic achievement, reducing minority group isolation, and increasing socioeconomic integration, or other indicators of success established by the Secretary.''; and

(B) in subsection (d), by striking ''July'' and inserting ''June''; and

(7) in section 5209, as redesignated by section 5001(10)—

(A) in subsection (a), by striking ''$125,000,000'' and all that follows through the period and inserting ''such sums as may be necessary for each of fiscal years 2016 through 2021.'';

(B) by redesignating subsection (b) as subsection (c); and

(C) by inserting after subsection (a) the following:

''(b) RESERVATION FOR TECHNICAL ASSISTANCE.—The Secretary may reserve not more than 1 percent of the funds appropriated under subsection (a) for any fiscal year to provide technical assistance and carry out dissemination projects with respect to magnet school programs assisted under this part.''.

SEC. 5004. SUPPORTING HIGH-ABILITY LEARNERS AND LEARNING.

Title V (20 U.S.C. 7201 et seq.), as amended by section 5001, is further amended by inserting after part B the following:

"PART C—SUPPORTING HIGH-ABILITY LEARNERS AND LEARNING

"SEC. 5301. SHORT TITLE.

''This part may be cited as the 'Jacob K. Javits Gifted and Talented Students Education Act of 2015'.

"SEC. 5302. PURPOSE.

''The purpose of this part is to initiate a coordinated program of evidence-based research, demonstration projects, innovative strategies, and similar activities designed to build and enhance the ability of elementary schools and secondary schools nationwide to meet the special educational needs of gifted and talented students.

"SEC. 5303. RULE OF CONSTRUCTION.

''Nothing in this part shall be construed to prohibit a recipient of funds under this part from serving gifted and talented students simultaneously with students with similar educational needs, in the same educational settings, where appropriate.

"SEC. 5304. AUTHORIZED PROGRAMS.

''(a) ESTABLISHMENT OF PROGRAM.—

''(1) IN GENERAL.—The Secretary (after consultation with experts in the field of the education of gifted and talented students) is authorized to make grants to, or enter into contracts with, State educational agencies, local educational agencies, institutions of higher education, other public agencies, and other private agencies and organizations to assist such agencies, institutions, and organizations in carrying out programs or projects authorized by this part that are designed to meet the educational needs of gifted and talented students, including the training of personnel in the education of gifted and talented students and in the use, where appropriate, of gifted and talented services, materials, and methods for all students.

''(2) APPLICATION.—Each entity seeking assistance under this part shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may reasonably require. Each such application shall describe how—

''(A) the proposed gifted and talented services, materials, and methods can be adapted, if appropriate, for use by all students; and

''(B) the proposed programs can be evaluated.

''(b) USE OF FUNDS.—Programs and projects assisted under this section may include each of the following:

''(1) Conducting evidence-based research on methods and techniques for identifying and teaching gifted and talented students and for using gifted and talented programs and methods to serve all students.

''(2) Establishing and operating model projects and exemplary programs for serving gifted and talented students, including innovative methods for identifying and educating students who may not be served by traditional gifted and talented programs (such as summer programs, mentoring programs, service learning programs, and cooperative programs involving business, industry, and education).

''(3) Implementing innovative strategies, such as cooperative learning, peer tutoring, and service learning.

''(4) Carrying out programs of technical assistance and information dissemination, including assistance and information with respect to how gifted and talented programs and methods, where appropriate, may be adapted for use by all students.

''(c) SPECIAL RULE.—To the extent that the amount of funds appropriated to carry out this part for a fiscal year beginning with fiscal year 2016 exceed the amount of $7,500,000, the Secretary shall use such excess funds to award grants, on a competitive basis, to State educational agencies, local educational agencies, or both, to implement activities described in subsection (b).

''(d) CENTER FOR RESEARCH AND DEVELOPMENT.—

''(1) IN GENERAL.—The Secretary (after consultation with experts in the field of the education of gifted and talented students) shall establish a National Research Center for the Education of Gifted and Talented Children and Youth through grants to, or contracts with, one or more institutions of higher education or State educational agencies, or a combination or consortium of such institutions and agencies and other public or private agencies and organizations, for the purpose of carrying out activities described in subsection (b).

''(2) DIRECTOR.—The National Center shall be headed by a Director. The Secretary may authorize the Director to carry out such functions of the National Center as may be agreed upon through arrangements with institutions of higher education, State educational agencies, local educational agencies, or other public or private agencies and organizations.

''(3) FUNDING.—For each fiscal year, the Secretary may use not more than $2,250,000 to carry out this subsection.

''(e) COORDINATION.—Evidence-based activities supported under this part—

''(1) shall be carried out in consultation with the Institute of Education Sciences to ensure that such activities are coordinated with and enhance the research and development activities supported by the Institute; and

''(2) may include collaborative evidence-based activities which are jointly funded and carried out with such Institute.

"SEC. 5305. PROGRAM PRIORITIES.

''(a) GENERAL PRIORITY.—In carrying out this part, the Secretary shall give highest priority to programs and projects designed to develop new information that—

''(1) improves the capability of schools to plan, conduct, and improve programs to identify and serve gifted and talented students; and

''(2) assists schools in the identification of, and provision of services to, gifted and talented students (including economically disadvantaged individuals, individuals who are English learners, and children with disabilities) who may not be identified and served through traditional assessment methods.

''(b) SERVICE PRIORITY.—The Secretary shall ensure that not less than 50 percent of the applications approved under section 5304(a)(2) in a fiscal year address the priority described in subsection (a)(2).

"SEC. 5306. GENERAL PROVISIONS.

''(a) PARTICIPATION OF PRIVATE SCHOOL CHILDREN AND TEACHERS.—In making grants and entering into contracts under this part, the Secretary shall ensure, where appropriate, that provision is made for the equitable participation of students and teachers in private nonprofit elementary schools and secondary schools, including the participation of teachers and other personnel in professional development programs serving such students.

''(b) REVIEW, DISSEMINATION, AND EVALUATION.—The Secretary shall—

''(1) use a peer-review process in reviewing applications under this part;

''(2) ensure that information on the activities and results of programs and projects funded under this part is disseminated to appropriate State educational agencies, local educational agencies, and other appropriate organizations, including nonprofit private organizations; and

''(3) evaluate the effectiveness of programs under this part in accordance with section 9601, in terms of the impact on students traditionally served in separate gifted and talented programs and on other students, and submit the results of such evaluation to Congress not later than 2 years after the date of enactment of the Every Child Achieves Act of 2015.

''(c) PROGRAM OPERATIONS.—The Secretary shall ensure that the programs under this part are administered within the Department by a person who has recognized professional qualifications and experience in the field of the education of gifted and talented students and who shall—

''(1) administer and coordinate the programs authorized under this part;

''(2) serve as a focal point of national leadership and information on the educational needs of gifted and talented students and the availability of educational services and programs designed to meet such needs;

''(3) assist the Director of the Institute of Education Sciences in identifying research priorities that reflect the needs of gifted and talented students; and

''(4) disseminate, and consult on, the information developed under this part with other offices within the Department.

"SEC. 5307. AUTHORIZATION OF APPROPRIATIONS.

''There are authorized to be appropriated to carry out this part such sums as may be

necessary for each of fiscal years 2016 through 2021.''.

SEC. 5005. EDUCATION INNOVATION AND RESEARCH.

Title V (20 U.S.C. 7201 et seq.), as amended by section 5001, is further amended by inserting after part C, as added by section 5004, the following:

''PART D—EDUCATION INNOVATION AND RESEARCH

''SEC. 5401. GRANTS FOR EDUCATION INNOVATION AND RESEARCH.

''(a) PROGRAM AUTHORIZED.—From funds appropriated under subsection (e), the Secretary shall make grants to eligible entities for the development, implementation, replication, or scaling and rigorous testing of entrepreneurial, evidence-based, field-initiated innovations to improve student achievement and attainment for high-need students, including—

''(1) early-phase grants to fund the development, implementation, and feasibility testing of a program that prior research suggests has promise, for the purpose of determining whether the program can successfully improve student achievement or attainment for high-need students;

''(2) mid-phase grants to fund implementation and a rigorous evaluation of a program that has been successfully implemented under an early-phase grant or other effort meeting similar criteria, for the purpose of measuring the program's impact and cost effectiveness, if possible using existing administrative data; or

''(3) expansion grants to fund implementation and a rigorous replication evaluation of a program that has been found to produce sizable, important impacts under a mid-phase grant or other effort meeting similar criteria, for the purpose of determining whether such impacts can be successfully reproduced and sustained over time, and identifying the conditions in which the program is most effective.

''(b) ELIGIBLE ENTITY.—In this section, the term 'eligible entity' means any of the following:

''(1) A local educational agency.

''(2) A State educational agency.

''(3) A consortium of State educational agencies or local educational agencies.

''(4) A State educational agency or a local educational agency, in partnership with—

''(A) a nonprofit organization;

''(B) a small business;

''(C) a charter management organization;

''(D) an educational service agency; or

''(E) an institution of higher education.

''(c) RURAL AREAS.—In awarding grants under subsection (a), the Secretary shall ensure that not less than 25 percent of the funds for any fiscal year are awarded for projects that meet both of the following requirements:

''(1) The grantee is—

''(A) a local educational agency with an urban-centric district locale code of 32, 33, 41, 42, or 43, as determined by the Secretary;

''(B) a consortium of such local educational agencies; or

''(C) an educational service agency or a nonprofit organization in partnership with such a local educational agency.

''(2) A majority of the schools to be served by the project are designated with a school locale code of 32, 33, 41, 42, or 43, or a combination of such codes, as determined by the Secretary.

''(d) MATCHING FUNDS.—In order to receive a grant under subsection (a), an eligible entity shall demonstrate that the eligible entity will provide matching funds in an amount equal to 10 percent of the funds provided under a grant under this part, except that the Secretary may waive the matching funds requirement, on a case-by-case basis, upon a showing of exceptional circumstances, such as—

''(1) the difficulty of raising matching funds for a project to serve a rural area;

''(2) the difficulty of raising matching funds in areas with a concentration of local educational agencies or schools with a high percentage of students aged 5 through 17—

''(A) who are in poverty, as counted in the most recent census data approved by the Secretary;

''(B) who are eligible for a free or reduced priced lunch under the Richard B. Russell National School Lunch Act;

''(C) whose families receive assistance under the State program funded under part A of title IV of the Social Security Act (42 U.S.C. 601 et seq.); or

''(D) who are eligible to receive medical assistance under the Medicaid program; and

''(3) the difficulty of raising funds in designated tribal areas.

''(e) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section such sums as may be necessary for each of fiscal years 2016 through 2021.''.

SEC. 5006. ACCELERATED LEARNING.

Title V (20 U.S.C. 7201 et seq.), as amended by section 5001, is further amended by inserting after part D, as added by section 5005, the following:

''PART E—ACCELERATED LEARNING

''SEC. 5501. SHORT TITLE.

''This part may be cited as the 'Accelerated Learning Act of 2015'.

''SEC. 5502. PURPOSES.

''The purposes of this part are—

''(1) to raise student academic achievement through accelerated learning programs, including Advanced Placement and International Baccalaureate programs, dual or concurrent enrollment programs, and early college high schools that provide postsecondary-level instruction, examinations, or sequences of courses that are widely accepted for credit at institutions of higher education;

''(2) to increase the number of students attending high-need schools who enroll and succeed in accelerated learning courses, accelerated learning examinations, dual or concurrent enrollment programs, and early college high school courses;

''(3) to support efforts by States and local educational agencies to increase the availability of, and enrollment in, accelerated learning courses, pre-accelerated learning courses, dual or concurrent enrollment programs, and early college high school courses in high-need schools; and

''(4) to provide high-quality professional development for teachers of accelerated learning courses, pre-accelerated learning courses, dual or concurrent enrollment programs, and early college high school courses in high-need schools.

''SEC. 5503. FUNDING DISTRIBUTION RULE.

''From amounts appropriated under section 5508 for a fiscal year, the Secretary shall give priority to funding activities under section 5504 and shall distribute any remaining funds under section 5505.

''SEC. 5504. ACCELERATED LEARNING EXAMINATION FEE PROGRAM.

''(a) GRANTS AUTHORIZED.—From amounts made available under section 5503 for a fiscal year, the Secretary shall award grants to State educational agencies having applications approved under this section to enable the State educational agencies to reimburse low-income students to cover part or all of the costs of accelerated learning examination fees, if the low-income students—

''(1) are enrolled in accelerated learning courses; and

''(2) plan to take accelerated learning examinations.

''(b) AWARD BASIS.—In determining the amount of the grant awarded to a State educational agency under this section for a fiscal year, the Secretary shall consider the number of children eligible to be counted under section 1124(c) in the State in relation to the number of such children so counted in all States.

''(c) INFORMATION DISSEMINATION.—A State educational agency that is awarded a grant under this section shall make publicly available information regarding the availability of accelerated learning examination fee payments under this section, and shall disseminate such information to eligible high school students and parents, including through high school teachers and counselors.

''(d) APPLICATIONS.—Each State educational agency desiring to receive a grant under this section shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require. At a minimum, each State educational agency application shall—

''(1) describe the accelerated learning examination fees the State educational agency will pay on behalf of low-income students in the State from grant funds awarded under this section;

''(2) provide an assurance that any grant funds awarded under this section will be used only to pay for accelerated learning examination fees; and

''(3) contain such information as the Secretary may require to demonstrate that the State educational agency will ensure that a student is eligible for payments authorized under this section, including ensuring that the student is a low-income student.

''(e) REGULATIONS.—The Secretary shall prescribe such regulations as are necessary to carry out this section.

''(f) REPORT.—

''(1) IN GENERAL.—Each State educational agency awarded a grant under this section shall, with respect to each accelerated learning course subject, annually report to the Secretary the following data for the preceding year:

''(A) The number of students in the State who are taking an accelerated learning course in such subject.

''(B) The number of accelerated learning examinations taken by students in the State who have taken an accelerated learning course in such subject.

''(C) The number of students in the State scoring at each level on accelerated learning examinations in such subject, disaggregated by race, ethnicity, sex, English proficiency status, and socioeconomic status.

''(D) Demographic information regarding students in the State taking accelerated learning courses and accelerated learning examinations in such subject, disaggregated by race, ethnicity, sex, English proficiency status, and socioeconomic status.

''(2) REPORT TO CONGRESS.—The Secretary shall annually compile the information received from each State educational agency under paragraph (1) and report to the authorizing committees of Congress regarding the information.

''(g) BUREAU OF INDIAN EDUCATION AS STATE EDUCATIONAL AGENCY.—For purposes of this section, the Bureau of Indian Education shall be treated as a State educational agency.

''SEC. 5505. ACCELERATED LEARNING INCENTIVE PROGRAM GRANTS.

''(a) GRANTS AUTHORIZED.—

''(1) IN GENERAL.—From amounts made available under section 5503 for a fiscal year, the Secretary shall award grants, on a competitive basis, to eligible entities to enable

such entities to carry out the authorized activities described in subsection (e).

''(2) DURATION, RENEWAL, AND PAYMENTS.—

''(A) DURATION.—The Secretary shall award a grant under this section for a period of not more than 3 years.

''(B) RENEWAL.—The Secretary may renew a grant awarded under this section for an additional period of not more than 2 years, if an eligible entity—

''(i) is achieving the objectives of the grant; and

''(ii) has shown improvement against baseline data on the performance measures described in subparagraphs (A) through (E) of subsection (g)(1).

''(b) DEFINITION OF ELIGIBLE ENTITY.—In this section, the term 'eligible entity' means—

''(1) a State educational agency;

''(2) a local educational agency; or

''(3) a partnership consisting of—

''(A) a national, regional, or statewide nonprofit organization, with expertise and experience in providing accelerated learning course services, dual or concurrent enrollment programs, and early college high school courses; and

''(B) a State educational agency or local educational agency.

''(c) APPLICATION.—

''(1) IN GENERAL.—Each eligible entity desiring a grant under this section shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require.

''(2) CONTENTS.—The application shall, at a minimum, include a description of—

''(A) the goals and objectives for the project supported by the grant under this section, including—

''(i) increasing the number of teachers serving high-need schools who are qualified to teach accelerated learning courses, dual or concurrent enrollment programs, and early college high school courses;

''(ii) increasing the number of accelerated learning courses, dual or concurrent enrollment programs, and early college high school courses that are offered at high-need schools; and

''(iii) increasing the number of students attending a high-need school, particularly low-income students, who enroll and succeed in—

''(I) accelerated learning courses;

''(II) if offered by the school, pre-accelerated learning courses;

''(III) dual or concurrent enrollment programs; and

''(IV) early college high school courses;

''(B) how the eligible entity will ensure that students have access to courses that will prepare them to enroll and succeed in accelerated learning courses, pre-accelerated learning courses, dual or concurrent enrollment programs, and early college high school courses;

''(C) how the eligible entity will provide professional development for teachers that will further the goals and objectives of the grant project;

''(D) how the eligible entity will ensure that teachers serving high-need schools are qualified to teach accelerated learning courses, dual or concurrent enrollment programs, and early college high school courses;

''(E) how the eligible entity will provide for the involvement of business and community organizations and other entities, including institutions of higher education, in carrying out the activities described in subsection (e);

''(F) how the eligible entity will use funds received under this section; and

''(G) how the eligible entity will evaluate the success of the grant project.

''(d) PRIORITY.—In awarding grants under this section, the Secretary shall give priority to applications from eligible entities that propose to carry out activities in a local educational agency that is eligible under the small rural school achievement program or the rural and low-income school program authorized under subpart 1 or 2 of part B of title VI.

''(e) AUTHORIZED ACTIVITIES.—Each eligible entity that receives a grant under this section may use grant funds for—

''(1) high-quality teacher professional development, in order to expand the pool of teachers in the participating State, local educational agency, or high-need school who are qualified to teach accelerated learning courses, dual or concurrent enrollment programs, and early college high school courses, including through innovative models such as online academies and training institutes;

''(2) high-quality teacher and counselor professional development to prepare students for success in accelerated learning courses, dual or concurrent enrollment programs, and early college high school courses;

''(3) coordination and articulation between grade levels to prepare students to enroll and succeed in accelerated learning courses, dual or concurrent enrollment programs, and early college high school courses;

''(4) the purchase of instructional materials for accelerated learning courses, dual or concurrent enrollment programs, and early college high school courses;

''(5) activities to increase the availability of, and participation in, online accelerated learning courses, dual or concurrent enrollment programs, and early college high school courses;

''(6) carrying out the requirements of subsection (g); or

''(7) in the case of an eligible entity described in subsection (b)(1), awarding subgrants to local educational agencies to enable the local educational agencies to carry out authorized activities described in paragraphs (1) through (6).

''(f) CONTRACTS.—An eligible entity that is awarded a grant to provide online courses under this section may enter into a contract with an organization to provide accelerated learning courses, dual or concurrent enrollment programs, and early college high school courses, including contracting for necessary support services.

''(g) COLLECTING AND REPORTING REQUIREMENTS.—

''(1) REPORT.—Each eligible entity receiving a grant under this section shall collect and report to the Secretary annually such data regarding the results of the grant as the Secretary may reasonably require, including—

''(A) the number of students served by the eligible entity enrolling in accelerated learning courses, pre-accelerated learning courses, dual or concurrent enrollment programs, and early college high school courses, disaggregated by grade level of the student, and the grades received by such students in the courses;

''(B) the number of students taking an accelerated learning examination and the distribution of scores on those examinations, disaggregated by the grade level of the student at the time of examination;

''(C) the number of teachers who, as of the date of the report, are receiving training to teach accelerated learning courses, dual or concurrent enrollment programs, and early college high school courses, and will teach such courses in the next school year;

''(D) the number of teachers becoming qualified to teach accelerated learning courses, dual or concurrent enrollment programs, and early college high school courses; and

''(E) the number of qualified teachers who are teaching accelerated learning courses, dual or concurrent enrollment programs, and early college high school courses in high-need schools served by the eligible entity.

''(2) REPORTING OF DATA.—Each eligible entity receiving a grant under this section shall report the data required under paragraph (1)—

''(A) disaggregated by subject area;

''(B) in the case of student data, disaggregated in the same manner as information is disaggregated under section 1111(b)(2)(B)(xi); and

''(C) in a manner that allows for an assessment of the effectiveness of the grant program.

''(h) EVALUATION.—The Secretary, acting through the Director of the Institute of Education Sciences, shall, in consultation with the relevant program office at the Department, evaluate the implementation and impact of the activities supported under this section, including progress as measured by the performance measures established under subparagraphs (A) through (E) of subsection (g)(1).

''(i) MATCHING REQUIREMENT.—

''(1) IN GENERAL.—Each eligible entity that receives a grant under this section shall provide toward the cost of the activities assisted under the grant, from non-Federal sources, an amount equal to 100 percent of the amount of the grant, except that an eligible entity that is a high-need local educational agency, as determined by the Secretary, shall provide an amount equal to not more than 50 percent of the amount of the grant.

''(2) MATCHING FUNDS.—The eligible entity may provide the matching funds described in paragraph (1) in cash or in kind, fairly evaluated, but may not provide more than 50 percent of the matching funds in kind. The eligible entity may provide the matching funds from State, local, or private sources.

''(3) WAIVER.—The Secretary may waive all or part of the matching requirement described in paragraph (1) for any fiscal year for an eligible entity if the Secretary determines that applying the matching requirement to such eligible entity would result in serious hardship or an inability to carry out the authorized activities described in subsection (e).

"SEC. 5506. SUPPLEMENT, NOT SUPPLANT.

''Grant funds provided under this part shall supplement, and not supplant, other non-Federal funds that are available to assist low-income students to pay for the cost of accelerated learning fees or to expand access to accelerated learning and pre-accelerated learning courses.

"SEC. 5507. DEFINITIONS.

''In this part:

''(1) ACCELERATED LEARNING COURSE.—The term 'accelerated learning course' means—

''(A) a course of postsecondary-level instruction provided to middle or high school students, terminating in an Advanced Placement or International Baccalaureate examination; or

''(B) another highly rigorous, evidence-based, postsecondary preparatory program terminating in—

''(i) an examination or sequence of courses that are widely accepted for credit at institutions of higher education; or

''(ii) another examination or sequence of courses approved by the Secretary.

''(2) ACCELERATED LEARNING EXAMINATION.—The term 'accelerated learning examination' means an Advanced Placement examination administered by the College Board, an International Baccalaureate examination administered by the International Baccalaureate, an examination that is widely accepted for college credit, or another such examination approved by the Secretary.

''(3) HIGH-NEED SCHOOL.—The term 'high-need school' means a high school—

''(A) with a demonstrated need for Advanced Placement or International Baccalaureate courses, dual or concurrent enrollment programs, or early college high school courses; and

''(B) that—

''(i) has a high concentration of low-income students; or

''(ii) is a local educational agency that is eligible, as determined by the Secretary, under the small, rural school achievement program, or the rural and low-income school program, authorized under subpart 1 or 2 of part B of title VI.

''(4) LOW-INCOME STUDENT.—The term 'low-income student' means a student who is eligible for a free or reduced price lunch under the school lunch program established under the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.).

''SEC. 5508. AUTHORIZATION OF APPROPRIATIONS.

''There are authorized to be appropriated to carry out this part such sums as may be necessary for each of fiscal years 2016 through 2021.''.

SEC. 5007. READY-TO-LEARN TELEVISION.

Title V (20 U.S.C. 7201 et seq.), as amended by section 5001, is further amended by inserting after part E, as added by section 5006, the following:

''PART F—READY-TO-LEARN TELEVISION

''SEC. 5601. READY-TO-LEARN.

''(a) PROGRAM AUTHORIZED; READY-TO-LEARN.—

''(1) IN GENERAL.—The Secretary is authorized to award grants to, or enter into contracts or cooperative agreements with, eligible entities described in paragraph (3) to enable such entities—

''(A) to develop, produce, and distribute educational and instructional video programming for preschool and elementary school children and their parents in order to facilitate student academic achievement;

''(B) to facilitate the development, directly or through contracts with producers of children's and family educational television programming, of educational programming for preschool and elementary school children, and the accompanying support materials and services that promote the effective use of such programming;

''(C) to facilitate the development of programming and digital content containing Ready-to-Learn-based children's programming and resources for parents and caregivers that is specially designed for nationwide distribution over public television stations' digital broadcasting channels and the Internet;

''(D) to contract with entities (such as public telecommunications entities) so that programs developed under this section are disseminated and distributed to the widest possible audience appropriate to be served by the programming, and through the use of the most appropriate distribution technologies; and

''(E) to develop and disseminate education and training materials, including interactive programs and programs adaptable to distance learning technologies, that are designed—

''(i) to promote school readiness; and

''(ii) to promote the effective use of materials developed under subparagraphs (B) and (C) among parents, teachers, Head Start providers, providers of family literacy services, child care providers, early childhood development personnel, elementary school teachers, public libraries, and after-school program personnel caring for preschool and elementary school children.

''(2) AVAILABILITY.—In awarding or entering into grants, contracts, or cooperative agreements under this section, the Secretary shall ensure that eligible entities make programming widely available, with support materials as appropriate, to young children, parents, child care workers, Head Start providers, and providers of family literacy services to increase the effective use of such programming.

''(3) ELIGIBLE ENTITIES.—To be eligible to receive a grant, contract, or cooperative agreement under this section, an entity shall be a public telecommunications entity that is able to demonstrate each of the following:

''(A) A capacity for the development and national distribution of educational and instructional television programming of high quality that is accessible by a large majority of disadvantaged preschool and elementary school children.

''(B) A capacity to contract with the producers of children's television programming for the purpose of developing educational television programming of high quality.

''(C) A capacity, consistent with the entity's mission and nonprofit nature, to negotiate such contracts in a manner that returns to the entity an appropriate share of any ancillary income from sales of any program-related products.

''(D) A capacity to localize programming and materials to meet specific State and local needs and to provide educational outreach at the local level.

''(4) COORDINATION OF ACTIVITIES.—An entity receiving a grant, contract, or cooperative agreement under this section shall consult with the Secretary and the Secretary of Health and Human Services—

''(A) to maximize the utilization of quality educational programming by preschool and elementary school children, and make such programming widely available to federally funded programs serving such populations; and

''(B) to coordinate activities with Federal programs that have major training components for early childhood development, including programs under the Head Start Act (42 U.S.C. 9831 et seq.) and State training activities funded under the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858 et seq.), regarding the availability and utilization of materials developed under paragraph (1)(E) to enhance parent and child care provider skills in early childhood development and education.

''(b) APPLICATIONS.—To be eligible to receive a grant, contract, or cooperative agreement under subsection (a), an entity shall submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary may reasonably require.

''(c) REPORTS AND EVALUATIONS.—

''(1) ANNUAL REPORT TO THE SECRETARY.—An entity receiving a grant, contract, or cooperative agreement under this section shall prepare and submit to the Secretary an annual report that contains such information as the Secretary may require. At a minimum, the report shall describe the program activities undertaken with funds received under the grant, contract, or cooperative agreement, including each of the following:

''(A) The programming that has been developed, directly or indirectly, by the eligible entity, and the target population of the programs developed.

''(B) The support and training materials that have been developed to accompany the programming, and the method by which the materials are distributed to consumers and users of the programming.

''(C) The means by which programming developed under this section has been distributed, including the distance learning technologies that have been utilized to make programming available, and the geographic distribution achieved through such technologies.

''(D) The initiatives undertaken by the entity to develop public-private partnerships to secure non-Federal support for the development, distribution, and broadcast of educational and instructional programming.

''(2) REPORT TO CONGRESS.—The Secretary shall prepare and submit to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Education and the Workforce of the House of Representatives a biannual report that includes the following:

''(A) A summary of the activities assisted under subsection (a).

''(B) A description of the education and training materials made available under subsection (a)(1)(E), the manner in which outreach has been conducted to inform parents and child care providers of the availability of such materials, and the manner in which such materials have been distributed in accordance with such subsection.

''(d) ADMINISTRATIVE COSTS.—An entity that receives a grant, contract, or cooperative agreement under this section may use up to 5 percent of the amount received under the grant, contract, or agreement for the normal and customary expenses of administering the grant, contract, or agreement.

''(e) FUNDING RULE.—Not less than 60 percent of the amount appropriated under subsection (f) for each fiscal year shall be used to carry out activities under subparagraphs (B) through (D) of subsection (a)(1).

''(f) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this part such sums as may be necessary for each of fiscal years 2016 through 2021.''.

SEC. 5008. INNOVATIVE TECHNOLOGY EXPANDS CHILDREN'S HORIZONS (I–TECH).

Title V (20 U.S.C. 7201 et seq.), as amended by section 5001, is further amended by inserting after part F, as added by section 5007, the following:

''PART G—INNOVATIVE TECHNOLOGY EXPANDS CHILDREN'S HORIZONS (I–TECH)

''SEC. 5701. PURPOSES.

''The purposes of this part are—

''(1) to improve the achievement, academic growth, and college and career readiness of all students;

''(2) to ensure that all students have access to personalized, rigorous learning experiences that are supported through technology;

''(3) to ensure that educators have the knowledge and skills to use technology, including computer-based assessments and blended learning strategies, to personalize learning;

''(4) to ensure that local educational agency and school leaders have the skills required to implement, and support school- and district-wide approaches for using technology to inform instruction, support teacher collaboration, and personalize learning;

''(5) to ensure that students in rural, remote, and underserved areas have the resources to take advantage of high-quality digital learning experiences, digital resources, and access to online courses taught by effective educators;

''(6) to ensure that students have increased access to online dual or concurrent enrollment opportunities, career and technical courses, and programs leading to a recognized postsecondary credential (as defined in section 3 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3102)), and courses taught by educators, including advanced coursework; and

''(7) to ensure that State educational agencies, local educational agencies, elementary schools, and secondary schools have the

technological capacity, infrastructure, and technical support necessary to meet purposes described in paragraphs (1) through (6).

"SEC. 5702. DEFINITIONS.

''In this part:

''(1) DIGITAL LEARNING.—The term 'digital learning' means any instructional practice that effectively uses technology to strengthen a student's learning experience and encompasses a wide spectrum of tools and practices, including—

''(A) interactive learning resources that engage students in academic content;

''(B) access to online databases and other primary source documents;

''(C) the use of data, data analytics, and information to personalize learning and provide targeted supplementary instruction;

''(D) student collaboration with content experts and peers;

''(E) online and computer-based assessments;

''(F) digital learning content, software, or simulations;

''(G) access to online courses;

''(H) mobile devices for learning in school and at home;

''(I) learning environments that allow for rich collaboration and communication;

''(J) hybrid or blended learning, which occurs under direct instructor supervision at a school or other location away from home and, at least in part, through online delivery of instruction with some element of student control over time, place, path, or pace;

''(K) access to online course opportunities for students in rural or remote areas; and

''(L) discovery, modification, and sharing of openly licensed digital learning materials.

''(2) ELIGIBLE TECHNOLOGY.—The term 'eligible technology' means modern computer, and communication technology software, services, or tools, including computer or mobile devices, software applications, systems and platforms, and digital learning content, and related services and supports.

''(3) TECHNOLOGY READINESS SURVEY.—The term 'technology readiness survey' means a survey completed by a local educational agency that provides standardized information on the quantity and types of technology infrastructure and access available to the students and in the community served by the local educational agency, including computer devices, access to school libraries, Internet connectivity, operating systems, related network infrastructure, data systems, educator professional learning needs and priorities, and data security.

''(4) UNIVERSAL DESIGN FOR LEARNING.—The term 'universal design for learning' has the meaning given the term in section 103 of the Higher Education Act of 1965 (20 U.S.C. 1003).

"SEC. 5703. TECHNOLOGY GRANTS PROGRAM AUTHORIZED.

''(a) IN GENERAL.—From the amounts appropriated under section 5708, the Secretary may reserve not more than 1.5 percent for national activities to support grantees and shall award the remainder to State educational agencies to strengthen State and local technological infrastructure and professional learning that supports digital learning through State activities under section 5705(c) and local activities under section 5706(c).

''(b) GRANTS TO STATE EDUCATIONAL AGENCIES.—

''(1) RESERVATIONS.—From the amounts appropriated under section 5708 for any fiscal year, the Secretary shall reserve—

''(A) three-fourths of 1 percent for the Secretary of the Interior to provide assistance under this part for schools operated or funded by the Bureau of Indian Education; and

''(B) 1 percent to provide assistance under this part to the outlying areas.

''(2) GRANT ALLOTMENTS.—From the amounts appropriated under section 5708 for any fiscal year and remaining after the Secretary makes reservations under paragraph (1), the Secretary shall make a grant for the fiscal year to each State educational agency with an approved application under section 5704 in an amount that bears the same relationship to such remainder as the amount the State educational agency received under part A of title I for such year bears to the amount all State educational agencies with an approved application under section 5704 received under such part for such year.

''(c) MINIMUM.—The amount of a grant to a State educational agency under subsection (b)(2) for a fiscal year shall not be less than one-half of 1 percent of the total amount made available for grants to all State educational agencies under such subsection for such year.

''(d) REALLOTMENT OF UNUSED FUNDS.—If any State educational agency does not apply for a grant under section 5704 for a fiscal year, or does not use the State educational agency's entire grant allotment under subsection (b)(2) for such year, the Secretary shall reallot the amount of the State educational agency's grant, or the unused portion of the grant allotment, to the remaining State educational agencies that use their entire grant amounts under subsection (b)(2) for such year.

''(e) MATCHING FUNDS.—

''(1) IN GENERAL.—A State educational agency that receives a grant under subsection (b)(2) shall provide matching funds, from non-Federal sources, in an amount equal to 10 percent of the amount of grant funds provided to the State educational agency to carry out the activities supported by the grant. Such matching funds may be provided in cash or in kind, except that any such in kind contributions shall be provided for the purpose of supporting the State educational agency's activities under section 5705(c).

''(2) WAIVER.—The Secretary may waive the matching requirement under paragraph (1) for a State educational agency that demonstrates that such requirement imposes an undue financial hardship on the State educational agency.

"SEC. 5704. STATE APPLICATIONS.

''(a) APPLICATION.—To receive a grant under section 5703(b)(2), a State educational agency shall submit to the Secretary an application at such time and in such manner as the Secretary may require and containing the information described in subsection (b).

''(b) CONTENTS.—Each application submitted under subsection (a) shall include the following:

''(1) A description of how the State educational agency will meet the following goals:

''(A) Use technology to ensure that all students achieve college and career readiness and digital literacy, including by providing high-quality education opportunities to economically or geographically isolated student populations.

''(B) Provide educators, school leaders, and administrators with the professional learning tools, devices, content, and resources to—

''(i) personalize learning to improve student academic achievement; and

''(ii) discover, adapt, and share relevant high-quality open educational resources.

''(C) Enable local educational agencies to build technological capacity and infrastructure.

''(2) An assurance that each local educational awarded a subgrant under this part has conducted a technology readiness survey and will take steps to address the identified readiness gaps not later than 3 years after the completion of the survey by the local educational agency.

''(3) An assurance that the State educational agency will ensure that the State educational agency's technology systems and school-based technology systems are interoperable.

''(4) An assurance that the State educational agency will consider making content widely available through open educational resources when making purchasing decisions with funds received under this part.

''(5) A description of how the State educational agency will award subgrants to local educational agencies under section 5706.

''(6) A description of the process, activities, and performance measures that the State educational agency will use to evaluate the impact and effectiveness of the grant and subgrant funds awarded under this part across the State and in each local educational agency.

''(7) An assurance that the State educational agency consulted with local educational agencies in the development of the State educational agency's application under this subsection.

''(8) An assurance that the State educational agency will provide matching funds as required under section 5703(e).

''(9) An assurance that the State educational agency will protect the privacy and safety of students and teachers, consistent with requirements of section 444 of the General Education Provisions Act (20 U.S.C. 1232g) (commonly known as the 'Family Educational Rights and Privacy Act of 1974') and section 445 of the General Education Provisions Act (20 U.S.C. 1232h).

''(10) An assurance that funds made available under this part shall be used to supplement, and not supplant, any other Federal, State, or local funds that would otherwise be available to carry out the activities assisted under this part.

"SEC. 5705. STATE USE OF GRANT FUNDS.

''(a) RESERVATION FOR SUBGRANTS TO SUPPORT TECHNOLOGY INFRASTRUCTURE.—Each State educational agency that receives a grant under section 5703(b)(2) shall expend not less than 90 percent of the grant amount for each fiscal year to award subgrants to local educational agencies in accordance with section 5706.

''(b) RESERVATION FOR STATE ACTIVITIES.—

''(1) IN GENERAL.—A State educational agency shall reserve not more than 10 percent of the grant received under section 5703(b)(2) for the State activities described in subsection (c).

''(2) GRANT ADMINISTRATION.—

''(A) IN GENERAL.—Subject to subparagraph (B), of the amount reserved by a State educational agency under paragraph (1), the State educational agency may reserve for the administration of the grant under this part not more than—

''(i) 1 percent in the case of a State educational agency awarding subgrants under section 5706(a)(1); or

''(ii) 3 percent in the case of a State educational agency awarding subgrants under section 5706(a)(2).

''(B) SPECIAL RULE.—Notwithstanding subparagraph (A), a State educational agency that forms a State purchasing consortium under subsection (d)—

''(i) may reserve an additional 1 percent to carry out the activities described in subsection (d)(1); and

''(ii) may reserve amounts in addition to the percentage described in clause (i) if the State purchasing consortium receives direct approval from the local educational agencies

receiving subgrants under section 5706(a) from the State educational agency prior to reserving more than the additional percentage authorized under clause (i).

''(c) STATE ACTIVITIES.—A State educational agency may use funds described in subsection (b) to carry out each of the following:

''(1) Except for the awarding of subgrants in accordance with section 5706, activities described in the State educational agency's application under section 5704(b).

''(2) Providing technical assistance to local educational agencies to—

''(A) identify and address technology readiness needs, as determined by the technology readiness surveys;

''(B) use technology, consistent with the principles of universal design for learning, to support the learning needs of all students, including children with disabilities and English learners;

''(C) build capacity for principals and local educational agency administrators to support teachers in using data and technology to improve teaching and personalize learning;

''(D) ensure that contractual requirements for third parties that have access to student data, its storage, or provide analytics on student data provide privacy protections consistent with the requirements of section 444 of the General Education Provisions Act (20 U.S.C. 1232g) (commonly known as the 'Family Educational Rights and Privacy Act of 1974'); and

''(E) provide tools and processes to support the creation, modification, and distribution of open educational resources.

''(3) Developing or utilizing evidence-based or innovative strategies for the delivery of specialized or rigorous academic courses and curricula through the use of technology, including digital learning technologies and assistive technology.

''(4) Integrating and coordinating activities under this part with other educational resources and programs across the State.

''(5) Disseminating information, including making publicly available on the website of the State educational agency, promising practices to improve technology instruction, best practices for data security, and acquiring and implementing technology tools and applications.

''(6) Ensuring that teachers, paraprofessionals, school librarians and media personnel, specialized instructional support personnel, and administrators possess the knowledge and skills to use technology to meet the goals described in section 5704(b)(1).

''(7) Coordinating with teacher, principal, and other school leader preparation programs to ensure that preservice teachers, principals, and other school leaders have the skills to implement digital learning programs effectively.

''(8) Supporting schools in rural and remote areas to expand access to high-quality digital learning opportunities.

''(d) PURCHASING CONSORTIA.—

''(1) IN GENERAL.—A State educational agency receiving a grant under section 5703(b)(2) may—

''(A) form a State purchasing consortium with 1 or more State educational agencies receiving such a grant to carry out the State activities described in subsection (c), including purchasing eligible technology;

''(B) encourage local educational agencies to form a local purchasing consortium under section 5706(c)(4); and

''(C) promote pricing opportunities to local educational agencies for the purchase of eligible technology that are—

''(i) negotiated by the State educational agency or the State purchasing consortium of the State educational agency; and

''(ii) available to such local educational agencies.

''(2) RESTRICTIONS.—A State educational agency receiving a grant under section 5703(b)(2) shall not—

''(A) except for promoting the pricing opportunities described in paragraph (1)(C), make recommendations to local educational agencies for, or require, use of any specific commercial products and services by local educational agencies;

''(B) require local educational agencies to participate in a State purchasing consortia or local purchasing consortia; or

''(C) use more than the amount reserved under subsection (b) to carry out the activities described in paragraph (1), unless the State educational agency receives approval in accordance with subsection (b)(2)(B).

''SEC. 5706. LOCAL SUBGRANTS.

''(a) SUBGRANTS.—

''(1) GRANTS TO LOCAL EDUCATIONAL AGENCIES.—From the grant funds provided under section 5703(b)(2) to a State educational agency that are remaining after the State educational agency makes reservations under section 5705(b) for any fiscal year and subject to paragraph (2), the State educational agency shall award subgrants for the fiscal year to local educational agencies served by the State educational agency and with an approved application under subsection (b) by allotting to each such local educational agency an amount that bears the same relationship to the remainder as the amount received by the local educational agency under part A of title I for such year bears to the amount received by all such local educational agencies under such part for such year, except that no local educational agency may receive less than $20,000 for a year.

''(2) COMPETITIVE GRANTS TO LOCAL EDUCATIONAL AGENCIES.—If the amount of funds appropriated under section 5708 is less than $300,000,000 for any fiscal year, a State educational agency—

''(A) shall not award subgrants under paragraph (1); and

''(B) shall—

''(i) award subgrants, on a competitive basis, to local educational agencies based on the quality of applications submitted under subsection (b), including—

''(I) the level of technology readiness, as determined by the technology readiness surveys completed by local educational agencies submitting such applications; and

''(II) the technology plans described in subsection (b)(3) and how the local educational agencies with such plans will carry out the alignment and coordination described in such subsection;

''(ii) give priority to local educational agencies that have demonstrated substantial need for assistance in acquiring and using technology, based on the agency's technology readiness survey; and

''(iii) give priority to schools that serve students in rural and remote areas, schools identified under section 1114 as in need of intervention and support and the persistently lowest-achieving schools, or schools with a high percentage of students aged 5 through 17 who are in poverty, as counted in the most recent census data approved by the Secretary, who are eligible for a free or reduced priced lunch under the Richard B. Russell National School Lunch Act, in families receiving assistance under the State program funded under part A of title IV of the Social Security Act, or eligible to receive medical assistance under the Medicaid program.

''(3) DEFINITION OF LOCAL EDUCATIONAL AGENCY FOR CERTAIN FISCAL YEARS.—For purposes of awarding subgrants under paragraph (2), the term 'local educational agency' means—

''(A) a local educational agency;

''(B) an educational service agency; or

''(C) a local educational agency and an educational service agency.

''(b) APPLICATION.—A local educational agency that desires to receive a subgrant under subsection (a) shall submit an application to the State at such time, in such manner, and accompanied by such information as the State educational agency may require, such as—

''(1) a description of how the local educational agency will carry out the goals described in subparagraphs (A) through (C) of section 5704(b)(1);

''(2) a description of the results of the technology readiness survey completed by the local educational agency and a description of the plan for the local educational agency to meet the goals described in paragraph (1) within 3 years of completing the survey;

''(3) a description of the local educational agency's technology plan to carry out paragraphs (1) and (2) and how the agency will align and coordinate the activities under this section with other activities across the local educational agency;

''(4) a description of the team of educators who will coordinate and carry out the activities under this section, including individuals with responsibility and expertise in instructional technology, teachers who specialize in supporting students who are children with disabilities and English learners, other school leaders, school librarians and media personnel, technology officers, and staff responsible for assessments and data;

''(5) a description of how the local educational agency will build capacity for principals, other school leaders, and local educational agency administrators to support teachers in developing data literacy skills and in implementing digital tools to support teaching and learning;

''(6) a description of how the local educational agency will procure content and ensure content quality; and

''(7) an assurance that the local educational agency will protect the privacy and safety of students and teachers, consistent with requirements section 444 of the General Education Provisions Act (20 U.S.C. 1232g) (commonly known as the 'Family Educational Rights and Privacy Act of 1974').

''(c) USE OF FUNDS.—

''(1) PROFESSIONAL DEVELOPMENT IN DIGITAL LEARNING.—Subject to paragraph (3), a local educational agency receiving a subgrant under subsection (a) shall use not less than 50 percent of such funds to carry out professional development in digital learning for teachers, principals, other school leaders, paraprofessionals, school librarians and media personnel, specialized instructional support personnel, technology coordinators, and administrators in the use of technology to support student learning.

''(2) TECHNOLOGY INFRASTRUCTURE.—Subject to paragraph (3), a local educational agency receiving a subgrant under subsection (a) shall use not less than 25 percent of such funds to support activities for the acquisition of eligible technology needed to—

''(A) except for the activities described in paragraph (1), carry out activities described in the application submitted under subsection (b), including purchasing devices, equipment, and software applications; and

''(B) address readiness shortfalls identified under the technology readiness survey completed by the local educational agency.

''(3) MODIFICATION OF FUNDING ALLOCATIONS.—A State educational agency may authorize a local educational agency to modify the percentage of the local educational agency's subgrant funds required to carry out the

activities described in paragraph (1) or (2) if the local educational agency demonstrates that such modification will assist the local educational agency in more effectively carrying out such activities.

''(4) PURCHASING CONSORTIUM.—Local educational agencies receiving subgrants under subsection (a) may—

''(A) form a local purchasing consortium with other such local educational agencies to carry out the activities described in this subsection, including purchasing eligible technology; and

''(B) use such funds for purchasing eligible technology through a State purchasing consortium under section 5705(d).

''(5) BLENDED LEARNING PROJECTS.—

''(A) IN GENERAL.—A local educational agency receiving a subgrant under subsection (a) may use such funds to carry out a blended learning project, which shall include at least 1 of the following activities:

''(i) Planning activities, which may include development of new instructional models (including blended learning technology software and platforms), the purchase of digital instructional resources, initial professional development activities, and one-time information technology purchases, except that such expenditures may not include expenditures related to significant construction or renovation of facilities.

''(ii) Ongoing professional development for teachers, principals, other school leaders, or other personnel involved in the project that is designed to support the implementation and academic success of the project.

''(B) NON-FEDERAL MATCH.—A local educational agency that carries out a blended learning project under this paragraph shall provide non-Federal matching funds equal to not less than 10 percent of the amount of funds used to carry out such project.

''(C) DEFINITION OF BLENDED LEARNING.—In this paragraph, the term 'blended learning' means a formal education program that leverages both technology-based and face-to-face instructional approaches that—

''(i) include an element of online or digital learning, combined with supervised learning time, and student-led learning, in which the elements are connected to provide an integrated learning experience; and

''(ii) where students are provided some control over time, path, or pace.

''SEC. 5707. REPORTING.

''(a) LOCAL EDUCATIONAL AGENCIES.—Each local educational agency receiving a subgrant under section 5706 shall submit to the State educational agency that awarded such subgrant an annual report the meets the requirements of subsection (c).

''(b) STATE EDUCATIONAL AGENCIES.—Each State educational agency receiving a grant under section 5703(b)(2) shall submit to the Secretary an annual report that meets the requirements of subsection (c).

''(c) REPORT REQUIREMENTS.—A report submitted under subsection (a) or (b) shall include, at a minimum, a description of—

''(1) the status of the State educational agency's plan described in section 5704(b) or the local education agency's technology plan under section 5706(b)(3), as applicable;

''(2) the categories of eligible technology acquired with funds under this part and how such technology is being used;

''(3) the professional learning activities funded under this part, including types of activities and entities involved in providing such professional learning to classroom teachers and other staff, such as school librarians; and

''(4) the types of programs funded under this part.

''SEC. 5708. AUTHORIZATION.

''There are authorized to be appropriated such sums as may be necessary to carry out this part.''.

SEC. 5009. LITERACY AND ARTS EDUCATION.

Title V (20 U.S.C. 7201 et seq.), as amended by section 5001, is further amended by inserting after part G, as added by section 5008, the following:

''PART H—LITERACY AND ARTS EDUCATION

''SEC. 5801. LITERACY AND ARTS EDUCATION.

''(a) IN GENERAL.—From funds made available under subsection (c), the Secretary may award grants, contracts, or cooperative agreements, on a competitive basis, to eligible entities for the purposes of promoting—

''(1) arts education for disadvantaged students and students who are children with disabilities, through activities such as—

''(A) professional development for arts educators, teachers, and principals;

''(B) development and dissemination of instructional materials and arts-based educational programming, including online resources, in multiple arts disciplines; and

''(C) community and national outreach activities that strengthen and expand partnerships among schools, local educational agencies, communities, or national centers for the arts; and

''(2) literacy programs that support the development of literacy skills in low-income communities, including—

''(A) developing and enhancing effective school library programs, which may include providing professional development for school librarians, books, and up-to-date materials to low-income schools;

''(B) early literacy services, including pediatric literacy programs through which, during well-child visits, medical providers trained in research-based methods of early language and literacy promotion provide developmentally appropriate books and recommendations to parents to encourage them to read aloud to their children starting in infancy; and

''(C) programs that provide high-quality books on a regular basis to children and adolescents from disadvantaged communities to increase reading motivation, performance, and frequency.

''(b) DEFINITIONS.—In this section:

''(1) ELIGIBLE ENTITY.—The term 'eligible entity' means—

''(A) a local educational agency in which 20 percent or more of the students served by the local educational agency are from families with an income below the poverty line;

''(B) a consortium of such local educational agencies; or

''(C) an eligible national nonprofit organization.

''(2) ELIGIBLE NATIONAL NONPROFIT ORGANIZATION.—The term 'eligible national nonprofit organization' means an organization of national scope that—

''(A) is supported by staff, which may include volunteers, or affiliates at the State and local levels; and

''(B) demonstrates effectiveness or high-quality plans for addressing childhood literacy activities for the population targeted by the grant.

''(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section such sums as may be necessary for each of fiscal years 2016 through 2021.''.

SEC. 5010. EARLY LEARNING ALIGNMENT AND IMPROVEMENT GRANTS.

Title V (20 U.S.C. 7201 et seq.), as amended by section 5001, is further amended by inserting after part H, as added by section 5009, the following:

''PART I—EARLY LEARNING ALIGNMENT AND IMPROVEMENT GRANTS

''SEC. 5901. PURPOSES; DEFINITIONS.

''(a) PURPOSES.—The purposes of this part are to assist States with—

''(1) more efficiently using existing Federal resources to improve, strengthen, and expand existing high-quality early childhood education, as determined by the State;

''(2) coordinating existing funding streams and delivery models to promote—

''(A) program quality, while maintaining services;

''(B) parental choice among high-quality early childhood education program providers; and

''(C) early care and learning access for children from birth to kindergarten entry; and

''(3) improving access for children from low-income families to high-quality early childhood education programs in order to enhance school readiness.

''(b) DEFINITIONS.—In this part:

''(1) CENTER OF EXCELLENCE.—The term 'Center of Excellence' means a local public or private nonprofit agency, including a community-based or faith-based organization, or a for-profit agency, within a community, that provides early learning and care services in the State, including the use of best practices for—

''(A) achieving school readiness, including the development of early literacy and mathematics skills;

''(B) acquisition of English language skills; and

''(C) providing high-quality comprehensive services for eligible children and their families.

''(2) ELIGIBLE CHILD.—The term 'eligible child' means an individual—

''(A) who is less than 6 years of age; and

''(B) whose family income does not exceed—

''(i) 200 percent of the poverty line;

''(ii) 85 percent of the State median income for a family of the same size, and whose family assets do not exceed $1,000,000 (as certified by a member of such family); or

''(iii) a State-determined threshold for eligibility that does not exceed the thresholds in clauses (i) and (ii).

''(3) ELIGIBLE PARTNERSHIP.—The term 'eligible partnership' means a partnership that, at a minimum, includes, as applicable and appropriate, the State Advisory Council on Early Childhood Education and Care established under section 642B(b) of the Head Start Act, and all of the following partners, which may be represented on the Council:

''(A) One or more public and private (including nonprofit or for-profit) providers of early childhood education that serve eligible children residing in the State and meet applicable standards of licensing and quality as determined by the State.

''(B) One or more Head Start agencies, which may include Early Head Start, migrant and seasonal Head Start, and Indian Head Start agencies that serve eligible children residing in the State.

''(C) The State educational agency.

''(D) Other relevant State agencies with oversight of preschool, early education, and child care in the State.

''(E) One or more local educational agencies in the State.

''(F) One or more institutions of higher education in the State.

''(G) One or more representatives of business in the State.

''(4) INSTITUTION OF HIGHER EDUCATION.—The term 'institution of higher education' has the meanings given the term in section 101 and subparagraphs (A) and (B) of section 102(a)(1) of the Higher Education Act of 1965.

"SEC. 5902. EARLY LEARNING ALIGNMENT AND IMPROVEMENT GRANTS.

''(a) GRANTS AUTHORIZED.—

''(1) IN GENERAL.—From amounts made available under section 5903, the Secretary, in consultation with the Secretary of Health and Human Services, shall award grants, on a competitive basis, to States to enable the States to carry out the activities described in subsection (d).

''(2) RESERVATION FOR STATES SERVING RURAL AREAS.—From the amounts appropriated under section 5903 for a fiscal year, the Secretary shall reserve not less than 30 percent for grants to States that propose to carry out the activities described in subsection (d) for eligible children living in rural areas. The Secretary shall reduce the amount described in the preceding sentence if the Secretary does not receive a sufficient number of applications that are deserving of a grant under this part for such purpose.

''(3) PRIORITY.—In awarding grants under this section, the Secretary shall give priority to a State that will use funds under this grant to focus on eligible children—

''(A) who are 3 and 4 years of age; and

''(B) whose family income does not exceed 130 percent of the poverty line.

''(4) DURATION OF GRANTS.—A grant awarded under this section shall be for a period of not more than 3 years and may not be renewed by the Secretary.

''(5) LIMITATION.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), a State may receive a grant under this section once.

''(B) EXCEPTION.—Notwithstanding subparagraph (A), a State may receive more than 1 grant under this section only—

''(i) if the State is proposing, for such additional grants, to carry out activities for eligible children living in rural areas; or

''(ii) after all States, which meet the requirements and have submitted an application under this section, have received a grant, to the extent that funds for a grant are still available.

''(6) EQUITABLE DISTRIBUTION.—To the extent practicable, the Secretary shall ensure an equitable geographic distribution of grants under this section.

''(b) STATE REQUIREMENTS.—

''(1) LEAD AGENCY.—

''(A) DESIGNATION.—A State desiring a grant under this section shall designate an agency (which may be an appropriate collaborative agency) or establish a joint interagency office, that complies with the requirements of subparagraph (B), to serve as a lead agency for the State under this section.

''(B) DUTIES.—The lead agency designated under subparagraph (A) shall—

''(i) administer, directly or through other governmental or nongovernmental agencies, the Federal assistance received under this section by the State;

''(ii) develop the application submitted to the Secretary under subsection (c); and

''(iii) coordinate the provision of activities under this section with existing Federal, State, and local early childhood education programs.

''(2) PARTNERS.—In order to be eligible for a grant under this section, a State shall partner with an eligible partnership.

''(3) MATCHING REQUIREMENT.—Each State that receives a grant under this part shall provide from Federal or non-Federal sources (which may be provided in cash or in kind) to carry out the activities supported by the grant, an amount equal to—

''(A) 30 percent of the amount of the grant in the first year of such grant; and

''(B) not less than 30 percent of the amount of the grant in each of the second and third years of such grant, respectively.

''(c) APPLICATIONS.—A State desiring a grant under this section shall submit an application at such time, in such manner, and containing such information as the Secretary may reasonably require. The application shall include—

''(1) an identification of the lead agency that the Governor of the State has appointed to be responsible for the grant under this section;

''(2) a description of the eligible partnership required under subsection (b)(2), which will assist the State in developing the plan and implementing the activities under this part;

''(3) to the extent practicable, the unduplicated counts of the number of eligible children served using existing Federal, State, and local resources and programs that the State will coordinate to meet the purposes of this part, including—

''(A) programs carried out under the Head Start Act, including the Early Head Start programs carried out under such Act;

''(B) programs carried out under section 619 and parts B and C of the Individuals with Disabilities Education Act;

''(C) child care programs carried out under the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858 et seq.) or section 418 of the Social Security Act (42 U.S.C. 618);

''(D) other Federal, State, local, and Indian tribe or tribal organization programs of early learning, childhood education, child care, and development in the State; and

''(E) as applicable—

''(i) programs carried out under other provisions of this Act;

''(ii) programs carried out under subtitle A of title XX of the Social Security Act (42 U.S.C. 1397 et seq.);

''(iii) programs carried out under the Community Services Block Grant Act (42 U.S.C. 9901 et seq.);

''(iv) programs serving homeless children and services of local educational agency liaisons for homeless children and youths designated under section 722(g)(1)(J)(ii) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11432(g)(1)(J)(ii));

''(v) State agencies and programs serving children in foster care and the foster families of such children; and

''(vi) child care programs funded through State veterans affairs offices;

''(4) a description of how the State proposes to coordinate such resources and programs identified under paragraph (3) in order to meet the purposes of this part;

''(5) a description of how the State will identify early childhood education program providers that demonstrate a high level of quality;

''(6) a description of how the State will define eligible children, in accordance with section 5901(b)(2);

''(7) a description of how the State will expand access to existing high-quality early learning and care for eligible children in the State or, if no high-quality early learning and care is accessible for eligible children, expand access to high-quality early learning and care for such children;

''(8) in the case of a State that has elected to use funds under this section to designate Centers of Excellence—

''(A) an assurance that the State will designate an entity, such as an agency, an institution of higher education, a consortium of local educational agencies or Head Start centers, or another entity, to designate early childhood education programs as Centers of Excellence;

''(B) an assurance that the designee will meet the definition of a Center of Excellence;

''(C) a description of the process by which an entity that carries out an early childhood education program would be designated as a Center of Excellence, including evidence that the early childhood education program involved has demonstrated excellence in program delivery in a manner designed to improve the school readiness of children who have participated in the program; and

''(D) a description of how the State will assist Centers of Excellence in the dissemination of best practices;

''(9) a description of the measurable outcomes and anticipated levels of performance for such outcomes, as determined by the State, in the areas of program coordination, program quality improvement, and increased access to high-quality programs, that the State will use to evaluate the coordinated statewide or locally implemented system of voluntary early care and learning supported by the grant;

''(10) an assurance that the State will provide technical assistance to partners on methods by which Federal and State early learning and care funding can be coordinated and lead to cost-saving and efficiencies strategies, and other methods that will enhance the quality of the early childhood education programs in the State;

''(11) a description of how the State will sustain early learning and care activities coordinated under this section, including for rural areas in the State, if applicable, once grant funding is no longer available under this section;

''(12) a description of the process that the State proposes to use to collect and disseminate, to parents and the general public, consumer information that will promote informed early learning and care choices in the State;

''(13) a description of how the State will serve eligible children residing in rural areas, if applicable; and

''(14) an assurance that funds made available under this part shall be used to supplement, and not supplant, any other Federal, State, or local funds that would otherwise be available to carry out the activities assisted under this part.

''(d) USE OF FUNDS.—

''(1) IN GENERAL.—A State that receives a grant under this part shall use the grant funds to develop, implement, or improve a coordinated statewide or locally implemented system of voluntary early care and learning, which includes a plan—

''(A) for coordinating funding available through existing Federal, State, and local sources; and

''(B) that is designed in collaboration with an eligible partnership.

''(2) AUTHORIZED ACTIVITIES.—Grant funds under this section may be used for the following:

''(A) Aligning existing Federal, State, and local funding and resources with a statewide or locally designed system for delivering high-quality early learning and care for eligible children in the State, including developing evidence-based practices to improve staff quality, instructional programming, and time in program.

''(B) Analyzing needs for expanded access to existing high-quality early childhood education programs in the State, including child care, preschool, and Early Head Start, Head Start, and special education for all children, particularly low-income children.

''(C) Developing or expanding eligible partnerships to—

''(i) expand access for eligible children to existing high-quality providers or programs or, if no high-quality early learning and care is accessible for eligible children, expand access to high-quality early learning and care for eligible children;

''(ii) share best practices; and

''(iii) ensure that parents have maximum choices in selecting the providers that meet their individual needs, consistent with State and local laws.

''(D) Developing or expanding Centers of Excellence for the purposes of—

''(i) disseminating best practices for achieving early academic success in the State, including best practices for—

''(I) achieving school readiness, including developing early literacy and mathematics skills;

''(II) the acquisition of the English language for English learners; or

''(III) providing high-quality comprehensive services to low-income and at-risk children and their families;

''(ii) coordinating early education, child care, and other social services available in the State and local communities for low-income and at-risk children and families; or

''(iii) providing effective transitions between preschool programs and elementary schools, including by facilitating ongoing communication between early education and elementary school teachers and by improving the ability of teachers to work effectively with low-income and at-risk children and their families.

''(E) Expanding existing high-quality early education and care for infants and toddlers or, if no high-quality early education and care is accessible for infants and toddlers, expand access to high-quality education and care.

''(F) Developing, implementing, or coordinating programs or strategies determined by the State to increase the involvement of the parents and family of an eligible child in the education of the child, such as programs or strategies that—

''(i) encourage effective ongoing communication between such children and the parents and families of such children, early childhood education providers, early learning administrators, and other early childhood education personnel; and

''(ii) promote active participation of parents, families, and communities as partners in the education of such children.

''(G) Carrying out other strategies determined by the State to improve access to, and expand the overall quality of, a coordinated State or locally designed system of voluntary early learning and care services in the State.

''(3) PRIORITY.—The activities implemented by a State under this subsection shall prioritize parental choice of providers and evidence-based practices for improving early learning program quality and access, to the extent permitted under State and local law.

''(e) REPORTING.—A State that receives a grant under this part shall submit to the Secretary, at such time and in such manner as the Secretary may reasonably require, an annual report that includes—

''(1) the number and percentage of children who are served in high-quality early childhood education programs, as identified by the State, during each year of the grant duration using funds from—

''(A) only this part, as applicable;

''(B) the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858 et seq.) or section 418 of the Social Security Act (42 U.S.C. 618);

''(C) the Head Start Act; and

''(D) other public and private providers, as applicable;

''(2) the quality improvements undertaken at the State level;

''(3) the extent to which funds are being blended with other public and private funding;

''(4) the progress made regarding the measurable outcomes and the anticipated levels of performance selected by the State under subsection (c)(9); and

''(5) any other ways in which funds are used to meet the purposes of this part.

''(f) REPORT TO CONGRESS.—The Secretary, in consultation with the Secretary of Health and Human Services, shall prepare and submit to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Education and the Workforce of the House of Representatives a biennial report containing the information described in subsection (e) for all States receiving funds under this part.

''(g) LIMITATIONS ON FEDERAL INTERFERENCE.—Nothing in this part shall be construed to authorize the Secretary to establish any criterion that specifies, defines, or prescribes—

''(1) early learning and development guidelines, standards, or specific assessments, including the standards or measures that States use to develop, implement, or improve such guidelines, standards, or assessments;

''(2) specific measures or indicators of quality early learning and care, including—

''(A) the systems that States use to assess the quality of early childhood education programs and providers, school readiness, and achievement; and

''(B) the term 'high-quality' early learning or care;

''(3) early learning or preschool curriculum, program of instruction, or instructional content;

''(4) teacher and staff qualifications and salaries;

''(5) class sizes and child-to-instructional staff ratios; and

''(6) any aspect or parameter of a teacher, principal, other school leader, or staff evaluation system within a State or local educational agency.

''SEC. 5903. AUTHORIZATION OF APPROPRIATIONS.

''There are authorized to be appropriated to carry out this part such sums as may be necessary for each of fiscal years 2016 through 2021.''.

TITLE VI—INNOVATION AND FLEXIBILITY

SEC. 6001. PURPOSES.

Title VI (20 U.S.C. 7301 et seq.) is amended by inserting before part A of title VI, the following:

''SEC. 6001. PURPOSES.

''The purposes of this title are—

''(1) to support State and local innovation in preparing all students to meet challenging State academic standards under section 1111(b);

''(2) to provide States and local educational agencies with maximum flexibility in using Federal funds provided under this Act; and

''(3) to support education in rural areas.''.

SEC. 6002. IMPROVING ACADEMIC ACHIEVEMENT.

Part A of title VI (20 U.S.C. 7301 et seq.) is amended—

(1) by striking subparts 1 and 4;

(2) by redesignating subpart 2 as subpart 1;

(3) by redesignating sections 6121 through 6123 as sections 6111 through 6113, respectively;

(4) in section 6113, as redesignated by paragraph (3)—

(A) in subsection (a)—

(i) in paragraph (1)—

(I) in the matter preceding subparagraph (A), by striking ''not more than 50 percent of the nonadministrative State funds'' and inserting ''all, or any lesser amount, of State funds''; and

(II) by striking subparagraphs (A) through (D) and inserting the following:

''(A) Part A of title II.

''(B) Part A of title IV.

''(C) Part G of title V.''; and

(ii) in paragraph (2), by striking ''and subject to the 50 percent limitation described in paragraph (1)''; and

(B) in subsection (b)—

(i) in paragraph (1)—

(I) in subparagraph (A), by striking ''(except'' and all that follows through ''subparagraph (C))'' and inserting ''may transfer all, or any lesser amount, of the funds allocated to it'';

(II) by striking subparagraph (B);

(III) by redesignating subparagraph (C) as subparagraph (B); and

(IV) in subparagraph (B), as redesignated by subclause (III), by striking ''and subject to the percentage limitation described in subparagraph (A) or (B), as applicable''; and

(ii) in paragraph (2)—

(I) by striking ''subparagraph (A), (B), or (C)'' and inserting ''subparagraph (A) or (B)''; and

(II) by striking subparagraphs (A) through (D) and inserting the following:

''(A) Part A of title II.

''(B) Part A of title IV.

''(C) Part G of title V.''; and

(5) by striking subpart 3 and inserting the following:

"Subpart 2—Weighted Student Funding Flexibility Pilot Program

''SEC. 6121. WEIGHTED STUDENT FUNDING FLEXIBILITY PILOT PROGRAM.

''(a) PURPOSE.—The purpose of the pilot program under this section is to provide local educational agencies with flexibility to consolidate Federal, State, and local funding in order to create a single school funding system based on weighted per-pupil allocations for low-income and otherwise disadvantaged students.

''(b) AUTHORITY.—The Secretary may, on a competitive basis, enter into local flexibility demonstration agreements—

''(1) for not more than 2 years with local educational agencies that are selected under subsection (c) and submit proposed agreements that meet the requirements of subsection (d); and

''(2) under which such agencies may consolidate and use funds in accordance with subsection (d) in order to develop and implement a school funding system based on weighted per-pupil allocations for low-income and otherwise disadvantaged students.

''(c) SELECTION OF LOCAL EDUCATIONAL AGENCIES.—

''(1) IN GENERAL.—The Secretary may enter into local flexibility demonstration agreements with not more than 25 local educational agencies, reflecting the size and geographic diversity of all such agencies nationwide to the maximum extent feasible.

''(2) SELECTION.—Each local educational agency shall be selected on a competitive basis from among those local educational agencies that—

''(A) submit a proposed local flexibility demonstration agreement under subsection (d) to the Secretary;

''(B) demonstrate to the satisfaction of the Secretary that the agreement meets the requirements of subsection (d); and

''(C) agree to meet the continued demonstration requirements under subsection (e).

''(d) REQUIRED TERMS OF LOCAL FLEXIBILITY DEMONSTRATION AGREEMENT.—

''(1) APPLICATION.—Each local educational agency that desires to participate in the pilot program under this section shall submit, at such time, in such form, and including such information as the Secretary may prescribe, an application to enter into a local flexibility demonstration agreement with the Secretary in order to develop and implement a school funding system based on

weighted per-pupil allocations that meets the requirements of this section, including—

''(A) a description of the school funding system based on weighted per-pupil allocations, including how the system will meet the requirements under paragraph (2);

''(B) a list of funding sources, including eligible Federal funds the local educational agency will include in such system;

''(C) a description of the amount and percentage of total local educational agency funding, including State, local, and eligible Federal funds, that will be allocated through such system;

''(D) the per-pupil expenditures (including actual personnel expenditures, including staff salary differentials for years of employment, and actual nonpersonnel expenditures) of State and local funds for each school served by the agency for the preceding fiscal year;

''(E) the per-pupil amount of eligible Federal funds each school served by the agency, disaggregated by program, received in the preceding fiscal year;

''(F) a description of how the system will continue to ensure that any eligible Federal funds allocated through the system will continue to meet the purposes of each Federal funding stream, including serving students from low-income families, English learners, migratory children, and children who are neglected, delinquent, or at risk, as applicable;

''(G) a description of how the local educational agency will develop and employ a weighted student funding system to support public elementary schools and secondary schools in order to improve the academic achievement of students, including low-income students, the lowest-achieving students, English learners, and students with disabilities;

''(H) an assurance that the local educational agency developed and will implement the local flexibility demonstration agreement in consultation with teachers, principals, other school leaders, administrators of Federal programs impacted by the agreement, parents, civil rights leaders, and other relevant stakeholders;

''(I) an assurance that the local educational agency will use fiscal control and sound accountability procedures that ensure proper disbursement of, and accounting for, eligible Federal funds consolidated and used under such system;

''(J) an assurance that the local educational agency will continue to meet the fiscal provisions in section 1117 and the requirements under section 9501; and

''(K) an assurance that the local educational agency will meet the requirements of all applicable Federal civil rights laws in carrying out the agreement and in consolidating and using funds under the agreement.

''(2) REQUIREMENTS OF SYSTEM.—A local educational agency's school funding system based on weighted per-pupil allocations shall meet each of the following requirements:

''(A) The system shall—

''(i) allocate a significant portion of funds, including State, local, and eligible Federal funds, to the school level through a formula that determines per-pupil weighted amounts based on individual student characteristics;

''(ii) use weights or allocation amounts that allocate substantially more funding to students from low-income families and English learners than to other students; and

''(iii) demonstrate to the Secretary that each high-poverty school received at least as much total per-pupil funding, including from Federal, State, and local sources, for low-income students and at least as much total per-pupil funding, including from Federal, State, and local sources, for English learners as the school received in the year prior to carrying out the pilot program.

''(B) The system shall be used to allocate a significant portion, including all school-level personnel expenditures for instructional staff and nonpersonnel expenditures, but not less than 65 percent, of all the local educational agency's local and State funds to schools.

''(C) After allocating funds through the school funding system, the local educational agency shall charge schools for the per-pupil expenditures of Federal, State, and local funds, including actual personnel expenditures for instructional staff and actual nonpersonnel expenditures.

''(D) The system may include weights or allocation amounts according to other characteristics.

''(e) CONTINUED DEMONSTRATION.—Each local educational agency that is selected to participate in the pilot program under this section shall annually—

''(1) demonstrate to the Secretary that no high-poverty school served by the agency received less total per-pupil funding, including from Federal, State, and local sources, for low-income students or less total per-pupil funding, including from Federal, State, and local sources, for English learners than the school received in the previous year;

''(2) make public and report to the Secretary the per-pupil expenditures (including actual personnel expenditures that include staff salary differentials for years of employment, and actual non-personnel expenditures) of State, local, and Federal funds for each school served by the agency, and disaggregated by student poverty quartile and by minority student quartile for the preceding fiscal year; and

''(3) make public the total number of students enrolled in each school served by the agency and the number of students enrolled in each such school disaggregated by each of the categories of students, as defined in section 1111(b)(3)(A).

''(f) ELIGIBLE FEDERAL FUNDS.—In this section, the term 'eligible Federal funds' means funds received by a local educational agency under titles I, II, III, and IV of this Act.

''(g) LIMITATIONS ON ADMINISTRATIVE EXPENDITURES.—Each local educational agency that has entered into a local flexibility demonstration agreement with the Secretary under this section may use, for administrative purposes, from eligible Federal funds not more than the percentage of funds allowed for such purpose under any of titles I, II, III, or IV.

''(h) PEER REVIEW.—The Secretary may establish a peer-review process to assist in the review of a proposed local flexibility demonstration agreement.

''(i) NONCOMPLIANCE.—The Secretary may, after providing notice and an opportunity for a hearing (including the opportunity to provide information as provided for in subsection (j)), terminate a local flexibility demonstration agreement under this section if there is evidence that the local educational agency has failed to comply with the terms of the agreement and the requirements under subsections (d) and (e).

''(j) EVIDENCE.—If a local educational agency believes that the Secretary's determination under subsection (i) is in error for statistical or other substantive reasons, the local educational agency may provide supporting evidence to the Secretary, and the Secretary shall consider that evidence before making a final termination determination.

''(k) PROGRAM EVALUATION.—From the amount reserved for evaluation activities in section 9601, the Secretary, acting through the Director of the Institute of Education Sciences, shall, in consultation with the relevant program office at the Department, evaluate the implementation and impact of the local flexibility demonstration agreements under this section, consistent with section 9601 and specifically on improving the equitable distribution of State and local funding and increasing student achievement.

''(l) RENEWAL OF LOCAL FLEXIBILITY DEMONSTRATION AGREEMENT.—The Secretary may renew for additional 3-year terms a local flexibility demonstration agreement under this section if—

''(1) the local educational agency has met the requirements under subsections (d)(2) and (e) and agrees to and has a high likelihood of continuing to meet such requirements; and

''(2) the Secretary determines that renewing the local flexibility demonstration agreement is in the interest of students served under titles I and III, including students from low-income families, English learners, migratory children, and children who are neglected, delinquent, or at risk.

''(m) DEFINITION OF HIGH-POVERTY SCHOOL.—In this section, the term 'high-poverty school' means a school that is in the highest 2 quartiles of schools served by a local educational agency, based on the percentage of enrolled students from low-income families.''.

SEC. 6003. RURAL EDUCATION INITIATIVE.

Part B of title VI (20 U.S.C. 7341 et seq.) is amended—

(1) in section 6211—

(A) in subsection (a)(1), by striking subparagraphs (A) through (E) and inserting the following:

''(A) Part A of title I.

''(B) Part A of title II.

''(C) Title III.

''(D) Part A or B of title IV.

''(E) Part G of title V.'';

(B) in subsection (b)(1)—

(i) in subparagraph (A)(ii), by striking ''7 or 8, as determined by the Secretary; or'' and inserting ''41, 42, or 43, as determined by the Secretary;'';

(ii) in subparagraph (B), by striking the period at the end and inserting ''; or''; and

(iii) by adding at the end the following:

''(C) the local educational agency is a member of an educational service agency that does not receive funds under this subpart and the local educational agency meets the requirements of this part.''; and

(C) in subsection (c), by striking paragraphs (1) through (3) and inserting the following:

''(1) Part A of title II.

''(2) Part A of title IV.

''(3) Part G of Title V.'';

(2) in section 6212—

(A) in subsection (a), by striking paragraphs (1) through (5) and inserting the following:

''(1) Part A of title I.

''(2) Part A of title II.

''(3) Title III.

''(4) Part A or B of title IV.

''(5) Part G of title V.'';

(B) in subsection (b)—

(i) by striking paragraph (1) and inserting the following:

''(1) ALLOCATION.—

''(A) IN GENERAL.—Except as provided in paragraphs (3) and (4), the Secretary shall award a grant under subsection (a) to a local educational agency eligible under section 6211(b) for a fiscal year in an amount equal to the initial amount determined under paragraph (2) for the fiscal year minus the total amount received by the agency under the provisions of law described in section 6211(c) for the preceding fiscal year.

''(B) SPECIAL DETERMINATION.—For a local educational agency that is eligible under section 6211 and is a member of an educational service agency, the Secretary may determine the award amount by subtracting

from the initial amount determined under paragraph (2), an amount that is equal to that local educational agency's per-pupil share of the total amount received by the educational service agency under titles II and IV, as long as a determination under this subparagraph would not disproportionately affect any State.'';

(ii) by striking paragraph (2) and inserting the following:

''(2) DETERMINATION OF INITIAL AMOUNT.—

''(A) IN GENERAL.—The initial amount referred to in paragraph (1) is equal to $100 multiplied by the total number of students in excess of 50 students, in average daily attendance at the schools served by the local educational agency, plus $20,000, except that the initial amount may not exceed $60,000.

''(B) SPECIAL RULE.—For any fiscal year for which the amount made available to carry out this part is $252,000,000 or more, subparagraph (A) shall be applied—

''(i) by substituting '$25,000' for '$20,000'; and

''(ii) by substituting '$80,000' for '$60,000'.''; and

(iii) by adding at the end the following:

''(4) HOLD HARMLESS.—For a local educational agency that is not eligible under this subpart but met the eligibility requirements under section 6211(b) as such section was in effect on the day before the date of enactment of the Every Child Achieves Act of 2015, the agency shall receive—

''(A) for fiscal year 2016, 75 percent of the amount such agency received for fiscal year 2015;

''(B) for fiscal year 2017, 50 percent of the amount such agency received for fiscal year 2015; and

''(C) for fiscal year 2018, 25 percent of the amount such agency received for fiscal year 2015.''; and

(C) by striking subsection (d);

(3) by striking section 6213 and inserting the following:

''SEC. 6213. ACADEMIC ACHIEVEMENT ASSESSMENTS.

''Each local educational agency that uses or receives funds under this subpart for a fiscal year shall administer an assessment that is consistent with section 1111(b)(2).'';

(4) in section 6221—

(A) in subsection (b)(1)(B), by striking ''6, 7, or 8'' and inserting ''32, 33, 41, 42, or 43''; and

(B) in subsection (c)(1), by striking ''Bureau of Indian Affairs'' and inserting ''Bureau of Indian Education'';

(5) in section 6222(a), by striking paragraphs (1) through (7) and inserting the following:

''(1) Activities authorized under part A of title I.

''(2) Activities authorized under part A of title II.

''(3) Activities authorized under title III.

''(4) Activities authorized under part A of title IV.

''(5) Parental involvement activities.

''(6) Activities authorized under part G of title V.'';

(6) in section 6223—

(A) in subsection (a), by striking ''at such time, in such manner, and accompanied by such information'' and inserting ''at such time and in such manner''; and

(B) by striking subsection (b) and inserting the following:

''(b) CONTENTS.—Each application submitted under subsection (a) shall include information on—

''(1) program objectives and outcomes for activities under this subpart, including how the State educational agency or specially qualified agency will use funds to help all students meet the challenging State academic standards under section 1111(b);

''(2) if the State educational agency or specially qualified agency will competitively award grants to eligible local educational agencies, as described in section 6221(b)(2)(A), the application under the section shall include—

''(A) the methods and criteria the State educational agency or specially qualified agency will use for reviewing applications and awarding funds to local educational agencies on a competitive basis; and

''(B) how the State educational agency or specially qualified agency will notify eligible local educational agencies of the grant competition; and

''(3) a description of how the State educational agency or specially qualified agency will provide technical assistance to eligible local educational agencies to help such agencies implement the activities described in section 6222.'';

(7) in section 6224—

(A) in subsection (a)—

(i) in the matter preceding paragraph (1), by inserting ''or specially qualified agency'' after ''Each State educational agency'';

(ii) by striking paragraph (1) and inserting the following:

''(1) if the report is submitted by a State educational agency, the method the State educational agency used to award grants to eligible local educational agencies, and to provide assistance to schools, under this subpart;''; and

(iii) by striking paragraph (3) and inserting the following:

''(3) the degree to which progress has been made toward meeting the objectives and outcomes described in the application submitted under section 6223, including having all students in the State or the area served by the specially qualified agency, as applicable, meet the challenging State academic standards under section 1111(b).'';

(B) by striking subsection (b) and (c) and inserting the following:

''(b) REPORT TO CONGRESS.—The Secretary shall prepare a summary of the reports under subsection (a) and submit a biennial report to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Education and the Workforce of the House of Representatives.'';

(C) by redesignating subsection (d) as subsection (c);

(D) in subsection (c), as redesignated by subparagraph (C), by striking ''assessment that is consistent with section 1111(b)(3)'' and inserting ''assessment that is consistent with section 1111(b)(2)''; and

(E) by striking subsection (e);

(8) by inserting after section 6224 the following:

''SEC. 6225. CHOICE OF PARTICIPATION.

''(a) IN GENERAL.—If a local educational agency is eligible for funding under both subparts 1 and 2 of this part, such local educational agency may receive funds under either subpart 1 or subpart 2 for a fiscal year, but may not receive funds under both subparts for such fiscal year.

''(b) NOTIFICATION.—A local educational agency eligible for funding under both subparts 1 and 2 of this part shall notify the Secretary and the State educational agency under which of such subparts the local educational agency intends to receive funds for a fiscal year by a date that is established by the Secretary for the notification.''; and

(9) in section 6234, by striking ''$300,000,000 for fiscal year 2002 and such sums as may be necessary for each of the 5 succeeding fiscal years,'' and inserting ''such sums as may be necessary for each of the fiscal years 2016 through 2021,''.

SEC. 6004. GENERAL PROVISIONS.

Part C of title VI (20 U.S.C. 7371) is amended to read as follows:

''PART C—GENERAL PROVISIONS

''SEC. 6301. PROHIBITION AGAINST FEDERAL MANDATES, DIRECTION, OR CONTROL.

''Nothing in this title shall be construed to authorize an officer or employee of the Federal Government to mandate, direct, or control a State, local educational agency, or school's specific instructional content, academic standards and assessments, curriculum, or program of instruction, as a condition of eligibility to receive funds under this Act.

''SEC. 6302. RULE OF CONSTRUCTION ON EQUALIZED SPENDING.

''Nothing in this title shall be construed to mandate equalized spending per pupil for a State, local educational agency, or school.''.

SEC. 6005. REVIEW RELATING TO RURAL LOCAL EDUCATIONAL AGENCIES.

(a) REVIEW AND REPORT.—Not later than 18 months after the date of enactment of this Act, the Secretary of Education shall—

(1) review the organization, structure, and process and procedures of the Department of Education for administering its programs and developing policy and regulations, in order to—

(A) assess the methods and manner through which, and the extent to which, the Department of Education takes into account, considers input from, and addresses the unique needs and characteristics of rural schools and rural local educational agencies; and

(B) determine actions that the Department of Education can take to meaningfully increase the consideration and participation of rural schools and rural local educational agencies in the development and execution of the processes, procedures, policies, and regulations of the Department of Education;

(2) make public a preliminary report containing the information described under paragraph (1) and provide Congress and the public with 60 days to comment on the proposed actions under paragraph (1)(B); and

(3) taking into account comments submitted under paragraph (2), issue a final report to the Committee on Health, Education, Labor, and Pensions of the Senate, which shall describe the final actions developed pursuant to paragraph (1)(B).

(b) IMPLEMENTATION.—Not later than 2 years after the date of enactment of this Act, the Secretary of Education shall—

(1) implement each action described in the report under subsection (a)(3); or

(2) provide a written explanation to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Education and the Workforce of the House of Representatives of why the action was not carried out.

TITLE VII—INDIAN, NATIVE HAWAIIAN, AND ALASKA NATIVE EDUCATION

SEC. 7001. INDIAN EDUCATION.

Part A of title VII (20 U.S.C. 7401 et seq.) is amended—

(1) by striking sections 7132, 7133, 7134, and 7136;

(2) by redesignating section 7135 as section 7132;

(3) by striking section 7102 and inserting the following:

''SEC. 7102. PURPOSE.

''It is the purpose of this part to support the efforts of local educational agencies, Indian tribes and organizations, postsecondary institutions, and other entities—

''(1) to ensure the academic achievement of American Indian and Alaska Native students by meeting their unique cultural, language, and educational needs, consistent with section 1111;

''(2) to ensure that American Indian and Alaska Native students gain knowledge and

understanding of Native communities, languages, tribal histories, traditions, and cultures; and

''(3) to ensure that teachers, principals, other school leaders, and other staff who serve American Indian and Alaska Native students have the ability to provide effective instruction and supports to such students.'';

(4) by striking section 7111 and inserting the following:

''SEC. 7111. PURPOSE.

''It is the purpose of this subpart to support local educational agencies in developing elementary school and secondary school programs for American Indian and Alaska Native students that are designed to—

''(1) meet the unique cultural, language, and educational needs of such students; and

''(2) ensure that all students meet the challenging State academic standards adopted under section 1111(b).'';

(5) in section 7112—

(A) by striking subsection (a) and inserting the following:

''(a) IN GENERAL.—The Secretary may make grants, from allocations made under section 7113, and in accordance with this section and section 7113, to—

''(1) local educational agencies;

''(2) Indian tribes; and

''(3) consortia of 2 or more local educational agencies, Indian tribes, Indian organizations, or Indian community-based organizations, provided that each local educational agency participating in such a consortium—

''(A) provides an assurance that the eligible Indian children served by such local educational agency receive the services of the programs funded under this subpart; and

''(B) is subject to all the requirements, assurances, and obligations applicable to local educational agencies under this subpart.'';

(B) in subsection (b)—

(i) in paragraph (1), by striking ''A local educational agency shall'' and inserting ''Subject to paragraph (2), a local educational agency shall'';

(ii) by redesignating paragraph (2) as paragraph (3); and

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

''(2) COOPERATIVE AGREEMENTS.—A local educational agency may enter into a cooperative agreement with an Indian tribe under this subpart if such Indian tribe—

''(A) represents not less than 25 percent of the eligible Indian children who are served by such local educational agency; and

''(B) requests that the local educational agency enter into a cooperative agreement under this subpart.''; and

(C) by striking subsection (c) and inserting the following:

''(c) INDIAN TRIBES AND INDIAN ORGANIZATIONS.—

''(1) IN GENERAL.—If a local educational agency that is otherwise eligible for a grant under this subpart does not establish a committee under section 7114(c)(4) for such grant, an Indian tribe, an Indian organization, or a consortium of such entities, that represents more than one-half of the eligible Indian children who are served by such local educational agency may apply for such grant.

''(2) UNAFFILIATED INDIAN TRIBES.—An Indian tribe that operates a public school and that is not affiliated with either a local educational agency or the Bureau of Indian Education shall be eligible to apply for a grant under this subpart.

''(3) SPECIAL RULE.—

''(A) IN GENERAL.—The Secretary shall treat each Indian tribe, Indian organization, or consortium of such entities applying for a grant pursuant to paragraph (1) or (2) as if such tribe, Indian organization, or consortium were a local educational agency for purposes of this subpart.

''(B) EXCEPTIONS.—Notwithstanding subparagraph (A), such Indian tribe, Indian organization, or consortium shall not be subject to the requirements of subsections (b)(7) or (c)(4) of section 7114 or section 7118(c) or 7119.

''(4) ASSURANCE TO SERVE ALL INDIAN CHILDREN.—An Indian tribe, Indian organization, or consortium of such entities that is eligible to apply for a grant under paragraph (1) shall include, in the application required under section 7114, an assurance that the entity will use the grant funds to provide services to all Indian students served by the local educational agency.

''(d) INDIAN COMMUNITY-BASED ORGANIZATION.—

''(1) IN GENERAL.—If no local educational agency pursuant to subsection (b), and no Indian tribe, Indian organization, or consortium pursuant to subsection (c), applies for a grant under this subpart, an Indian community-based organization serving the community of the local educational agency may apply for such grant.

''(2) APPLICABILITY OF SPECIAL RULE.—The Secretary shall apply the special rule in subsection (c)(3) to an Indian community-based organization applying or receiving a grant under paragraph (1) in the same manner as such rule applies to an Indian tribe, Indian organization, or consortium.

''(3) DEFINITION OF INDIAN COMMUNITY-BASED ORGANIZATION.—In this subsection, the term 'Indian community-based organization' means any organization that—

''(A) is composed primarily of Indian parents and community members, tribal government education officials, and tribal members from a specific community;

''(B) assists in the social, cultural, and educational development of Indians in such community;

''(C) meets the unique cultural, language, and academic needs of Indian students; and

''(D) demonstrates organizational capacity to manage the grant.

''(e) CONSORTIA.—

''(1) IN GENERAL.—A local educational agency, Indian tribe, or Indian organization that meets the eligibility requirements under this section may form a consortium with other eligible local educational agencies, Indian tribes, or Indian organizations for the purpose of obtaining grants and operating programs under this subpart.

''(2) REQUIREMENTS.—In any case where 2 or more local educational agencies, Indian tribes, or Indian organizations that are eligible under subsection (b) form or participate in a consortium to obtain a grant, or operate a program, under this subpart, each local educational agency, Indian tribe, and Indian organization participating in such a consortium shall—

''(A) provide, in the application submitted under section 7114, an assurance that the eligible Indian children served by such local educational agency, Indian tribe, and Indian organization will receive the services of the programs funded under this subpart; and

''(B) agree to be subject to all requirements, assurances, and obligations applicable to a local educational agency, Indian tribe, and Indian organization receiving a grant under this subpart.'';

(6) in section 7113—

(A) in subsection (b)(1), by striking ''Bureau of Indian Affairs'' and inserting ''Bureau of Indian Education''; and

(B) in subsection (d)—

(i) in the subsection heading, by striking ''INDIAN AFFAIRS'' and inserting ''INDIAN EDUCATION''; and

(ii) in paragraph (1)(A)(i), by striking ''Bureau of Indian Affairs'' and inserting ''Bureau of Indian Education'';

(7) in section 7114—

(A) in subsection (a), by inserting ''Indian tribe, or consortia as described in section 7113(b)(2)'' after ''Each local educational agency,'';

(B) in subsection (b)—

(i) in paragraph (2)—

(I) in subparagraph (A), by striking ''is consistent with the State and local plans'' and inserting ''supports the State, tribal, and local plans''; and

(II) by striking subparagraph (B) and inserting the following:

''(B) includes program objectives and outcomes for activities under this subpart that are based on the same challenging State academic standards developed by the State under title I for all students;'';

(ii) by striking paragraph (3) and inserting the following:

''(3) explains how the local educational agency, tribe, or consortium will use funds made available under this subpart to supplement other Federal, State, and local programs that meet the needs of such students;'';

(iii) in paragraph (5)(B), by striking ''and'' after the semicolon;

(iv) in paragraph (6)—

(I) in subparagraph (B)—

(aa) in clause (i), by striking ''and'' after the semicolon; and

(bb) by adding at the end the following:

''(iii) the Indian tribes whose children are served by the local educational agency, consistent with section 444 of the General Education Provisions Act (20 U.S.C. 1232g) (commonly referred to as the 'Family Educational Rights and Privacy Act of 1974'); and''; and

(II) in subparagraph (C), by striking the period at the end and inserting ''; and''; and

(v) by adding at the end the following:

''(7) describes the process the local educational agency used to collaborate with Indian tribes located in the community in the development of the comprehensive programs and the actions taken as a result of such collaboration.'';

(C) in subsection (c)—

(i) in paragraph (1), by striking ''the education of Indian children,'' and inserting ''services and activities consistent with those described in this subpart,'';

(ii) in paragraph (2)—

(I) in subparagraph (A), by striking ''and'' after the semicolon;

(II) in subparagraph (B), by striking ''served by such agency;'' and inserting ''served by such agency, and meet program objectives and outcomes for activities under this subpart; and''; and

(III) by adding at the end the following:

''(C) determine the extent to which such activities address the unique cultural, language, and educational needs of Indian students;'';

(iii) in paragraph (3)(C)—

(I) by inserting ''representatives of Indian tribes on Indian lands located within 50 miles of any school that the agency will serve if such tribe has any children in such school,'' after ''parents of Indian children and teachers,''; and

(II) by striking ''and'' after the semicolon;

(iv) in paragraph (4)—

(I) in subparagraph (A)—

(aa) in clause (i), by inserting ''and family members'' after ''parents'';

(bb) by redesignating clauses (ii) and (iii) as clauses (iii) and (iv), respectively; and

(cc) by inserting after clause (i) the following:

''(ii) representatives of Indian tribes on Indian lands located within 50 miles of any

school that the agency will serve if such tribe has any children in such school;'';

(II) by striking subparagraph (B) and inserting the following:

''(B) a majority of whose members are parents and family members of Indian children and representatives of Indian tribes described in subparagraph (A)(ii), as applicable;'';

(III) in subparagraph (C), by inserting ''and family members'' after '', parents'';

(IV) in subparagraph (D)(ii), by striking ''and'' after the semicolon;

(V) in subparagraph (E), by striking the period at the end and inserting ''; and''; and

(VI) by adding at the end the following:

''(F) that will determine the extent to which the activities of the local educational agency will address the unique cultural, linguistic, and educational needs of Indian students;''; and

(v) by adding at the end the following:

''(5) the local educational agency will coordinate activities under this title with other Federal programs supporting educational and related services administered by such agency;

''(6) the local educational agency conducted outreach to parents and family members to meet the requirements under this paragraph; and

''(7) the local educational agency will use funds received under this subpart only for activities described and authorized in this subpart.''; and

(D) by adding at the end the following:

''(d) OUTREACH.—The Secretary shall monitor the applications for grants under this subpart to identify eligible local educational agencies and schools operated by the Bureau of Indian Education that have not applied for such grants, and shall undertake appropriate outreach activities to encourage and assist eligible entities to submit applications for such grants.

''(e) TECHNICAL ASSISTANCE.—The Secretary shall, directly or by contract, provide technical assistance to a local educational agency or Bureau of Indian Education school upon request (in addition to any technical assistance available under other provisions of this Act or available through the Institute of Education Sciences) to support the services and activities provided under this subpart, including technical assistance for—

''(1) the development of applications under this subpart;

''(2) improvement in the quality of implementation, content, and evaluation of activities supported under this subpart; and

''(3) integration of activities under this subpart with other educational activities carried out by the local educational agency.'';

(8) in section 7115—

(A) in subsection (a)—

(i) in paragraph (1), by inserting ''solely for the services and activities described in such application'' after ''under section 7114(a)''; and

(ii) in paragraph (2), by inserting ''to be responsive to the unique learning styles of Indian and Alaska Native children'' after ''Indian students'';

(B) by striking subsection (b) and inserting the following:

''(b) PARTICULAR ACTIVITIES.—The services and activities referred to in subsection (a) may include—

''(1) activities that support Native American language programs and Native American language restoration programs, which may be taught by traditional leaders;

''(2) culturally related activities that support the program described in the application submitted by the local educational agency;

''(3) high-quality early childhood and family programs that emphasize school readiness;

''(4) enrichment programs that focus on problem solving and cognitive skills development and directly support the attainment of challenging State academic standards described in 1111(b);

''(5) integrated educational services in combination with other programs that meet the needs of Indian children and their families, including programs that promote parental involvement in school activities and increase student achievement;

''(6) career preparation activities to enable Indian students to participate in programs such as the programs supported by the Carl D. Perkins Career and Technical Education Act of 2006, including programs for tech-prep education, mentoring, and apprenticeship;

''(7) activities to educate individuals so as to prevent violence, suicide, and substance abuse;

''(8) the acquisition of equipment, but only if the acquisition of the equipment is essential to achieve the purpose described in section 7111;

''(9) activities that promote the incorporation of culturally responsive teaching and learning strategies into the educational program of the local educational agency;

''(10) family literacy services;

''(11) activities that recognize and support the unique cultural and educational needs of Indian children, and incorporate appropriately qualified tribal elders and seniors; and

''(12) dropout prevention strategies and strategies to—

''(A) meet the educational needs of at-risk Indian students in correctional facilities; and

''(B) support Indian students who are transitioning from such facilities to schools served by local educational agencies.'';

(C) in subsection (c)—

(i) in paragraph (1), by striking ''and'' after the semicolon;

(ii) in paragraph (2), by striking the period and inserting ''; and''; and

(iii) by adding at the end the following:

''(3) the local educational agency identifies in its application how the use of such funds in a schoolwide program will provide benefits to Indian students.''; and

(D) by adding at the end the following:

''(e) LIMITATION ON USE OF FUNDS.—Funds provided to a grantee under this subpart may not be used for long-distance travel expenses for training activities available locally or regionally.'';

(9) in section 7116—

(A) in subsection (g)—

(i) by striking ''No Child Left Behind Act of 2001'' and inserting ''Every Child Achieves Act of 2015'';

(ii) by inserting ''the Secretary of Health and Human Services,'' after ''the Secretary of the Interior,''; and

(iii) by inserting ''and coordination'' after ''providing for the implementation''; and

(B) in subsection (o)—

(i) in paragraph (1), by striking ''Not later than 2 years after the date of enactment of the No Child Left Behind Act of 2001,'' and inserting ''Not later than 2 years after date of enactment of the Every Child Achieves Act of 2015, and every 5 years thereafter,''; and

(ii) by striking paragraph (2) and inserting the following:

''(2) CONTENTS.—The report required under paragraph (1) shall identify—

''(A) any statutory barriers to the ability of participants to more effectively integrate their education and related services to Indian students in a manner consistent with the objectives of this section; and

''(B) the effective practices for program integration that result in increased student achievement, graduation rates, and other relevant outcomes for Indian students.'';

(10) in section 7117—

(A) in subsection (b)(1)—

(i) in subparagraph (A)(ii), by inserting ''or membership'' after ''the enrollment''; and

(ii) in subparagraph (B), by inserting ''or membership'' after ''the enrollment'';

(B) by striking subsection (e) and inserting the following:

''(e) DOCUMENTATION.—

''(1) IN GENERAL.—For purposes of determining whether a child is eligible to be counted for the purpose of computing the amount of a grant award under section 7113, the membership of the child, or any parent or grandparent of the child, in a tribe or band of Indians (as so defined) may be established by proof other than an enrollment number, notwithstanding the availability of an enrollment number for a member of such tribe or band. Nothing in subsection (b) shall be construed to require the furnishing of an enrollment number.

''(2) NO NEW OR DUPLICATE DETERMINATIONS.—Once a child is determined to be an Indian eligible to be counted for such grant award, the local educational agency shall maintain a record of such determination and shall not require a new or duplicate determination to be made for such child for a subsequent application for a grant under this subpart.

''(3) PREVIOUSLY FILED FORMS.—An Indian student eligibility form that was on file as required by this section on the day before the date of enactment of the Every Child Achieves Act of 2015 and that met the requirements of this section, as this section was in effect on the day before the date of enactment of such Act, shall remain valid for such Indian student.'';

(C) in subsection (g), by striking ''Bureau of Indian Affairs'' and inserting ''Bureau of Indian Education''; and

(D) by adding at the end the following:

''(i) TECHNICAL ASSISTANCE.—The Secretary shall, directly or through contract, provide technical assistance to a local educational agency or Bureau of Indian Education school upon request, in addition to any technical assistance available under section 1114 or available through the Institute of Education Sciences, to support the services and activities described under this section, including for the—

''(1) development of applications under this section;

''(2) improvement in the quality of implementation, content of activities, and evaluation of activities supported under this subpart;

''(3) integration of activities under this title with other educational activities established by the local educational agency; and

''(4) coordination of activities under this title with programs administered by each Federal agency providing grants for the provision of educational and related services and sharing of best practices.'';

(11) in section 7118, by striking subsection (c) and inserting the following:

''(c) REDUCTION OF PAYMENT FOR FAILURE TO MAINTAIN FISCAL EFFORT.—Each local educational agency shall maintain fiscal effort in accordance with section 9521 or be subject to reduced payments under this subpart in accordance with such section 9521.'';

(12) in section 7121—

(A) by striking the section header and inserting the following:

''SEC. 7121. IMPROVEMENT OF EDUCATIONAL OPPORTUNITIES FOR INDIAN CHILDREN AND YOUTH.'';

(B) in subsection (a)—

(i) in paragraph (1), by inserting ''and youth'' after ''Indian children''; and

(ii) in paragraph (2)(B), by inserting ''and youth'' after ''Alaska Native children'';

(C) in subsection (b), by striking ''Indian institution (including an Indian institution of higher education)'' and inserting ''a Tribal College or University (as defined in section 316(b) of the Higher Education Act of 1965)'';

(D) in subsection (c)—

(i) in paragraph (1)—

(I) in subparagraph (A), by inserting ''and youth'' after ''disadvantaged children'';

(II) in subparagraph (B), by inserting ''and youth'' after ''such children'';

(III) in subparagraph (D), by inserting ''and youth'' after ''Indian children'';

(IV) in subparagraph (E), by inserting ''and youth'' after ''Indian children'' both places the term appears;

(V) by striking subparagraph (G) and inserting the following:

''(G) high-quality early childhood education programs that are effective in preparing young children to be making sufficient academic progress by the end of grade 3, including kindergarten and prekindergarten programs, family-based preschool programs that emphasize school readiness, and the provision of services to Indian children with disabilities;''; and

(VI) in subparagraph (L)—

(aa) by striking ''appropriately qualified tribal elders and seniors'' and inserting ''traditional leaders''; and

(bb) by inserting ''and youth'' after ''Indian children'';

(ii) in paragraph (2), by striking ''Professional development'' and inserting ''High-quality professional development'';

(E) in subsection (d)—

(i) in paragraph (1)(C), by striking ''make a grant payment for a grant described in this paragraph to an eligible entity after the initial year of the multiyear grant only if the Secretary determines'' and inserting ''award grants for an initial period of not more than 3 years and may renew such grants for not more than an additional 2 years if the Secretary determines''; and

(ii) in paragraph (3)(B)—

(I) in clause (i), by striking ''parents of Indian children'' and inserting ''parents and family of Indian children''; and

(II) in clause (iii), by striking ''information demonstrating that the proposed program for the activities is a scientifically based research program'' and inserting ''evidence demonstrating that the proposed program is an evidence-based program''; and

(F) by adding at the end the following:

''(f) CONTINUATION.—Notwithstanding any other provision of this section, a grantee that is carrying out activities pursuant to a grant awarded under this section prior to the date of enactment of the Every Child Achieves Act of 2015 may continue to carry out such activities after such date of enactment under such grant in accordance with the terms of such grant award.'';

(13) in section 7122—

(A) in subsection (a)—

(i) in the subsection heading, by striking ''PURPOSES'' and inserting ''PURPOSE'';

(ii) in the matter preceding paragraph (1), by striking ''The purposes of this section are'' and inserting ''The purpose of this section is'';

(iii) in paragraph (1), by striking ''individuals in teaching or other education professions that serve Indian people'' and inserting ''or Alaska Native teachers and administrators serving Indian or Alaska Native students'';

(iv) in paragraph (2)—

(I) by inserting ''and support'' after ''to provide training'';

(II) by inserting ''or Alaska Native'' after ''Indian'';

(III) by striking ''teachers, administrators, teacher aides'' and inserting ''effective teachers, principals, other school leaders, administrators, teacher aides, counselors'';

(IV) by striking ''ancillary educational personnel'' and inserting ''specialized instructional support personnel''; and

(V) by striking ''and'' after the semicolon;

(v) in paragraph (3)—

(I) by inserting ''or Alaska Native'' after ''Indian''; and

(II) by striking the period at the end and inserting ''; and''; and

(vi) by adding at the end the following:

''(4) to develop and implement initiatives to promote retention of effective teachers, principals, and school leaders who have a record of success in helping low-achieving Indian or Alaska Native students improve their academic achievement, outcomes, and preparation for postsecondary education or the workforce without the need for postsecondary remediation.'';

(B) in subsection (b)—

(i) in paragraph (1), by striking ''including an Indian institution of higher education'' and inserting ''including a Tribal College or University, as defined in section 316(b) of the Higher Education Act of 1965''; and

(ii) in paragraph (4), by inserting ''in a consortium with at least one Tribal College or University, as defined in section 316(b) of the Higher Education Act of 1965, where feasible'' before the period at the end;

(C) in subsection (d)—

(i) in paragraph (1)—

(I) in the first sentence—

(aa) by inserting ''or Alaska Native'' after ''Indian''; and

(bb) by striking ''purposes'' and inserting ''purpose''; and

(II) by striking the second sentence and inserting ''Such activities may include—''

''(A) continuing education programs, symposia, workshops, and conferences;

''(B) teacher mentoring programs, professional guidance, and instructional support provided by educators, local tribal elders, or cultural experts, as appropriate for teachers during their first 3 years of employment as teachers;

''(C) direct financial support; and

''(D) programs designed to train tribal elders and cultural experts to assist those personnel referenced in subsection (a)(2), as appropriate, with relevant Native language and cultural mentoring, guidance, and support.''; and

(ii) in paragraph (2), by adding at the end the following:

''(C) CONTINUATION.—Notwithstanding any other provision of this section, a grantee that is carrying out activities pursuant to a grant awarded under this section prior to the date of enactment of the Every Child Achieves Act of 2015 may continue to carry out such activities under such grant in accordance with the terms of that award.'';

(D) by striking subsection (e) and inserting the following:

''(e) APPLICATION.—Each eligible entity desiring a grant under this section shall submit an application to the Secretary at such time, in such manner, and accompanied by such information, as the Secretary may reasonably require. At a minimum, an application under this section shall describe how the eligible entity will—

''(1) recruit qualified Indian or Alaska Native individuals, such as students who may not be of traditional college age, to become teachers, principals, or school leaders;

''(2) use funds made available under the grant to support the recruitment, preparation, and professional development of Indian or Alaska Native teachers or principals in local educational agencies that serve a high proportion of Indian or Alaska Native students; and

''(3) assist participants in meeting the requirements under subsection (h).'';

(E) in subsection (f)—

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

(ii) by inserting before paragraph (2), as redesignated by clause (i), the following:

''(1) may give priority to tribally chartered and federally chartered institutions of higher education;''; and

(iii) in paragraph (3), as redesignated by clause (i), by striking ''basis of'' and all that follows through the period at the end and inserting ''basis of the length of any period for which the eligible entity has received a grant.'';

(F) by striking subsection (g) and inserting the following:

''(g) GRANT PERIOD.—The Secretary shall award grants under this section for an initial period of not more than 3 years, and may renew such grants for an additional period of not more than 2 years if the Secretary finds that the grantee is achieving the objectives of the grant.''; and

(G) in subsection (h)(1)(A)(ii), by striking ''people'' and inserting ''students in a local educational agency that serves a high proportion of Indian or Alaska Native students'';

(14) by striking section 7132, as redesignated by section 7001(2), and inserting the following:

''SEC. 7132. GRANTS TO TRIBES FOR EDUCATION ADMINISTRATIVE PLANNING, DEVELOPMENT, AND COORDINATION.

''(a) IN GENERAL.—The Secretary may award grants under this section to eligible applicants to enable the eligible applicants to—

''(1) promote tribal self-determination in education;

''(2) improve the academic achievement of Indian children and youth; and

''(3) promote the coordination and collaboration of tribal educational agencies with State and local educational agencies to meet the unique educational and culturally related academic needs of Indian students.

''(b) DEFINITIONS.—In this section:

''(1) ELIGIBLE APPLICANT.—In this section, the term 'eligible applicant' means—

''(A) an Indian tribe or tribal organization approved by an Indian tribe; or

''(B) a tribal educational agency.

''(2) INDIAN TRIBE.—The term 'Indian tribe' means a federally recognized tribe or a State-recognized tribe.

''(3) TRIBAL EDUCATIONAL AGENCY.—The term 'tribal educational agency' means the agency, department, or instrumentality of an Indian tribe that is primarily responsible for supporting tribal students' elementary and secondary education.

''(c) GRANT PROGRAM.—The Secretary may award grants to—

''(1) eligible applicants described under subsection (b)(1)(A) to plan and develop a tribal educational agency, if the tribe or organization has no current tribal educational agency, for a period of not more than 1 year; and

''(2) eligible applicants described under subsection (b)(1)(B), for a period of not more than 3 years, in order to—

''(A) directly administer education programs, including formula grant programs under this Act, consistent with State law and under a written agreement between the parties;

''(B) build capacity to administer and coordinate such education programs, and to improve the relationship and coordination between such applicants and the State educational agencies and local educational

agencies that educate students from the tribe;

''(C) receive training and support from the State educational agency and local educational agency, in areas such as data collection and analysis, grants management and monitoring, fiscal accountability, and other areas as needed;

''(D) train and support the State educational agency and local educational agency in areas related to tribal history, language, or culture;

''(E) build on existing activities or resources rather than replacing other funds; and

''(F) carry out other activities, subject to the approval of the Secretary.

''(d) GRANT APPLICATION.—

''(1) IN GENERAL.—Each eligible applicant desiring a grant under this section shall submit an application to the Secretary at such time, in such manner, containing such information, and consistent with such criteria, as the Secretary may reasonably prescribe.

''(2) CONTENTS.—Each application described in paragraph (1) shall contain—

''(A) a statement describing the activities to be conducted, and the objectives to be achieved, under the grant;

''(B) a description of the method to be used for evaluating the effectiveness of the activities for which assistance is sought and for determining whether such objectives are achieved; and

''(C) for applications for activities under subsection (c)(2), evidence of—

''(i) a preliminary agreement with the appropriate State educational agency, 1 or more local educational agencies, or both the State educational agency and a local educational agency; and

''(ii) existing capacity as a tribal educational agency.

''(3) APPROVAL.—The Secretary may approve an application submitted by an eligible applicant under this subsection only if the Secretary is satisfied that such application, including any documentation submitted with the application—

''(A) demonstrates that the eligible applicant has consulted with other education entities, if any, within the territorial jurisdiction of the applicant that will be affected by the activities to be conducted under the grant;

''(B) provides for consultation with such other education entities in the operation and evaluation of the activities conducted under the grant; and

''(C) demonstrates that there will be adequate resources provided under this section or from other sources to complete the activities for which assistance is sought.

''(e) RESTRICTIONS.—

''(1) IN GENERAL.—A tribe may not receive funds under this section if such tribe receives funds under section 1140 of the Education Amendments of 1978.

''(2) DIRECT SERVICES.—No funds under this section may be used to provide direct services.

''(f) SUPPLEMENT, NOT SUPPLANT.—Funds under this section shall be used to supplement, and not supplant, other Federal, State, and local programs that meet the needs of tribal students.'';

(15) in section 7141(b)(1), by inserting ''and the Secretary of the Interior'' after ''advise the Secretary'';

(16) in section 7151, by adding at the end the following:

''(4) TRADITIONAL LEADERS.—The term 'traditional leaders' has the meaning given the term in section 103 of the Native American Languages Act (25 U.S.C. 2902).''; and

(17) in section 7152—

(A) in subsection (a), by striking ''$96,400,000 for fiscal year 2002 and such sums as may be necessary for each of the 5 succeeding fiscal years'' and inserting ''such sums as may be necessary for each of fiscal years 2016 through 2021''; and

(B) in subsection (b) by striking ''$24,000,000 for fiscal year 2002 and such sums as may be necessary for each of the 5 succeeding fiscal years'' and inserting ''such sums as may be necessary for each of fiscal years 2016 through 2021''.

SEC. 7002. NATIVE HAWAIIAN EDUCATION.

Part B of title VII (20 U.S.C. 7511 et seq.) is amended—

(1) in section 7202, by striking paragraphs (14) through (21);

(2) by striking section 7204 and inserting the following:

''SEC. 7204. NATIVE HAWAIIAN EDUCATION COUNCIL.

''(a) GRANT AUTHORIZED.—In order to better effectuate the purposes of this part through the coordination of educational and related services and programs available to Native Hawaiians, including those programs that receive funding under this part, the Secretary shall award a grant to the education council described under subsection (b).

''(b) EDUCATION COUNCIL.—

''(1) ELIGIBILITY.—To be eligible to receive the grant under subsection (a), the council shall be an education council (referred to in this section as the 'Education Council') that meets the requirements of this subsection.

''(2) COMPOSITION.—The Education Council shall consist of 15 members, of whom—

''(A) 1 shall be the President of the University of Hawaii (or a designee);

''(B) 1 shall be the Governor of the State of Hawaii (or a designee);

''(C) 1 shall be the Superintendent of the State of Hawaii Department of Education (or a designee);

''(D) 1 shall be the chairperson of the Office of Hawaiian Affairs (or a designee);

''(E) 1 shall be the executive director of Hawaii's Charter School Network (or a designee);

''(F) 1 shall be the chief executive officer of the Kamehameha Schools (or a designee);

''(G) 1 shall be the Chief Executive Officer of the Queen Liliuokalani Trust (or a designee);

''(H) 1 shall be a member, selected by the other members of the Education Council, who represents a private grant-making entity;

''(I) 1 shall be the Mayor of the County of Hawaii (or a designee);

''(J) 1 shall be the Mayor of Maui County (or a designee from the Island of Maui);

''(K) 1 shall be the Mayor of the County of Kauai (or a designee);

''(L) 1 shall be appointed by the Mayor of Maui County from the Island of Molokai or the Island of Lanai;

''(M) 1 shall be the Mayor of the City and County of Honolulu (or a designee);

''(N) 1 shall be the chairperson of the Hawaiian Homes Commission (or a designee); and

''(O) 1 shall be the chairperson of the Hawaii Workforce Development Council (or a designee representing the private sector).

''(3) REQUIREMENTS.—Any designee serving on the Education Council shall demonstrate, as determined by the individual who appointed such designee with input from the Native Hawaiian community, not less than 5 years of experience as a consumer or provider of Native Hawaiian educational or cultural activities, with traditional cultural experience given due consideration.

''(4) LIMITATION.—A member (including a designee), while serving on the Education Council, shall not be a direct recipient or administrator of grant funds that are awarded under this part.

''(5) TERM OF MEMBERS.—A member who is a designee shall serve for a term of not more than 4 years.

''(6) CHAIR; VICE CHAIR.—

''(A) SELECTION.—The Education Council shall select a Chairperson and a Vice-Chairperson from among the members of the Education Council.

''(B) TERM LIMITS.—The Chairperson and Vice-Chairperson shall each serve for a 2-year term.

''(7) ADMINISTRATIVE PROVISIONS RELATING TO EDUCATION COUNCIL.—The Education Council shall meet at the call of the Chairperson of the Council, or upon request by a majority of the members of the Education Council, but in any event not less often than every 120 days.

''(8) NO COMPENSATION.—None of the funds made available through the grant may be used to provide compensation to any member of the Education Council or member of a working group established by the Education Council, for functions described in this section.

''(c) USE OF FUNDS FOR COORDINATION ACTIVITIES.—The Education Council shall use funds made available through a grant under subsection (a) to carry out each of the following activities:

''(1) Providing advice about the coordination of, and serving as a clearinghouse for, the educational and related services and programs available to Native Hawaiians, including the programs assisted under this part.

''(2) Assessing the extent to which such services and programs meet the needs of Native Hawaiians, and collecting data on the status of Native Hawaiian education.

''(3) Providing direction and guidance, through the issuance of reports and recommendations, to appropriate Federal, State, and local agencies in order to focus and improve the use of resources, including resources made available under this part, relating to Native Hawaiian education, and serving, where appropriate, in an advisory capacity.

''(4) Awarding grants, if such grants enable the Education Council to carry out the activities described in paragraphs (1) through (3).

''(5) Hiring an executive director, who shall assist in executing the duties and powers of the Education Council, as described in subsection (d).

''(d) USE OF FUNDS FOR TECHNICAL ASSISTANCE.—The Education Council shall use funds made available through a grant under subsection (a) to—

''(1) provide technical assistance to Native Hawaiian organizations that are grantees or potential grantees under this part;

''(2) obtain from such grantees information and data regarding grants awarded under this part, including information and data about—

''(A) the effectiveness of such grantees in meeting the educational priorities established by the Education Council, as described in paragraph (6)(D), using metrics related to these priorities; and

''(B) the effectiveness of such grantees in carrying out any of the activities described in paragraphs (2) and (3) of section 7205(a) that are related to the specific goals and purposes of each grantee's grant project, using metrics related to these priorities;

''(3) assess and define the educational needs of Native Hawaiians;

''(4) assess the programs and services available to address the educational needs of Native Hawaiians;

''(5) assess and evaluate the individual and aggregate impact achieved by grantees under this part in improving Native Hawaiian educational performance and meeting the goals

of this part, using metrics related to these goals; and

''(6) prepare and submit to the Secretary, at the end of each calendar year, an annual report that contains—

''(A) a description of the activities of the Education Council during the calendar year;

''(B) a description of significant barriers to achieving the goals of this part;

''(C) a summary of each community consultation session described in subsection (e); and

''(D) recommendations to establish priorities for funding under this part, based on an assessment of—

''(i) the educational needs of Native Hawaiians;

''(ii) programs and services available to address such needs;

''(iii) the effectiveness of programs in improving the educational performance of Native Hawaiian students to help such students meet challenging State academic standards under section 1111(b)(1); and

''(iv) priorities for funding in specific geographic communities.

''(e) USE OF FUNDS FOR COMMUNITY CONSULTATIONS.—The Education Council shall use funds made available through the grant under subsection (a) to hold not less than 1 community consultation each year on each of the islands of Hawaii, Maui, Molokai, Lanai, Oahu, and Kauai, at which—

''(1) not less than 3 members of the Education Council shall be in attendance;

''(2) the Education Council shall gather community input regarding—

''(A) current grantees under this part, as of the date of the consultation;

''(B) priorities and needs of Native Hawaiians; and

''(C) other Native Hawaiian education issues; and

''(3) the Education Council shall report to the community on the outcomes of the activities supported by grants awarded under this part.

''(f) FUNDING.—For each fiscal year, the Secretary shall use the amount described in section 7205(c)(2), to make a payment under the grant. Funds made available through the grant shall remain available until expended.'';

(3) in section 7205—

(A) in subsection (a)(1)—

(i) in subparagraph (C), by striking ''and'' after the semicolon;

(ii) by redesignating subparagraph (D) as subparagraph (E); and

(iii) by inserting after subparagraph (C) the following:

''(D) charter schools; and''; and

(B) in subsection (c)—

(i) in paragraph (1), by striking ''for fiscal year 2002 and each of the 5 succeeding 5 fiscal years'' and inserting ''for each of fiscal years 2016 through 2021''; and

(ii) in paragraph (2), by striking ''for fiscal year 2002 and each of the 5 succeeding fiscal years'' and inserting ''for each of fiscal years 2016 through 2021''; and

(4) in section 7207—

(A) by redesignating paragraphs (1) through (6) as paragraphs (2) through (7), respectively; and

(B) by inserting before paragraph (2), as redesignated by subparagraph (A), the following:

''(1) COMMUNITY CONSULTATION.—The term 'community consultation' means a public gathering—

''(A) to discuss Native Hawaiian education concerns; and

''(B) about which the public has been given not less than 30 days notice.''.

SEC. 7003. ALASKA NATIVE EDUCATION.

Part C of title VII (20 U.S.C. 7541 et seq.) is amended—

(1) in section 7302, by striking paragraphs (1) through (7) and inserting the following:

''(1) It is the policy of the Federal Government to maximize the leadership of and participation by Alaska Native peoples in the planning and the management of Alaska Native education programs and to support efforts developed by and undertaken within the Alaska Native community to improve educational opportunity for all students.

''(2) Many Alaska Native children enter and exit school with serious educational disadvantages.

''(3) Overcoming the magnitude of the geographic challenges, historical inequities, and other barriers to successfully improving educational outcomes for Alaska Native students in rural, village, and urban settings is challenging. Significant disparities between academic achievement of Alaska Native students and non-Native students continues, including lower graduation rates, increased school dropout rates, and lower achievement scores on standardized tests.

''(4) The preservation of Alaska Native cultures and languages and the integration of Alaska Native cultures and languages into education, positive identity development for Alaska Native students, and local, place-based, and culture-based programming are critical to the attainment of educational success and the long-term well-being of Alaska Native students.

''(5) Improving educational outcomes for Alaska Native students increases access to employment opportunities.

''(6) The programs and activities authorized under this part should be led by Alaska Native entities as a means of increasing Alaska Native parent and community involvement in the promotion of academic success of Alaska Native students.

''(7) The Federal Government should lend support to efforts developed by and undertaken within the Alaska Native community to improve educational opportunity for Alaska Native students. In 1983, pursuant to Public Law 98–63, Alaska ceased to receive educational funding from the Bureau of Indian Affairs. The Bureau of Indian Education does not operate any schools in Alaska, nor operate or fund Alaska Native education programs. The program under this part supports the Federal trust responsibility of the United States to Alaska Natives.'';

(2) in section 7303—

(A) in paragraph (1), by inserting ''and address'' after ''To recognize'';

(B) by striking paragraph (3);

(C) by redesignating paragraph (2) as paragraph (4) and paragraph (4) as paragraph (5);

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

''(2) To recognize the role of Alaska Native languages and cultures in the educational success and long-term well-being of Alaska Native students.

''(3) To integrate Alaska Native cultures and languages into education, develop Alaska Native students' positive identity, and support local place-based and culture-based curriculum and programming.'';

(E) in paragraph (4), as redesignated by subparagraph (C), by striking ''of supplemental educational programs to benefit Alaska Natives.'' and inserting '', management, and expansion of effective educational programs to benefit Alaska Native peoples.''; and

(F) by adding at the end the following:

''(6) To ensure the maximum participation by Alaska Native educators and leaders in the planning, development, implementation, management, and evaluation of programs designed to serve Alaska Native students, and to ensure that Alaska Native tribes and tribal organizations play a meaningful role in providing supplemental educational services to Alaska Native students.'';

(3) by striking section 7304 and inserting the following:

''SEC. 7304. PROGRAM AUTHORIZED.

''(a) GENERAL AUTHORITY.—

''(1) GRANTS AND CONTRACTS.—The Secretary is authorized to make grants to, or enter into contracts with, any of the following to carry out the purposes of this part:

''(A) Alaska Native tribes, Alaska Native tribal organizations, or Alaska Native regional nonprofit corporations with experience operating programs that fulfill the purposes of this part.

''(B) Alaska Native tribes, Alaska Native tribal organizations, or Alaska Native regional nonprofit corporations without such experience that are in partnership with—

''(i) a State educational agency or a local educational agency; or

''(ii) Indian tribes, tribal organizations, or Alaska Native regional nonprofit corporations that operate programs that fulfill the purposes of this part.

''(C) An entity located in Alaska, and predominately governed by Alaska Natives, that does not meet the definition of an Alaska Native tribe, an Alaska Native tribal organization, or an Alaska Native regional nonprofit corporation, under this part, provided that the entity—

''(i) has experience operating programs that fulfill the purposes of this part; and

''(ii) is granted an official charter or sanction, as prescribed in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b), from at least one Alaska Native tribe or Alaska Native tribal organization to carry out programs that meet the purposes of this part.

''(2) MULTI-YEAR AWARDS.—The recipient of a multi-year award under this part, as this part was in effect prior to the date of enactment of the Every Child Achieves Act of 2015, shall be eligible to receive continuation funds in accordance with the terms of that award.

''(3) MANDATORY ACTIVITIES.—Activities provided through the programs carried out under this part shall include the following:

''(A) The development and implementation of plans, methods, strategies and activities to improve the educational outcomes of Alaska Native peoples.

''(B) The collection of data to assist in the evaluation of the programs carried out under this part.

''(4) PERMISSIBLE ACTIVITIES.—Activities provided through programs carried out under this part may include the following:

''(A) The development of curricula and programs that address the educational needs of Alaska Native students, including the following:

''(i) Curriculum materials that reflect the cultural diversity, languages, history, or the contributions of Alaska Native people.

''(ii) Instructional programs that make use of Alaska Native languages and cultures.

''(iii) Networks that develop, test, and disseminate best practices and introduce successful programs, materials, and techniques to meet the educational needs of Alaska Native students in urban and rural schools.

''(iv) Methods to evaluate teachers' inclusion of diverse Alaska Native cultures in their lesson plans.

''(B) Training and professional development activities for educators, including the following:

''(i) Pre-service and in-service training and professional development programs to prepare teachers to develop appreciation for and understanding of Alaska Native history, cultures, values, and ways of knowing and learning in order to effectively address the

cultural diversity and unique needs of Alaska Native students and incorporate them into lesson plans and teaching methods.

''(ii) Recruitment and preparation of teachers who are Alaska Native.

''(iii) Programs that will lead to the certification and licensing of Alaska Native teachers, principals, other school leaders, and superintendents.

''(C) Early childhood and parenting education activities designed to improve the school readiness of Alaska Native children, including—

''(i) the development and operation of home visiting programs for Alaska Native preschool children, to ensure the active involvement of parents in their children's education from the earliest ages;

''(ii) training, education, and support, including in-home visitation, for parents and caregivers of Alaska Native children to improve parenting and caregiving skills (including skills relating to discipline and cognitive development, reading readiness, observation, storytelling, and critical thinking);

''(iii) family literacy services;

''(iv) activities carried out under the Head Start Act;

''(v) programs for parents and their infants, from the prenatal period of the infant through age 3;

''(vi) early childhood education programs; and

''(vii) Native language immersion within early childhood, Head Start, or preschool programs.

''(D) The development and operation of student enrichment programs, including those in science, technology, engineering, and mathematics that—

''(i) are designed to prepare Alaska Native students to excel in such subjects;

''(ii) provide appropriate support services to enable such students to benefit from the programs; and

''(iii) include activities that recognize and support the unique cultural and educational needs of Alaska Native children and incorporate appropriately qualified Alaska Native elders and other tradition bearers.

''(E) Research and data collection activities to determine the educational status and needs of Alaska Native children and adults and other such research and evaluation activities related to programs funded under this part.

''(F) Activities designed to increase Alaska Native students' graduation rates and assist Alaska Native students to be prepared for postsecondary education or the workforce without the need for postsecondary remediation, such as—

''(i) remedial and enrichment programs;

''(ii) culturally based education programs such as—

''(I) programs of study and other instruction in Alaska Native history and ways of living to share the rich and diverse cultures of Alaska Native peoples among Alaska Native youth and elders, non-Native students and teachers, and the larger community;

''(II) instructing Alaska Native youth in leadership, communication, and Native culture, arts, and languages;

''(III) inter-generational learning and internship opportunities to Alaska Native youth and young adults;

''(IV) cultural immersion activities;

''(V) culturally informed curricula intended to preserve and promote Alaska Native culture;

''(VI) Native language instruction and immersion activities;

''(VII) school-within-a-school model programs; and

''(VIII) college preparation and career planning; and

''(iii) holistic school or community-based support services to enable such students to benefit from the supplemental programs offered, including those that address family instability, school climate, trauma, safety, and nonacademic learning.

''(G) The establishment or operation of Native language immersion nests or schools.

''(H) Student and teacher exchange programs, cross-cultural immersion programs, and culture camps designed to build mutual respect and understanding among participants.

''(I) Education programs for at-risk urban Alaska Native students that are designed to improve academic proficiency and graduation rates, utilize strategies otherwise permissible under this part, and incorporate a strong data collection and continuous evaluation component.

''(J) Strategies designed to increase parents' involvement in their children's education.

''(K) Programs and strategies that provide technical assistance and support to schools and communities to engage adults in promoting the academic progress and overall well-being of Alaska Native people, such as through—

''(i) strength-based approaches to child and youth development;

''(ii) positive youth-adult relationships; and

''(iii) improved conditions for learning (school climate, student connection to school and community), and increased connections between schools and families.

''(L) Career preparation activities to enable Alaska Native children and adults to prepare for meaningful employment, including programs providing tech-prep, mentoring, training, and apprenticeship activities.

''(M) Provision of operational support and purchasing of equipment, to develop regional vocational schools in rural areas of Alaska, including boarding schools, for Alaska Native students in grades 9 through 12, or at higher levels of education, to provide the students with necessary resources to prepare for skilled employment opportunities.

''(N) Regional leadership academies that demonstrate effectiveness in building respect and understanding, and fostering a sense of Alaska Native identity to promote their pursuit of and success in completing higher education or career training.

''(O) Other activities, consistent with the purposes of this part, to meet the educational needs of Alaska Native children and adults.

''(b) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section such sums as may be necessary for each of fiscal years 2016 through 2021.'';

(4) by striking section 7305 and inserting the following:

''SEC. 7305. FUNDS FOR ADMINISTRATIVE PURPOSES.

''Not more than 5 percent of funds provided to an award recipient under this part for any fiscal year may be used for administrative purposes.''; and

(5) in section 7306—

(A) in paragraph (1), by inserting ''(43 U.S.C. 1602(b)) and includes the descendants of individuals so defined'' after ''Settlement Act'';

(B) by striking paragraph (2); and

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

''(2) ALASKA NATIVE TRIBE.—The term 'Alaska Native tribe' has the meaning given the term 'Indian tribe' in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b), except that the term applies only to Indian tribes in Alaska.

''(3) ALASKA NATIVE TRIBAL ORGANIZATION.—The term 'Alaska Native tribal organization' has the meaning given the term 'tribal organization' in section 4 of the Indian Self-Determination and Education Assistance Act, (25 U.S.C. 450b), except that the term applies only to tribal organizations in Alaska.

''(4) ALASKA NATIVE REGIONAL NONPROFIT CORPORATION.—The term 'Alaska Native regional nonprofit corporation' means an organization listed in clauses (i) through (xii) of section 419(4)(B) of the Social Security Act (42 U.S.C. 619(4)(B)(i)-(xii)), or the successor of an entity so listed.''.

SEC. 7004. NATIVE AMERICAN LANGUAGE IMMERSION SCHOOLS AND PROGRAMS.

Title VII (20 U.S.C. 7401) is further amended by adding at the end the following:

''PART D—NATIVE AMERICAN AND ALASKA NATIVE LANGUAGE IMMERSION SCHOOLS AND PROGRAMS

''SEC. 7401. NATIVE AMERICAN AND ALASKA NATIVE LANGUAGE IMMERSION SCHOOLS AND PROGRAMS.

''(a) PURPOSES.—The purposes of this section are—

''(1) to establish a grant program to support schools that use Native American and Alaska Native languages as the primary language of instruction;

''(2) to maintain, protect, and promote the rights and freedom of Native Americans and Alaska Natives to use, practice, maintain, and revitalize their languages, as envisioned in the Native American Languages Act (25 U.S.C. 2901 et seq.); and

''(3) to support the Nation's First Peoples' efforts to maintain and revitalize their languages and cultures, and to improve student outcomes within Native American and Alaska Native communities.

''(b) PROGRAM AUTHORIZED.—

''(1) IN GENERAL.—From the amounts made available to carry out this part, the Secretary may award grants to eligible entities to develop and maintain, or to improve and expand, programs that support schools, including prekindergarten through postsecondary education sites and streams, using Native American and Alaska Native languages as the primary language of instruction.

''(2) ELIGIBLE ENTITIES.—In this section, the term 'eligible entity' means any of the following entities that has a plan to develop and maintain, or to improve and expand, programs that support the entity's use of Native American or Alaska Native languages as the primary language of instruction:

''(A) An Indian tribe.

''(B) A Tribal College or University (as defined in section 316 of the Higher Education Act of 1965).

''(C) A tribal education agency.

''(D) A local educational agency, including a public charter school that is a local educational agency under State law.

''(E) A school operated by the Bureau of Indian Education.

''(F) An Alaska Native Regional Corporation (as defined in section 3 of the Alaska Native Claims Settlement Act (43 U.S.C. 1602)).

''(G) A private, tribal, or Alaska Native nonprofit organization.

''(c) APPLICATION.—

''(1) IN GENERAL.—An eligible entity that desires to receive a grant under this section shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require, including the following:

''(A) The name of the Native American or Alaska Native language to be used for instruction at the school supported by the eligible entity.

''(B) The number of students attending such school.

''(C) The number of present hours of instruction in or through 1 or more Native American or Alaska Native languages being provided to targeted students at such school, if any.

''(D) A description of how the applicant will—

''(i) use the funds provided to meet the purposes of this part;

''(ii) implement the activities described in subsection (f);

''(iii) ensure the implementation of rigorous academic content; and

''(iv) ensure that students progress towards high-level fluency goals.

''(E) Information regarding the school's organizational governance or affiliations, including information about—

''(i) the school governing entity (such as a local educational agency, tribal education agency or department, charter organization, private organization, or other governing entity);

''(ii) the school's accreditation status;

''(iii) any partnerships with institutions of higher education; and

''(iv) any indigenous language schooling and research cooperatives.

''(F) An assurance that—

''(i) the school is engaged in meeting State or tribally designated proficiency levels for students, as may be required by applicable Federal, State, or tribal law;

''(ii) the school provides assessments of students using the Native American or Alaska Native language of instruction, where possible;

''(iii) the qualifications of all instructional and leadership personnel at such school is sufficient to deliver high-quality education through the Native American or Alaska Native language used in the school; and

''(iv) the school will collect and report to the public data relative to student achievement and, if appropriate, rates of high school graduation, career readiness, and enrollment in postsecondary education or job training programs, of students who are enrolled in the school's programs.

''(2) LIMITATION.—The Secretary shall not give a priority in awarding grants under this part based on the information described in paragraph (1)(E).

''(3) SUBMISSION OF CERTIFICATION.—

''(A) IN GENERAL.—An eligible entity that is a public elementary school or secondary school (including a public charter school) or a non-tribal for-profit or nonprofit organization shall submit, along with the application requirements described in paragraph (1), a certification described in subparagraph (B) indicating that the school has the capacity to provide education primarily through a Native American or Alaska Native language and that there are sufficient speakers of the target language at the school or available to be hired by the school.

''(B) CERTIFICATION.—The certification described in subparagraph (A) shall be from one of the following entities, on whose land the school is located, that is an entity served by such school, or that is an entity whose members (as defined by that entity) are served by the school:

''(i) A Tribal College or University (as defined in section 316 of the Higher Education Act of 1965).

''(ii) A federally recognized Indian tribe or tribal organization.

''(iii) An Alaska Native Regional Corporation or an Alaska Native nonprofit organization.

''(iv) A Native Hawaiian organization.

''(d) AWARDING OF GRANTS.—In awarding grants under this section, the Secretary shall—

''(1) determine the amount of each grant and the duration of each grant, which shall not exceed 3 years; and

''(2) ensure, to the maximum extent feasible, that diversity in languages is represented.

''(e) ACTIVITIES AUTHORIZED.—

''(1) REQUIRED ACTIVITIES.—An eligible entity that receives a grant under this section shall use such funds to carry out the following activities:

''(A) Supporting Native American or Alaska Native language education and development.

''(B) Providing professional development for teachers and, as appropriate, staff and administrators to strengthen the overall language and academic goals of the school that will be served by the grant program.

''(C) Carrying out other activities that promote the maintenance and revitalization of the Native American or Alaska Native language relevant to the grant program.

''(2) ALLOWABLE ACTIVITIES.—An eligible entity that receives a grant under this section may use such funds to carry out the following activities:

''(A) Developing or refining curriculum, including teaching materials and activities, as appropriate.

''(B) Creating or refining assessments written in the Native American or Alaska Native language of instruction that measure student proficiency and that are aligned with State or tribal academic standards.

''(f) REPORT TO SECRETARY.—Each eligible entity that receives a grant under this part shall provide an annual report to the Secretary in such form and manner as the Secretary may require.

''(g) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section such sums as may be necessary for fiscal years 2016 through 2021.''.

SEC. 7005. IMPROVING INDIAN STUDENT DATA COLLECTION, REPORTING, AND ANALYSIS.

(a) IN GENERAL.—The Comptroller General, in consultation with the Secretary of Education, the Secretary of the Interior, and tribal communities, shall carry out a study that examines the following:

(1) The representation, at the time of the study, of Indian students in national, State, local, and tribal educational reporting required by law.

(2) The varying ways that individuals are identified as American Indian and Alaska Native (for example, such as through self-reporting or tribal enrollment records) at the time of the study, by national, State, local, and tribal educational reporting systems, and the impact that such variation has on data analysis or statistical trend comparability across such systems.

(3) How reporting of data within the Indian student population can be improved to facilitate comparisons between—

(A) Indian students living in urban and rural settings;

(B) Indian students living in tribal communities, areas with large Indian populations, and in areas with a low percentage of Indian population; and

(C) any other classifications that the Comptroller General determines are significant.

(4) The timeliness of Indian student record transfer between schools and other entities or individuals who may receive student records in accordance with the requirements of section 444 of the General Education Provisions Act ((20 U.S.C.1232g); commonly referred to as the ''Family Educational Rights and Privacy Act of 1974'').

(5) The effectiveness and usefulness for parental, student, Federal, State, tribal, and local educational stakeholders of the findings and structure of the National Indian Education Study conducted by the National Center for Education Statistics in conjunction with the National Assessment of Educational Progress described under section 303 of the National Assessment of Educational Progress Authorization Act (20 U.S.C. 9622).

(6) Any other areas of Indian student data collection, reporting, and analysis, as determined by the Comptroller General.

(b) REPORTING.—

(1) RECIPIENTS.—The Comptroller General shall prepare and submit reports setting forth the conclusions of the study described in subsection (a), in accordance with subsection (c), to each of the following:

(A) The Committee on Indian Affairs of the Senate.

(B) The Committee on Health, Education, Labor, and Pensions of the Senate.

(C) The Committee on Education and the Workforce of the House of Representatives.

(D) The Subcommittee on Indian, Insular, and Alaska Native Affairs of the House of Representatives.

(2) FUTURE LEGISLATION.—The Comptroller General shall include in the reports described in subsection (b) recommendations to inform future legislation regarding the collection, reporting, and analysis of Indian student data.

(c) TIMEFRAME.—The Comptroller General shall—

(1) submit not less than 1 report addressing 1 or more of the areas identified in paragraphs (1) through (6) of subsection (a) not later than 18 months after the enactment of this section; and

(2) submit any other reports necessary to address the areas identified in paragraphs (1) through (6) of subsection (a) not later than 5 years after the enactment of this section.

TITLE VIII—IMPACT AID

SEC. 8001. PURPOSE.

Section 8001 (20 U.S.C. 7701) is amended in the matter preceding paragraph (1), by striking ''challenging State standards'' and inserting ''the same challenging State academic standards''.

SEC. 8002. AMENDMENT TO IMPACT AID IMPROVEMENT ACT OF 2012.

Section 563(c) of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat. 1748; 20 U.S.C. 7702 note) is amended—

(1) by striking paragraphs (1) and (4); and

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

SEC. 8003. PAYMENTS RELATING TO FEDERAL ACQUISITION OF REAL PROPERTY.

Section 8002 (20 U.S.C. 7702) is amended—

(1) in subsection (b)(3), by striking subparagraph (B) and inserting the following:

''(B) SPECIAL RULE.—In the case of Federal property eligible under this section that is within the boundaries of 2 or more local educational agencies that are eligible under this section, any of such agencies may ask the Secretary to calculate (and the Secretary shall calculate) the taxable value of the eligible Federal property that is within its boundaries by—

''(i) first calculating the per-acre value of the eligible Federal property separately for each eligible local educational agency that shared the Federal property, as provided in subparagraph (A)(ii);

''(ii) then averaging the resulting per-acre values of the eligible Federal property from each eligible local educational agency that shares the Federal property; and

''(iii) then applying the average per-acre value to determine the total taxable value of the eligible Federal property under subparagraph (A)(iii) for the requesting local educational agency.'';

(2) in subsection (e)(2), by adding at the end the following: ''For each fiscal year beginning with fiscal year 2015, the Secretary shall treat local educational agencies chartered in 1871 having more than 70 percent of the county in Federal ownership as meeting the eligibility requirements of subparagraphs (A) and (C) of subsection (a)(1). For each fiscal year beginning with fiscal year 2015, the Secretary shall treat local educational agencies that serve a county chartered or formed in 1734 having more than 24 percent of the county in Federal ownership as meeting the eligibility requirements of subparagraphs (A) and (C) of subsection (a)(1).'';

(3) by striking subsection (f) and inserting the following:

''(f) SPECIAL RULE.—Beginning with fiscal year 2015, a local educational agency shall be deemed to meet the requirements of subsection (a)(1)(C) if the agency was eligible under paragraph (1) or (3) of this subsection, as such subsection was in effect on the day before the date of enactment of the Every Child Achieves Act of 2015.'';

(4) in subsection (h)(4), by striking ''For each local educational agency that received a payment under this section for fiscal year 2010 through the fiscal year in which the Impact Aid Improvement Act of 2012 is enacted'' and inserting ''For each local educational agency that received a payment under this section for fiscal year 2010 or any succeeding fiscal year'';

(5) by striking subsection (k); and

(6) by redesignating subsections (l), (m), and (n), as subsections (j), (k), and (l), respectively.

SEC. 8004. PAYMENTS FOR ELIGIBLE FEDERALLY CONNECTED CHILDREN.

Section 8003 (20 U.S.C. 7703) is amended—

(1) in subsection (a)(5)(A), by striking ''to be children'' and all that follows through the period at the end and inserting ''or under lease of off-base property under subchapter IV of chapter 169 of title 10, United States Code, to be children described under paragraph (1)(B), if the property described is—''

''(i) within the fenced security perimeter of the military facility; or

''(ii) attached to, and under any type of force protection agreement with, the military installation upon which such housing is situated.;''.

(2) in subsection (b)—

(A) in paragraph (1)—

(i) by striking subparagraph (E); and

(ii) by redesignating subparagraphs (F) and (G) as subparagraphs (E) and (F), respectively;

(B) in paragraph (2), by striking subparagraphs (B) through (H) and inserting the following:

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

''(i) IN GENERAL.—A heavily impacted local educational agency is eligible to receive a basic support payment under subparagraph (A) with respect to a number of children determined under subsection (a)(1) if the agency—

''(I) is a local educational agency—

''(aa) whose boundaries are the same as a Federal military installation or an island property designated by the Secretary of the Interior to be property that is held in trust by the Federal Government; and

''(bb) that has no taxing authority;

''(II) is a local educational agency that—

''(aa) has an enrollment of children described in subsection (a)(1) that constitutes a percentage of the total student enrollment of the agency that is not less than 45 percent;

''(bb) has a per-pupil expenditure that is less than—

''(AA) for an agency that has a total student enrollment of 500 or more students, 125 percent of the average per-pupil expenditure of the State in which the agency is located; or

''(BB) for any agency that has a total student enrollment less than 500, 150 percent of the average per-pupil expenditure of the State in which the agency is located or the average per-pupil expenditure of 3 or more comparable local educational agencies in the State in which the agency is located; and

''(cc) is an agency that—

''(AA) has a tax rate for general fund purposes that is not less than 95 percent of the average tax rate for general fund purposes of comparable local educational agencies in the State; or

''(BB) was eligible to receive a payment under this subsection for fiscal year 2013 and is located in a State that by State law has eliminated ad valorem tax as a revenue for local educational agencies;

''(III) is a local educational agency that—

''(aa) has a tax rate for general fund purposes which is not less than 125 percent of the average tax rate for general fund purposes for comparable local educational agencies in the State; and

''(bb)(AA) has an enrollment of children described in subsection (a)(1) that constitutes a percentage of the total student enrollment of the agency that is not less than 30 percent; or

''(BB) has an enrollment of children described in subsection (a)(1) that constitutes a percentage of the total student enrollment of the agency that is not less than 20 percent, and for the 3 fiscal years preceding the fiscal year for which the determination is made, the average enrollment of children who are not described in subsection (a)(1) and who are eligible for a free or reduced price lunch under the Richard B. Russell National School Lunch Act constitutes a percentage of the total student enrollment of the agency that is not less than 65 percent;

''(IV) is a local educational agency that has a total student enrollment of not less than 25,000 students, of which—

''(aa) not less than 50 percent are children described in subsection (a)(1); and

''(bb) not less than 5,000 of such children are children described in subparagraphs (A) and (B) of subsection (a)(1); or

''(V) is a local educational agency that—

''(aa) has an enrollment of children described in subsection (a)(1) including, for purposes of determining eligibility, those children described in subparagraphs (F) and (G) of such subsection, that is not less than 35 percent of the total student enrollment of the agency;

''(bb) 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 not less than 95 percent of the average tax rate for general fund purposes of local educational agencies in the State; and

''(cc) was eligible to receive assistance under subparagraph (A) for fiscal year 2001.

''(ii) LOSS OF ELIGIBILITY.—

''(I) IN GENERAL.—Subject to subclause (II), a heavily impacted local educational agency that met the requirements of clause (i) for a fiscal year shall be ineligible to receive a basic support payment under subparagraph (A) if the agency fails to meet the requirements of clause (i) for a subsequent fiscal year, except that such agency shall continue to receive a basic support payment under this paragraph for the fiscal year for which the ineligibility determination is made.

''(II) LOSS OF ELIGIBILITY DUE TO FALLING BELOW 95 PERCENT OF THE AVERAGE TAX RATE FOR GENERAL FUND PURPOSES.—In a case of a heavily impacted local educational agency that is eligible to receive a basic support payment under subparagraph (A), but that has had, for 2 consecutive fiscal years, a tax rate for general fund purposes that falls below 95 percent of the average tax rate for general fund purposes of comparable local educational agencies in the State, such agency shall be determined to be ineligible under clause (i) and ineligible to receive a basic support payment under subparagraph (A) for each fiscal year succeeding such 2 consecutive fiscal years for which the agency has such a tax rate for general fund purposes, and until the fiscal year for which the agency resumes such eligibility in accordance with clause (iii).

''(III) TAKEN OVER BY STATE BOARD OF EDUCATION.—In the case of a heavily impacted local educational agency that is eligible to receive a basic support payment under subparagraph (A), but that has been taken over by a State board of education in 2 previous years, such agency shall be deemed to maintain heavily impacted status for 2 fiscal years following the date of enactment of the Every Child Achieves Act of 2015.

''(iii) 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 clause (i) for that subsequent fiscal year, except that such agency shall not receive a basic support payment under this paragraph until the fiscal year succeeding the fiscal year for which the eligibility determination is made.

''(C) MAXIMUM AMOUNT FOR HEAVILY IMPACTED LOCAL EDUCATIONAL AGENCIES.—

''(i) IN GENERAL.—Except as provided in subparagraph (D), 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) and 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) CALCULATION OF WEIGHTED STUDENT UNITS.—

''(I) IN GENERAL.—

''(aa) IN GENERAL.—For a local educational agency in 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), and that has an enrollment of children described in subparagraph (A), (B), or (C) of such subsection equal to at least 10 percent of the agency's total enrollment, the Secretary shall calculate the weighted student units of those children described in subparagraph (D) or (E) of such subsection by multiplying the number of such children by a factor of 0.55.

''(bb) EXCEPTION.—Notwithstanding item (aa), a local educational agency that received a payment under this paragraph for fiscal year 2013 shall not be required to have an enrollment of children described in subparagraph (A), (B), or (C) of subsection (a)(1) equal to at least 10 percent of the agency's

total enrollment and shall be eligible for the student weight as provided for in item (aa).

''(II) ENROLLMENT OF 100 OR FEWER CHILDREN.—For a local educational agency that has an enrollment of 100 or fewer 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) ENROLLMENT OF MORE THAN 100 CHILDREN BUT LESS THAN 1000.—For a local educational agency that is not described under subparagraph (B)(i)(I) and has an enrollment of more than 100 but not more than 1,000 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.

''(D) MAXIMUM AMOUNT FOR LARGE HEAVILY IMPACTED LOCAL EDUCATIONAL AGENCIES.—

''(i) IN GENERAL.—

''(I) IN GENERAL.—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) HEAVILY IMPACTED LOCAL EDUCATIONAL AGENCY.—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 children described in subsection (a)(1) and not less than 5,000 of such children are children described in subparagraphs (A) and (B) of subsection (a)(1).

''(ii) FACTOR.—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.

''(E) 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.

''(F) DETERMINATION OF AVERAGE TAX RATES FOR GENERAL FUND PURPOSES.—

''(i) IN GENERAL.—Except as provided in clause (ii), for the purpose of determining the average tax rates for general fund purposes for local educational agencies in a State under this paragraph, the Secretary shall use either—

''(I) the average tax rate for general fund purposes for comparable local educational agencies, as determined by the Secretary in regulations; or

''(II) the average tax rate of all the local educational agencies in the State.

''(ii) FISCAL YEARS 2010-2015.—

''(I) IN GENERAL.—For fiscal years 2010 through 2015, any local educational agency that was found ineligible to receive a payment under subparagraph (A) because the Secretary determined that it failed to meet the average tax rate requirement for general fund purposes in subparagraph (B)(i)(II)(cc)(AA), shall be considered to have met that requirement, if its State determined, through an alternate calculation of average tax rates for general fund purposes, that such local educational agency met that requirement.

''(II) SUBSEQUENT FISCAL YEARS AFTER 2015.—For any succeeding fiscal year after 2015, any local educational agency identified in subclause (I) may continue to have its State use that alternate methodology to calculate whether the average tax rate requirement for general fund purposes under subparagraph (B)(i)(II)(cc)(AA) is met.

''(III) AVAILABILITY OF FUNDS.—Notwithstanding any other provision of law limiting the period during which the Secretary may obligate funds appropriated for any fiscal year after 2012, the Secretary shall reserve an amount equal to a total of $14,000,000 from funds that remain unobligated under this section from fiscal years 2013 or 2014 in order to make payments under this clause for fiscal years 2011 through 2014.

''(G) ELIGIBILITY FOR HEAVILY IMPACTED LOCAL EDUCATIONAL AGENCIES AFFECTED BY PRIVATIZATION OF MILITARY HOUSING.—

''(i) ELIGIBILITY.—For any fiscal year, a heavily impacted local educational agency that received a basic support payment under this paragraph for the prior fiscal year, but is ineligible for such payment for the current fiscal year under subparagraph (B), (C), or (D), as the case may be, due to of the conversion of military housing units to private housing described in clause (iii), or as the direct result of base realignment and closure or modularization as determined by the Secretary of Defense and force structure change or force relocation, shall be deemed to meet the eligibility requirements under subparagraph (B) or (C), as the case may be, for the period during which the housing units are undergoing such conversion or during such time as activities associated with base closure and realignment, modularization, force structure change, or force relocation are ongoing.

''(ii) AMOUNT OF PAYMENT.—The amount of a payment to a heavily impacted local educational agency for a fiscal year by reason of the application of clause (i), and calculated in accordance with subparagraph (C) or (D), as the case may be, shall be based on the number of children in average daily attendance in the schools of such agency for the fiscal year and under the same provisions of subparagraph (C) or (D) under which the agency was paid during the prior fiscal year.

''(iii) CONVERSION OF MILITARY HOUSING UNITS TO PRIVATE HOUSING DESCRIBED.—For purposes of clause (i), 'conversion of military housing units to private housing' means the conversion of military housing units to private housing units pursuant to subchapter IV of chapter 169 of title 10, United States Code, or pursuant to any other related provision of law.''; and

(C) in paragraph (3)—

(i) in subparagraph (B), by striking clause (iii) and inserting the following:

''(iii) In the case of a local educational agency providing a free public education to students enrolled in kindergarten through grade 12, that enrolls students described in subparagraphs (A), (B), and (D) of subsection (a)(1) only in grades 9 through 12, and that received a final payment in fiscal year 2009 calculated under this paragraph (as this paragraph was in effect on the day before the date of enactment of the Every Child Achieves Act of 2015) for students in grades 9 through 12, the Secretary shall, in calculating the agency's payment, consider only that portion of such agency's total enrollment of students in grades 9 through 12 when calculating the percentage under clause (i)(I) and only that portion of the total current expenditures attributed to the operation of grades 9 through 12 in such agency when calculating the percentage under clause (i)(II).'';

(ii) in subparagraph (C), by striking ''subparagraph (D) or (E) of paragraph (2),'' and inserting ''subparagraph (C) or (D) of paragraph (2)''; and

(iii) by striking subparagraph (D) and inserting the following:

''(D) RATABLE DISTRIBUTION.—For fiscal years described in subparagraph (A), for which the sums available exceed the amount required to pay each local educational agency 100 percent of its threshold payment, the Secretary shall distribute the excess sums to each eligible local educational agency that has not received its full amount computed under paragraphs (1) or (2) (as the case may be) by multiplying—

''(i) a percentage, the denominator of which is the difference between the full amount computed under paragraph (1) or (2) (as the case may be) for all local educational agencies and the amount of the threshold payment (as calculated under subparagraphs (B) and (C)) of all local educational agencies, and the numerator of which is the aggregate of the excess sums, by

''(ii) the difference between the full amount computed under paragraph (1) or (2) (as the case may be) for the agency and the amount of the threshold payment (as calculated under subparagraphs (B) or (C)) of the agency, except that no local educational agency shall receive more than 100 percent of the maximum payment calculated under subparagraphs (C) or (D) of paragraph (2).

''(E) INSUFFICIENT PAYMENTS.—For each fiscal year described in subparagraph (A) for which the sums appropriated are insufficient to pay each local educational agency all of the local educational agency's threshold payment described in subparagraph (B), the Secretary shall ratably reduce the payment to each local educational agency under this paragraph.

''(F) PROVISION OF TAX RATE AND RESULTING PERCENTAGE.—The Secretary shall provide the local educational agency's tax rate and the resulting percentage to each eligible local educational agency immediately following the payments of funds under paragraph (2).''; and

(D) in paragraph (4)(B), by striking ''subparagraph (D) or (E)'' and inserting ''subparagraph (C) or (D)'';

(3) in subsection (c), by striking paragraph (2) and inserting the following:

''(2) EXCEPTION.—Calculation of payments for a local educational agency shall be based on data from the fiscal year for which the agency is making an application for payment if such agency—

''(A) is newly established by a State, for the first year of operation of such agency only;

''(B) was eligible to receive a payment under this section for the previous fiscal year and has had an overall increase in enrollment (as determined by the Secretary in consultation with the Secretary of Defense, the Secretary of Interior, or the heads of other Federal agencies)—

''(i) of not less than 10 percent, or 100 students, of children described in—

''(I) subparagraph (A), (B), (C), or (D) of subsection (a)(1); or

''(II) subparagraphs (F) and (G) of subsection (a)(1), but only to the extent such children are civilian dependents of employees of the Department of Defense or the Department of Interior; and

''(ii) that is the direct result of closure or realignment of military installations under the base closure process or the relocation of members of the Armed Forces and civilian employees of the Department of Defense as part of the force structure changes or movements of units or personnel between military installations or because of actions initiated by the Secretary of the Interior or the head of another Federal agency; or

''(C) was eligible to receive a payment under this section for the previous fiscal year and has had an increase in enrollment (as determined by the Secretary)—

''(i) of not less than 10 percent of children described in subsection (a)(1) or not less than 100 of such children; and

''(ii) that is the direct result of the closure of a local educational agency that received a payment under subsection (b)(1) or (b)(2) in the previous fiscal year.'';

(4) in subsection (d)—

(A) in the subsection heading, by striking ''CHILDREN'' and inserting ''STUDENTS'';

(B) in paragraph (1), by striking ''children'' both places the term appears and inserting ''students''; and

(C) in paragraph (2), by striking ''children'' and inserting ''students'';

(5) in subsection (e)—

(A) by striking paragraphs (1) and (2) and inserting the following:

''(1) IN GENERAL.—

''(A) IN GENERAL.—In the case of any local educational agency whose payment under subsection (b) for a fiscal year is determined to be reduced by an amount greater than $5,000,000 or by 20 percent, as compared to the amount received for the previous fiscal year, the Secretary shall, subject to subparagraph (B), pay a local educational agency, for each of the 3 years following the reduction under subsection (b), the amount determined under subparagraph (B).

''(B) AMOUNT OF REDUCTION.—Subject to subparagraph (C), a local educational agency described in subparagraph (A) shall receive—

''(i) for the first year for which the reduced payment is determined, an amount that is not less than 90 percent of the total amount that the local educational agency received under paragraph (1) or (2) of subsection (b) for the fiscal year prior to the reduction (referred to in this paragraph as the 'base year');

''(ii) for the second year following such reduction, an amount that is not less than 85 percent of the total amount that the local educational agency received under paragraph (1) or (2) of subsection (b) for the base year; and

''(iii) for the third year following such reduction, an amount that is not less than 80 percent of the total amount that the local educational agency received under paragraph (1) or (2) of subsection (b) for the base year.

''(C) SPECIAL RULE.—For any fiscal year for which a local educational agency would be subject to a reduced payment under clause (ii) or (iii) of subparagraph (B), but the total amount of the payment for which the local educational agency is eligible under subsection (b) for that fiscal year is greater than the amount that initially subjected the local educational agency to the requirements of this subsection, the Secretary shall pay the greater amount to the local educational agency for such year.''; and

(B) by redesignating paragraph (3) as paragraph (2); and

(6) by striking subsection (g).

SEC. 8005. POLICIES AND PROCEDURES RELATING TO CHILDREN RESIDING ON INDIAN LANDS.

Section 8004(e)(9) (20 U.S.C. 7704(e)(9)) is amended by striking ''Affairs'' both places the term appears and inserting ''Education''.

SEC. 8006. APPLICATION FOR PAYMENTS UNDER SECTIONS 8002 AND 8003.

Section 8005 (20 U.S.C. 7705) is amended—

(1) in subsection (b), in the matter preceding paragraph (1), by striking '', and shall contain such information,'';

(2) by redesignating subsections (c) and (d) as subsections (d) and (e), respectively;

(3) by inserting after subsection (b) the following:

''(c) STUDENT COUNT.—In collecting information to determine the eligibility of a local educational agency and the number of federally connected children for the local educational agency, the Secretary shall, in addition to any options provided under section 222.35 of title 34, Code of Federal Regulations, or a successor regulation, allow a local educational agency to count the number of such children served by the agency as of the date by which the agency requires all students to register for the school year of the fiscal year for which the application is filed.''; and

(4) in subsection (d), by striking ''subsection (c)'' and inserting ''subsection (d)'' each place the term appears.

SEC. 8007. CONSTRUCTION.

Section 8007 (20 U.S.C. 7707(b)) is amended—

(1) in subsection (a)—

(A) in paragraph (1), by striking ''section 8014(e)'' and inserting ''section 8014(d)''; and

(B) in paragraph (3)—

(i) in subparagraph (A)(i)—

(I) by redesignating the first subclause (II) as subclause (I); and

(II) by striking ''section 8014(e)'' and inserting ''section 8014(d)''; and

(ii) in subparagraph (B)(i)(I), by striking ''section 8014(e)'' and inserting ''section 8014(d)''; and

(2) in subsection (b)—

(A) in paragraph (1), in the matter preceding subparagraph (A), by striking ''section 8014(e)'' and inserting ''section 8014(d)'';

(B) in paragraph (3)(C)(i)(I), by adding at the end the following:

''(cc) Not less than 10 percent of the property in the agency is exempt from State and local taxation under Federal law.''; and

(C) in paragraph (6), by striking subparagraph (F).

SEC. 8008. FACILITIES.

Section 8008(a) (20 U.S.C. 7708) is amended by striking ''section 8014(f)'' and inserting ''section 8014(e)''.

SEC. 8009. STATE CONSIDERATION OF PAYMENTS IN PROVIDING STATE AID.

Section 8009(c)(1)(B) (20 U.S.C. 7709(c)(1)(B)) is amended by striking ''and contain the information''.

SEC. 8010. DEFINITIONS.

Section 8013(5)(A) (20 U.S.C. 7713(5)(A)) is amended—

(1) in clause (ii), by striking subclause (III) and inserting the following:

''(III) conveyed at any time under the Alaska Native Claims Settlement Act to a Native individual, Native group, or village or regional corporation (including single family occupancy properties that may have been subsequently sold or leased to a third party), except that property that is conveyed under such Act—

''(aa) that is not taxed is, for the purposes of this paragraph, considered tax-exempt due to Federal law; and

''(bb) is considered Federal property for the purpose of this paragraph if the property is located within a Regional Educational Attendance Area''; and

(2) in clause (iii)—

(A) in subclause (II), by striking ''Stewart B. McKinney Homeless Assistance Act'' and inserting ''McKinney-Vento Homeless Assistance Act (42 U.S.C. 11411)''; and

(B) by striking subclause (III) and inserting the following:

''(III) used for affordable housing assisted under the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4101 et seq.); or''.

SEC. 8011. AUTHORIZATION OF APPROPRIATIONS.

Section 8014 (20 U.S.C. 7714) is amended—

(1) in subsection (a), by striking ''$32,000,000 for fiscal year 2000 and such sums as may be necessary for each of the seven succeeding fiscal years'' and inserting ''such sums as may be necessary for each of fiscal years 2016 through 2021'';

(2) in subsection (b), by striking ''$809,400,000 for fiscal year 2000 and such sums as may be necessary for each of the seven succeeding fiscal years'' and inserting ''such sums as may be necessary for each of fiscal years 2016 through 2021'';

(3) in subsection (c), by striking ''$50,000,000 for fiscal year 2000 and such sums as may be necessary for each of the seven succeeding fiscal years'' and inserting ''such sums as may be necessary for each of fiscal years 2016 through 2021'';

(4) by redesignating subsections (e) and (f) as subsections (d) and (e), respectively;

(5) in subsection (d), as redesignated by paragraph (4), by striking ''$10,052,000 for fiscal year 2000 and such sums as may be necessary for fiscal year 2001, $150,000,000 for fiscal year 2002, and such sums as may be necessary for each of the five succeeding fiscal years'' and inserting ''such sums as may be necessary for each of fiscal years 2016 through 2021''; and

(6) in subsection (e), as redesignated by paragraph (4), by striking ''$5,000,000 for fiscal year 2000 and such sums as may be necessary for each of the seven succeeding fiscal years'' and inserting ''such sums as may be necessary for each of fiscal years 2016 through 2021''.

TITLE IX—GENERAL PROVISIONS

SEC. 9101. DEFINITIONS.

Section 9101 (20 U.S.C. 7801) is amended—

(1) by striking paragraphs (3), (19), (23), (35), (36), (37), and (42);

(2) by redesignating paragraphs (1), (2), (17), (18), (20), (21), (22),(24), (25), (26), (27), (28), (29), (30), (31), (32), (33), (34), (38), (39), (41), and (43) as paragraphs (2), (3), (20), (21), (26), (27), (28), (30), (22), (31), (32), (34), (35), (36), (38), (39), (40), (41), (43), (44), (47) and (48), respectively, and by transferring such paragraph (22), as so redesignated, so as to follow such paragraph (21), as so redesignated;

(3) by inserting before paragraph (2), as redesignated by paragraph (2), the following:

''(1) 4-YEAR ADJUSTED COHORT GRADUATION RATE.—The term '4-year adjusted cohort graduation rate' has the meaning given the term 'four-year adjusted cohort graduation rate' in section 200.19(b)(1) of title 34, Code of Federal Regulations, as such section was in effect on November 28, 2008.'';

(4) by striking paragraph (11) and inserting the following:

''(11) CORE ACADEMIC SUBJECTS.—The term 'core academic subjects' means English, reading or language arts, writing, science, technology, engineering, mathematics, foreign languages, civics and government, economics, arts, history, geography, computer science, music, health, and physical education, and any other subject as determined by the State or local educational agency.'';

(5) in paragraph (13)—

(A) by striking subparagraphs (B), (E), (G), and (K);

(B) by redesignating subparagraphs (C), (D), (F), (H), (I), (J), and (L), as subparagraphs (B), (C), (D), (E), (F), (G), and (I), respectively; and

(C) by inserting after subparagraph (G), as redesignated by subparagraph (B), the following:

''(H) part G of title V; and'';

(6) by inserting after paragraph (16) the following:

''(17) DUAL OR CONCURRENT ENROLLMENT.—The term 'dual or concurrent enrollment' means a course or program provided by an institution of higher education through which a student who has not graduated from high school with a regular high school diploma is able to earn postsecondary credit.

''(18) EARLY CHILDHOOD EDUCATION PROGRAM.—The term 'early childhood education program' has the meaning given the term in section 103 of the Higher Education Act of 1965.

''(19) EARLY COLLEGE HIGH SCHOOL.—The term 'early college high school' means a formal partnership between at least one local educational agency and at least one institution of higher education that allows participants to simultaneously complete requirements toward earning a regular high school diploma and earn not less than 12 transferable credits as part of an organized course of study toward a postsecondary degree or credential at no cost to the participant or participant's family.''.

(7) in paragraph (22), as redesignated and moved by paragraph (2)—

(A) in the paragraph heading, by striking ''LIMITED ENGLISH PROFICIENT'' and inserting ''ENGLISH LEARNER'';

(B) in the matter preceding subparagraph (A), by striking ''limited English proficient'' and inserting ''English learner''; and

(C) in subparagraph (D)(i), by striking ''State's proficient level of achievement on State assessments described in section 1111(b)(3)'' and inserting ''challenging State academic standards described in section 1111(b)(1)'';

(8) by inserting after paragraph (22), as transferred and redesignated by paragraph (2), the following:

''(23) EVIDENCE-BASED.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), the term 'evidence-based', when used with respect to an activity, means an activity that—

''(i) demonstrates a statistically significant effect on improving student outcomes or other relevant outcomes based on—

''(I) strong evidence from at least 1 well-designed and well-implemented experimental study;

''(II) moderate evidence from at least 1 well-designed and well-implemented quasi-experimental study; or

''(III) promising evidence from at least 1 well-designed and well-implemented correlational study with statistical controls for selection bias; or

''(ii)(I) demonstrates a rationale that is based on high-quality research findings that such activity is likely to improve student outcomes or other relevant outcomes; and

''(II) includes ongoing efforts to examine the effects of such activity.

''(B) DEFINITION FOR PART A OF TITLE I.—For purposes of part A of title I, the term 'evidence-based', when used with respect to an activity, means an activity that meets the requirements of subclause (I) or (II) of subparagraph (A)(i).

''(24) EXPANDED LEARNING TIME.—The term 'expanded learning time' means using a longer school day, week, or year schedule to significantly increase the total number of school hours, in order to include additional time for—

''(A) instruction and enrichment in core academic subjects, other academic subjects, and other activities that contribute to a well-rounded education; and

''(B) instructional and support staff to collaborate, plan, and engage in professional development (including professional development on family and community engagement) within and across grades and subjects.

''(25) EXTENDED-YEAR ADJUSTED COHORT GRADUATION RATE.—The term 'extended-year adjusted cohort graduation rate' has the meaning given the term in section 200.19(b)(1)(v) of title 34, Code of Federal Regulations, as such section was in effect on November 28, 2008.'';

(9) by inserting after paragraph (28), as redesignated by paragraph (2), the following:

''(29) HIGH SCHOOL.—The term 'high school' means a secondary school that—

''(A) grants a diploma, as defined by the State; and

''(B) includes, at least, grade 12.'';

(10) in paragraph (31), as redesignated by paragraph (2), in subparagraph (C)—

(A) in the subparagraph heading, by striking ''BIA'' and inserting ''BIE''; and

(B) by striking ''Affairs'' both places the term appears and inserting ''Education'';

(11) by inserting after paragraph (32), as redesignated by paragraph (2), the following:

''(33) MULTI-TIER SYSTEM OF SUPPORTS.—The term 'multi-tier system of supports' means a comprehensive continuum of evidence-based, system-wide practices to support a rapid response to academic and behavioral needs, with frequent data-based monitoring for instructional decisionmaking.'';

(12) in paragraph (35), as redesignated by paragraph (2), by striking ''pupil services'' and inserting ''specialized instructional support'';

(13) in paragraph (36), as redesignated by paragraph (2), by striking ''includes the freely associated states'' and all that follows through the period at the end and inserting ''includes the Republic of Palau except during any period for which the Secretary determines that a Compact of Free Association is in effect that contains provisions for education assistance prohibiting the assistance provided under this Act.'';

(14) by inserting after paragraph (36), as redesignated by paragraph (2), the following:

''(37) PARAPROFESSIONAL.—The term 'paraprofessional', also known as a 'paraeducator', includes an education assistant and instructional assistant.''.

(15) in paragraph (39), as redesignated by paragraph (2)—

(A) in subparagraph (C), by inserting ''and'' after the semicolon; and

(B) in subparagraph (D), by striking ''section 1118'' and inserting ''section 1115'';

(16) by striking paragraph (41), as redesignated by paragraph (2), and inserting the following:

''(41) PROFESSIONAL DEVELOPMENT.—The term 'professional development' means activities that—

''(A) are an integral part of school and local educational agency strategies for providing educators (including teachers, principals, other school leaders, specialized instructional support personnel, paraprofessionals, and, as applicable, early childhood educators) with the knowledge and skills necessary to enable students to succeed in the core academic subjects and to meet challenging State academic standards; and

''(B) are sustained (not stand-alone, 1-day, or short term workshops), intensive, collaborative, job-embedded, data-driven, classroom-focused, and may include activities that—

''(i) improve and increase teachers'—

''(I) knowledge of the academic subjects the teachers teach;

''(II) understanding of how students learn; and

''(III) ability to analyze student work and achievement from multiple sources, including how to adjust instructional strategies, assessments, and materials based on such analysis;

''(ii) are an integral part of broad schoolwide and districtwide educational improvement plans;

''(iii) allow personalized plans for each educator to address the educator's specific needs identified in observation or other feedback;

''(iv) improve classroom management skills;

''(v) support the recruiting, hiring, and training of effective teachers, including teachers who became certified through State and local alternative routes to certification;

''(vi) advance teacher understanding of—

''(I) effective instructional strategies that are evidence-based; and

''(II) strategies for improving student academic achievement or substantially increasing the knowledge and teaching skills of teachers;

''(vii) are aligned with, and directly related to academic goals of the school or local educational agency;

''(viii) are developed with extensive participation of teachers, principals, other school leaders, parents, representatives of Indian tribes (as applicable), and administrators of schools to be served under this Act;

''(ix) are designed to give teachers of children who are English learners, and other teachers and instructional staff, the knowledge and skills to provide instruction and appropriate language and academic support services to those children, including the appropriate use of curricula and assessments;

''(x) to the extent appropriate, provide training for teachers, principals, and other school leaders in the use of technology (including education about the harms of copyright piracy), so that technology and technology applications are effectively used in the classroom to improve teaching and learning in the curricula and academic subjects in which the teachers teach;

''(xi) as a whole, are regularly evaluated for their impact on increased teacher effectiveness and improved student academic achievement, with the findings of the evaluations used to improve the quality of professional development;

''(xii) are designed to give teachers of children with disabilities or children with developmental delays, and other teachers and instructional staff, the knowledge and skills to provide instruction and academic support services, to those children, including positive behavioral interventions and supports, multi-tiered systems of supports, and use of accommodations;

''(xiii) include instruction in the use of data and assessments to inform and instruct classroom practice;

''(xiv) include instruction in ways that teachers, principals, other school leaders, specialized instructional support personnel, and school administrators may work more effectively with parents and families;

''(xv) involve the forming of partnerships with institutions of higher education, including, as applicable, Tribal Colleges and Universities as defined in section 316(b) of the Higher Education Act of 1965 (20 U.S.C. 1059c (b)), to establish school-based teacher, principal, and other school leader training programs that provide prospective teachers, novice teachers, principals, and other school leaders with an opportunity to work under the guidance of experienced teachers, principals, other school leaders, and faculty of such institutions;

''(xvi) create programs to enable paraprofessionals (assisting teachers employed by a local educational agency receiving assistance under part A of title I) to obtain the education necessary for those paraprofessionals to become certified and licensed teachers;

''(xvii) provide follow-up training to teachers who have participated in activities described in this paragraph that are designed to ensure that the knowledge and skills learned by the teachers are implemented in the classroom; and

''(xviii) where applicable and practical, provide jointly for school staff and other early childhood education program providers, to address the transition to elementary school, including issues related to school readiness.'';

(17) by inserting after paragraph (41), as redesignated by paragraph (2), the following:

''(42) SCHOOL LEADER.—The term 'school leader' means a principal, assistant principal, or other individual who is—

''(A) an employee or officer of an elementary school or secondary school, local educational agency, or other entity operating an elementary school or secondary school; and

''(B) responsible for the daily instructional leadership and managerial operations in the elementary school or secondary school building.'';

(18) by inserting after paragraph (44), as redesignated by paragraph (2), the following:

''(45) SPECIALIZED INSTRUCTIONAL SUPPORT PERSONNEL; SPECIALIZED INSTRUCTIONAL SUPPORT SERVICES.—

''(A) SPECIALIZED INSTRUCTIONAL SUPPORT PERSONNEL.—The term 'specialized instructional support personnel' means —

''(i) school counselors, school social workers, and school psychologists; and

''(ii) other qualified professional personnel, such as school nurses and speech language pathologists, involved in providing assessment, diagnosis, counseling, educational, therapeutic, and other necessary services (including related services as that term is defined in section 602 of the Individuals with Disabilities Education Act) as part of a comprehensive program to meet student needs.

''(B) SPECIALIZED INSTRUCTIONAL SUPPORT SERVICES.—The term 'specialized instructional support services' means the services provided by specialized instructional support personnel.'';

(19) by inserting after paragraph (48), as redesignated by paragraph (2), the following:

''(49) UNIVERSAL DESIGN FOR LEARNING.—The term 'universal design for learning' has the meaning given the term in section 103 of the Higher Education Act of 1965.''; and

(20) by striking the undesignated paragraph between paragraphs (45), as added by paragraph (18), and (47), as redesignated by paragraph (2), and inserting the following:

''(46) STATE.—The term 'State' means each of the 50 States, the District of Columbia, the Commonwealth of Puerto Rico, and each of the outlying areas.''.

SEC. 9102. APPLICABILITY TO BUREAU OF INDIAN EDUCATION OPERATED SCHOOLS.

Section 9103 (20 U.S.C. 7803) is amended—

(1) in the section heading, by striking ''**BUREAU OF INDIAN AFFAIRS**'' and inserting ''**BUREAU OF INDIAN EDUCATION**''; and

(2) by striking ''Bureau of Indian Affairs'' each place the term appears and inserting ''Bureau of Indian Education''.

SEC. 9103. CONSOLIDATION OF FUNDS FOR LOCAL ADMINISTRATION.

Section 9203(b) (20 U.S.C. 7823(b)) is amended by striking ''Within 1 year after the date of enactment of the No Child Left Behind Act of 2001, a State'' and inserting ''A State''.

SEC. 9104. RURAL CONSOLIDATED PLAN.

Section 9305 (20 U.S.C. 7845) is amended by adding at the end the following:

''(e) RURAL CONSOLIDATED PLAN.—

''(1) IN GENERAL.—Two or more eligible local educational agencies, a consortium of eligible local educational service agencies, or an educational service agency on behalf of eligible local educational agencies may submit plans or applications for 1 or more covered programs to the State educational agency on a consolidated basis, if each eligible local educational agency impacted elects to participate in the joint application or elects to allow the educational service agency to apply on its behalf.

''(2) ELIGIBLE LOCAL EDUCATIONAL AGENCY.—For the purposes of this subsection, the term 'eligible local educational agency' means a local educational agency that is an eligible local educational agency under part B of title VI.''.

SEC. 9105. WAIVERS OF STATUTORY AND REGULATORY REQUIREMENTS.

Section 9401 (20 U.S.C. 7861) is amended—

(1) by striking subsection (a) and inserting the following:

''(a) IN GENERAL.—

''(1) REQUEST FOR WAIVER BY STATE OR INDIAN TRIBE.—A State educational agency or Indian tribe that receives funds under a program authorized under this Act may submit a request to the Secretary to waive any statutory or regulatory requirement of this Act.

''(2) LOCAL EDUCATIONAL AGENCY AND SCHOOL REQUESTS SUBMITTED THROUGH THE STATE.—

''(A) REQUEST FOR WAIVER BY LOCAL EDUCATIONAL AGENCY.—A local educational agency that receives funds under a program authorized under this Act and desires a waiver of any statutory or regulatory requirement of this Act shall submit a request containing the information described in subsection (b)(1) to the appropriate State educational agency. The State educational agency may then submit the request to the Secretary if the State educational agency determines the waiver appropriate.

''(B) REQUEST FOR WAIVER BY SCHOOL.—An elementary school or secondary school that desires a waiver of any statutory or regulatory requirement of this Act shall submit a request containing the information described in subsection (b)(1) to the local educational agency serving the school. The local educational agency may then submit the request to the State educational agency in accordance with subparagraph (A) if the local educational agency determines the waiver appropriate.

''(3) RECEIPT OF WAIVER.—Except as provided in subsection (b)(4) or (c), the Secretary may waive any statutory or regulatory requirement of this Act for which a waiver request is submitted to the Secretary pursuant to this subsection.'';

(2) in subsection (b)—

(A) in paragraph (1)—

(i) in the matter preceding subparagraph (A)—

(I) by striking '', local educational agency,'' and inserting '', acting on its own behalf or on behalf of a local educational agency in accordance with subsection (a)(2),''; and

(II) by inserting '', which shall include a plan'' after ''to the Secretary''; and

(ii) by striking subparagraphs (C) and (D) and inserting the following:

''(C) describes the methods the State educational agency, local educational agency, or Indian tribe will use to monitor and regularly evaluate the effectiveness of the implementation of the plan;

''(D) includes only information directly related to the waiver request on how the State educational agency, local educational agency, or Indian tribe will maintain and improve transparency in reporting to parents and the public on student achievement and school performance, including the achievement of students according to each category of students described in section 1111(b)(2)(B)(xi); and'';

(B) in paragraph (2)(B)(i)(II), by striking ''(on behalf of, and based on the requests of, local educational agencies)'' and inserting ''(on behalf of those agencies or on behalf of, and based on the requests of, local educational agencies in the State)'';

(C) in paragraph (3)—

(i) in subparagraph (A)—

(I) in the matter preceding clause (i), by inserting ''or on behalf of local educational agencies in the State under subsection (a)(2),'' after ''acting on its own behalf,''; and

(II) in clause (i)—

(aa) by striking ''all interested local educational agencies'' and inserting ''any interested local educational agency''; and

(bb) by inserting '', to the extent that the request impacts the local educational agency'' before the semicolon at the end; and

(ii) in subparagraph (B)(i), by striking ''reviewed by the State educational agency'' and inserting ''reviewed and approved by the State educational agency in accordance with subsection (a)(2) before being submitted to the Secretary''; and

(D) by adding at the end the following:

''(4) WAIVER DETERMINATION, DEMONSTRATION, AND REVISION.—

''(A) IN GENERAL.—The Secretary shall issue a written determination regarding the approval or disapproval of a waiver request not more than 90 days after the date on which such request is submitted, unless the Secretary determines and demonstrates that—

''(i) the waiver request does not meet the requirements of this section; or

''(ii) the waiver is not permitted under subsection (c).

''(B) WAIVER DETERMINATION AND REVISION.—If the Secretary determines and demonstrates that the waiver request does not meet the requirements of this section, the Secretary shall—

''(i) immediately—

''(I) notify the State educational agency, local educational agency (through the State educational agency), or Indian tribe, as applicable, of such determination; and

''(II) provide detailed reasons for such determination in writing and in a public manner, such as posting to the Department's website in a clear and easily accessible manner;

''(ii) offer the State educational agency, local educational agency (through the State educational agency), or Indian tribe an opportunity to revise and resubmit the waiver request by a date that is not more than 60 days after the date of such determination; and

''(iii) if the Secretary determines that the resubmission does not meet the requirements of this section, at the request of the State educational agency, local educational agency, or Indian tribe, conduct a public hearing not more than 30 days after the date of such resubmission.

''(C) WAIVER DISAPPROVAL.—The Secretary may disapprove a waiver request if—

''(i) the State educational agency, local educational agency, or Indian tribe has been notified and offered an opportunity to revise and resubmit the waiver request, as described under clauses (i) and (ii) of subparagraph (B); and

''(ii) the State educational agency, local educational agency (through the State educational agency), or Indian tribe—

''(I) does not revise and resubmit the waiver request; or

''(II) revises and resubmits the waiver request, and the Secretary determines that such waiver request does not meet the requirements of this section after a hearing conducted under subparagraph (B)(iii).

''(D) EXTERNAL CONDITIONS.—The Secretary shall not disapprove a waiver request under this section based on conditions outside the scope of the waiver request.'';

(3) in subsection (c)—

(A) in paragraph (8), by striking ''subpart 1 of part B of title V'' and inserting ''part A of title V''; and

(B) in paragraph (10), by striking ''subsections (a) and (b) of section 1113'' and insert ''section 1113(a)'' both places the term appears;

(4) in subsection (d)—

(A) in the subsection heading, by adding ''; LIMITATIONS'' after ''WAIVER''; and

(B) by adding at the end the following:

''(3) SPECIFIC LIMITATIONS.—The Secretary shall not place any requirements on a State educational agency, local educational agency, or Indian tribe as a condition, criterion,

or priority for the approval of a waiver request, unless such requirements are—

''(A) otherwise requirements under this Act; and

''(B) directly related to the waiver request.'';

(5) by striking subsection (e) and inserting the following:

''(e) REPORTS.—A State educational agency, local educational agency, or Indian tribe receiving a waiver under this section shall describe, as part of, and pursuant to, the required annual reporting under section 1111(d)—

''(1) the progress of schools covered under the provisions of such waiver toward improving the quality of instruction to students and increasing student academic achievement; and

''(2) how the use of the waiver has contributed to such progress.'';

(6) in subsection (f), by striking ''if the Secretary determines'' and all that follows through the period at the end and inserting the following: ''if, after notice and an opportunity for a hearing, the Secretary—

''(A) presents substantial evidence that clearly demonstrates that the waiver is not contributing to the progress of schools described in subsection (e)(1); or

''(B) determines that the waiver is no longer necessary to achieve its original purposes.''; and

(7) by adding at the end the following:

''(h) EFFECT OF ENACTMENT OF ECAA ON WAIVER REQUIREMENTS AND CONDITIONS.—

''(1) IN GENERAL.—Any requirement or condition of any waiver agreement entered into by a State, local educational agency, or Indian tribe with the Secretary, as authorized under this section, between September 23, 2011, and the day before the effective date of the Every Child Achieves Act of 2015 shall be void and have no force of law if such requirement or condition is not otherwise a requirement or condition under this Act.

''(2) RULE OF CONSTRUCTION.—Nothing in paragraph (1) shall be construed as voiding any waiver granted by the Secretary under this section before the date of enactment of the Every Child Achieves Act of 2015 that is not voided under paragraph (1), which shall remain in effect for the period of time specified under the waiver.''.

SEC. 9106. PLAN APPROVAL PROCESS.

Title IX (20 U.S.C. 7801 et seq.) is amended—

(1) by redesignating parts E and F as parts F and G, respectively;

(2) in section 9573—

(A) in subsection (b)(1), by striking ''early childhood development (Head Start) services'' and inserting ''early childhood education programs'';

(B) in subsection (c)(2)—

(i) in the paragraph heading by striking ''DEVELOPMENT SERVICES'' and inserting ''EDUCATION PROGRAMS''; and

(ii) by striking ''development (Head Start) services'' and inserting ''education programs''; and

(C) in subsection (e), as redesignated by section 4001(5), in paragraph (3), by striking subparagraph (C) and inserting the following:

''(C) such other matters as justice may require.''; and

(3) by inserting after section 9401 the following:

''PART E—APPROVAL AND DISAPPROVAL OF STATE PLANS AND LOCAL APPLICATIONS

''SEC. 9451. APPROVAL AND DISAPPROVAL OF STATE PLANS.

''(a) DEEMED APPROVAL.—A plan submitted by a State pursuant to section 2101(d), 4103(d), or 9302 shall be deemed to be approved by the Secretary unless—

''(1) the Secretary makes a written determination, prior to the expiration of the 90-day period beginning on the date on which the Secretary received the plan, that the plan is not in compliance with section 2101(d) or 4103(d) or part C, respectively; and

''(2) the Secretary presents substantial evidence that clearly demonstrates that such State plan does not meet the requirements of section 2101(d) or 4103(d) or part C, respectively.

''(b) DISAPPROVAL PROCESS.—

''(1) IN GENERAL.—The Secretary shall not finally disapprove a plan submitted under section 2101(d), 4103(d), or 9302, except after giving the State educational agency notice and an opportunity for a hearing.

''(2) NOTIFICATIONS.—If the Secretary finds that the plan is not in compliance, in whole or in part, with section 2101(d) or 4103(d) or part C, as applicable, the Secretary shall–

''(A) immediately notify the State of such determination;

''(B) provide a detailed description of the specific provisions of the plan that the Secretary determines fail to meet the requirements, in whole or in part, of such section or part, as applicable;

''(C) offer the State an opportunity to revise and resubmit its plan within 45 days of such determination, including the chance for the State to present substantial evidence to clearly demonstrate that the State plan meets the requirements of such section or part, as applicable;

''(D) provide technical assistance, upon request of the State, in order to assist the State to meet the requirements of such section or part, as applicable;

''(E) conduct a public hearing within 30 days of the plan's resubmission under subparagraph (C), with public notice provided not less than 15 days before such hearing, unless a State declines the opportunity for such public hearing; and

''(F) request additional information, only as to the noncompliant provisions, needed to make the plan compliant.

''(3) RESPONSE.—If the State educational agency responds to the Secretary's notification described in paragraph (2)(A) during the 45-day period beginning on the date on which the State educational agency received the notification, and resubmits the plan with the requested information described in paragraph (2)(C), the Secretary shall approve or disapprove such plan prior to the later of—

''(A) the expiration of the 45-day period beginning on the date on which the plan is resubmitted; or

''(B) the expiration of the 90-day period described in subsection (a).

''(4) FAILURE TO RESPOND.—If the State educational agency does not respond to the Secretary's notification described in paragraph (2)(A) during the 45-day period beginning on the date on which the State educational agency received the notification, such plan shall be deemed to be disapproved.

''(c) PEER-REVIEW REQUIREMENTS.—Notwithstanding any other requirements of this part, the Secretary shall ensure that any portion of a consolidated State plan that is related to part A of title I is subject to the peer-review process described in section 1111(a)(3).

''SEC. 9452. APPROVAL AND DISAPPROVAL OF LOCAL EDUCATIONAL AGENCY APPLICATIONS.

''(a) DEEMED APPROVAL.—An application submitted by a local educational agency pursuant to section 2102(b), 4104(b), or 9305, shall be deemed to be approved by the State educational agency unless—

''(1) the State educational agency makes a written determination, prior to the expiration of the 90-day period beginning on the date on which the State educational agency received the application, that the application is not in compliance with section 2102(b) or 4104(b), or part C, respectively; and

''(2) the State presents substantial evidence that clearly demonstrates that such application does not meet the requirements of section 2102(b) or 4104(b), or part C, respectively.

''(b) DISAPPROVAL PROCESS.—

''(1) IN GENERAL.—The State educational agency shall not finally disapprove an application submitted under section 2102(b), 4104(b), or 9305 except after giving the local educational agency notice and opportunity for a hearing.

''(2) NOTIFICATIONS.—If the State educational agency finds that the application submitted under section 2102(b), 4104(b), or 9305 is not in compliance, in whole or in part, with section 2102(b) or 4104(b), or part C, respectively, the State educational agency shall—

''(A) immediately notify the local educational agency of such determination;

''(B) provide a detailed description of the specific provisions of the application that the State determines fail to meet the requirements, in whole or in part, of such section or part, as applicable;

''(C) offer the local educational agency an opportunity to revise and resubmit its application within 45 days of such determination, including the chance for the local educational agency to present substantial evidence to clearly demonstrate that the application meets the requirements of such section or part;

''(D) provide technical assistance, upon request of the local educational agency, in order to assist the local educational agency to meet the requirements of such section or part, as applicable;

''(E) conduct a public hearing within 30 days of the application's resubmission under subparagraph (C), with public notice provided not less than 15 days before such hearing, unless a local educational agency declines the opportunity for such public hearing; and

''(F) request additional information, only as to the noncompliant provisions, needed to make the application compliant.

''(3) RESPONSE.—If the local educational agency responds to the State educational agency's notification described in paragraph (2)(A) during the 45-day period beginning on the date on which the local educational agency received the notification, and resubmits the application with the requested information described in paragraph (2)(C), the State educational agency shall approve or disapprove such application prior to the later of—

''(A) the expiration of the 45-day period beginning on the date on which the application is resubmitted; or

''(B) the expiration of the 90-day period described in subsection (a).

''(4) FAILURE TO RESPOND.—If the local educational agency does not respond to the State educational agency's notification described in paragraph (2)(A) during the 45-day period beginning on the date on which the local educational agency received the notification, such application shall be deemed to be disapproved.''.

SEC. 9107. PARTICIPATION BY PRIVATE SCHOOL CHILDREN AND TEACHERS.

Section 9501 (20 U.S.C. 7881) is amended—

(1) in subsection (b)—

(A) in paragraph (1), by striking subparagraphs (A) through (H) and inserting the following:

''(A) part C of title I;

''(B) part A of title II;

''(C) part E of title II;

''(D) part A of title III;

''(E) parts A and B of title IV; and

''(F) part G of title V.''; and

(B) by striking paragraph (3); and

(2) in subsection (c)(1)—

(A) in subparagraph (E)—

(i) by striking ''and the amount'' and inserting '', the amount''; and

(ii) by striking ''services; and'' and inserting ''services, and how that amount is determined;'';

(B) in subparagraph (F), by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following:

''(G) whether the agency, consortium, or entity shall provide services directly or assign responsibility for the provision of services to a separate government agency, consortium, or entity, or to a third-party contractor.''.

SEC. 9108. MAINTENANCE OF EFFORT.

Section 9521 (20 U.S.C. 7901) is amended—

(1) in subsection (a), by inserting '', subject to the requirements of subsection (b)'' after ''for the second preceding fiscal year'';

(2) in subsection (b)(1), by inserting before the period at the end the following: '', if such local educational agency has also failed to meet such requirement (as determined using the measure most favorable to the local agency) for 1 or more of the 5 immediately preceding fiscal years''; and

(3) in subsection (c)(1), by inserting ''or a change in the organizational structure of the local educational agency'' after '', such as a natural disaster''.

SEC. 9109. SCHOOL PRAYER.

Section 9524(a) (20 U.S.C. 7904(a)) is amended by striking ''on the Internet'' and inserting ''by electronic means, including by posting the guidance on the Department's website in a clear and easily accessible manner''.

SEC. 9110. PROHIBITIONS ON FEDERAL GOVERNMENT AND USE OF FEDERAL FUNDS.

Section 9527 (20 U.S.C. 7907) is amended to read as follows:

''SEC. 9527. PROHIBITIONS ON FEDERAL GOVERNMENT AND USE OF FEDERAL FUNDS.

''(a) GENERAL PROHIBITION.—

''(1) IN GENERAL.—Nothing in this Act shall be construed to authorize an officer or employee of the Federal Government, through grants, contracts, or other cooperative agreements (including as a condition of any waiver provided under section 9401) to—

''(A) mandate, direct, or control a State, local educational agency, or school's curriculum, program of instruction, instructional content, specific academic standards or assessments, or allocation of State or local resources, or mandate a State or any subdivision thereof to spend any funds or incur any costs not paid for under this Act;

''(B) incentivize a State, local educational agency, or school to adopt any specific instructional content, academic standards, academic assessments, curriculum, or program of instruction, including by providing any priority, preference, or special consideration during the application process for any grant, contract, or cooperative agreement that is based on the adoption of any specific instructional content, academic standards, academic assessments, curriculum, or program of instruction; or

''(C) make financial support available in a manner that is conditioned upon a State, local educational agency, or school's adoption of any specific instructional content, academic standards, academic assessments, curriculum, or program of instruction (such as the Common Core State Standards developed under the Common Core State Standards Initiative, any other standards common to a significant number of States, or any specific assessment, instructional content, or curriculum aligned to such standards).

''(b) PROHIBITION ON ENDORSEMENT OF CURRICULUM.—Notwithstanding any other prohibition of Federal law, no funds provided to the Department under this Act may be used by the Department directly or indirectly, including through any grant, contract, cooperative agreement, or waiver provided by the Secretary under section 9401, to endorse, approve, or sanction any curriculum (including the alignment of such curriculum to any specific academic standard) designed to be used in an early childhood education program, elementary school, secondary school, or institution of higher education.

''(c) PROHIBITION ON REQUIRING FEDERAL APPROVAL OR CERTIFICATION OF STANDARDS.—

''(1) IN GENERAL.—Notwithstanding any other provision of Federal law, no State shall be required to have academic content or academic achievement standards approved or certified by the Federal Government, in order to receive assistance under this Act.

''(2) RULES OF CONSTRUCTION.—

''(A) APPLICABILITY.—Nothing in this subsection shall be construed to affect requirements under title I.

''(B) STATE OR LOCAL AUTHORITY.—Nothing in this section shall be construed to prohibit a State, local educational agency, or school from using funds provided under this Act for the development or implementation of any instructional content, academic standards, academic assessments, curriculum, or program of instruction that a State, local educational agency, or school chooses, as permitted under State and local law, as long as the use of such funds is consistent with the terms of the grant, contract, or cooperative agreement providing such funds.

''(3) BUILDING STANDARDS.—Nothing in this Act shall be construed to mandate national school building standards for a State, local educational agency, or school.''.

SEC. 9111. ARMED FORCES RECRUITER ACCESS TO STUDENTS AND STUDENT RECRUITING INFORMATION.

Section 9528 (20 U.S.C. 7908) is amended by striking subsection (d).

SEC. 9112. PROHIBITION ON FEDERALLY SPONSORED TESTING.

Section 9529 (20 U.S.C. 7909) is amended to read as follows:

''SEC. 9529. PROHIBITION ON FEDERALLY SPONSORED TESTING.

''(a) GENERAL PROHIBITION.—Notwithstanding any other provision of Federal law and except as provided in subsection (b), no funds provided under this Act to the Secretary or to the recipient of any award may be used to develop, incentivize, pilot test, field test, implement, administer, or distribute any federally sponsored national test in reading, mathematics, or any other subject, unless specifically and explicitly authorized by law, including any assessment or testing materials aligned to the Common Core State Standards developed under the Common Core State Standards Initiative or any other academic standards common to a significant number of States.

''(b) EXCEPTIONS.—Subsection (a) shall not apply to international comparative assessments developed under the authority of section 153(a)(6) of the Education Sciences Reform Act of 2002 and administered to only a representative sample of pupils in the United States and in foreign nations.

''(c) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to prohibit a State, local educational agency, or school from using funds provided under this Act for the development or implementation of any instructional content, academic standards, academic assessments, curriculum, or program of instruction that a State or local educational agency or school chooses, as permitted under State and local law, as long as the use of such funds is consistent with the terms of the grant, contract, or cooperative agreement providing such funds.''.

SEC. 9113. LIMITATIONS ON NATIONAL TESTING OR CERTIFICATION FOR TEACHERS.

Section 9530(a) (20 U.S.C. 7910(a)) is amended—

(1) by inserting '', principals,'' after ''teachers''; and

(2) by inserting '', or incentive regarding,'' after ''administration of''.

SEC. 9114. CONSULTATION WITH INDIAN TRIBES AND TRIBAL ORGANIZATIONS.

Subpart 2 of part F of title IX (20 U.S.C. 7901 et seq.), as amended by section 4001(3), and redesignated by section 9106(1), is further amended by adding at the end the following:

''SEC. 9538. CONSULTATION WITH INDIAN TRIBES AND TRIBAL ORGANIZATIONS.

''(a) IN GENERAL.—To ensure timely and meaningful consultation on issues affecting American Indian and Alaska Native students, an affected local educational agency shall consult with appropriate officials from Indian tribes or tribal organizations approved by the tribes located in the area served by the local educational agency during the design and development of the affected local educational agency's programs under this Act, with the overarching goal of meeting the unique cultural, language, and educational needs of American Indian and Alaska Native students.

''(b) TIMING.—The consultation described in subsection (a) shall include meetings of officials from the affected local educational agency and the tribes or tribal organizations approved by the tribes and shall occur before the affected local educational agency makes any decision regarding how the needs of American Indian and Alaska Native children will be met in covered programs or in services or activities provided under title VII.

''(c) DOCUMENTATION.—Each affected local educational agency shall maintain in the agency's records and provide to the State educational agency a written affirmation signed by officials of the participating tribes or tribal organizations approved by the tribes that the consultation required by this section has occurred. If such officials do not provide such affirmation within a reasonable period of time, the affected local educational agency shall forward documentation that such consultation has taken place to the State educational agency.

''(d) AFFECTED LOCAL EDUCATIONAL AGENCY.—In this section, the term 'affected local educational agency' means a local educational agency—

''(1) with an enrollment of American Indian or Alaska Native students that is not less than 50 percent of the total enrollment of the local educational agency; or

''(2) with an enrollment of not less than 50 American Indian or Alaska Native students.''.

SEC. 9115. OUTREACH AND TECHNICAL ASSISTANCE FOR RURAL LOCAL EDUCATIONAL AGENCIES.

Subpart 2 of part F of title IX (20 U.S.C. 7901 et seq.), as amended by sections 4001(3) and 9114, and redesignated by section 9106(1), is further amended by adding at the end the following:

''SEC. 9539. OUTREACH AND TECHNICAL ASSISTANCE FOR RURAL LOCAL EDUCATIONAL AGENCIES.

''(a) OUTREACH.—The Secretary shall engage in outreach to rural local educational agencies regarding opportunities to apply for competitive grant programs under this Act.

''(b) TECHNICAL ASSISTANCE.—If requested to do so, the Secretary shall provide technical assistance to rural local educational agencies with locale codes 32, 33, 41, 42, or 43, or an educational service agency representing rural local educational agencies with locale codes 32, 33, 41, 42, or 43 on applications or pre-applications for any competitive grant program under this Act. No rural

local educational agency or educational service agency shall be required to request technical assistance or include any technical assistance provided by the Secretary in any application.''.

SEC. 9116. EVALUATIONS.

Section 9601 (20 U.S.C. 7941) is amended to read as follows:

''SEC. 9601. EVALUATIONS.

''(a) RESERVATION OF FUNDS.—Except as provided in subsection (b) and (e), the Secretary, in consultation with the Director of the Institute of Education Sciences, may reserve not more than 0.5 percent of the amount appropriated for each program authorized under this Act to carry out activities under this section. If the Secretary elects to make a reservation under this subsection, the reserved amounts—

''(1) shall first be used by the Secretary, acting through the Director of the Institute of Education Sciences, to—

''(A) conduct comprehensive, high-quality evaluations of the programs that—

''(i) are consistent with the evaluation plan under subsection (d); and

''(ii) primarily include impact evaluations that use experimental or quasi-experimental designs, where practicable and appropriate, and other rigorous methodologies that permit the strongest possible causal inferences;

''(B) conduct studies of the effectiveness of the programs and the administrative impact of the programs on schools and local educational agencies; and

''(C) widely disseminate evaluation findings under this section related to programs authorized under this Act—

''(i) in a timely fashion;

''(ii) in forms that are understandable, easily accessible, and usable, or adaptable for use in, the improvement of educational practice;

''(iii) through electronic transfer and other means, such as posting, as available, to the websites of State educational agencies, local educational agencies, the Institute of Education Sciences, or the Department, or in another relevant place; and

''(iv) in a manner that promotes the utilization of such findings; and

''(2) may be used by the Secretary, acting through the Director of the Institute of Education Sciences—

''(A) to evaluate the aggregate short- and long-term effects and cost efficiencies across—

''(i) Federal programs assisted or authorized under this Act; and

''(ii) related Federal early childhood education programs, preschool programs, elementary school programs, and secondary school programs, under any other Federal law;

''(B) to increase the usefulness of the evaluations conducted under this section by improving the quality, timeliness, efficiency, and use of information relating to performance to promote continuous improvement of programs assisted or authorized under this Act; and

''(C) to assist recipients of grants under such programs in collecting and analyzing data and other activities related to conducting high-quality evaluations under paragraph (1).

''(b) TITLE I.—The Secretary, acting through the Director of the Institute of Education Sciences, shall use funds authorized under section 1002(e) to carry out evaluation activities under this section related to title I, and shall not reserve any other money from such title for evaluation.

''(c) CONSOLIDATION.—Notwithstanding any other provision of this section or section 1002(e), the Secretary, in consultation with the Director of the Institute of Education Sciences—

''(1) may consolidate the funds reserved under subsections (a) and (b) for purposes of carrying out the activities under subsection (a)(1); and

''(2) shall not be required to evaluate under subsection (a)(1) each program authorized under this Act each year.

''(d) EVALUATION PLAN.—The Director of the Institute of Education Sciences, shall, on a biennial basis, develop, submit to Congress, and make publicly available an evaluation plan, that—

''(1) describes the specific activities that will be carried out under subsection (a) for the 2-year period applicable to the plan, and the timelines of such activities;

''(2) contains the results of the activities carried out under subsection (a) for the most recent 2-year period; and

''(3) describes how programs authorized under this Act will be regularly evaluated.

''(e) EVALUATION ACTIVITIES AUTHORIZED ELSEWHERE.—If, under any other provision of this Act, funds are authorized to be reserved or used for evaluation activities with respect to a program, the Secretary may not reserve additional funds under this section for the evaluation of that program.''.

TITLE X—EDUCATION FOR HOMELESS CHILDREN AND YOUTHS; OTHER LAWS; MISCELLANEOUS

PART A—EDUCATION FOR HOMELESS CHILDREN AND YOUTH

SEC. 10101. STATEMENT OF POLICY.

Section 721 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11431) is amended—

(1) in paragraph (2), by striking ''In any State'' and all that follows through ''will review'' and inserting ''In any State where compulsory residency requirements or other requirements, in laws, regulations, practices, or policies, may act as a barrier to the identification of, or enrollment, attendance, or success in school of homeless children and youths, the State educational agency and local educational agencies in the State will review'';

(2) in paragraph (3), by striking ''alone''; and

(3) in paragraph (4), by striking ''challenging State student academic achievement standards'' and inserting ''challenging State academic standards''.

SEC. 10102. GRANTS FOR STATE AND LOCAL ACTIVITIES.

Section 722 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11432) is amended—

(1) by striking subsection (b) and inserting the following:

''(b) RESERVATIONS.—

''(1) STUDENTS IN TERRITORIES.—The Secretary is authorized to reserve 0.1 percent of the amount appropriated for each fiscal year under section 726, to be allocated by the Secretary among the United States Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands, according to their respective needs for assistance under this subtitle, as determined by the Secretary.

''(2) INDIAN STUDENTS.—

''(A) TRANSFER.—The Secretary shall transfer 1 percent of the amount appropriated for each fiscal year under section 726 to the Department of the Interior. The transferred funds shall be used for programs for Indian students served by schools funded by the Secretary of the Interior, as determined under the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450 et seq.), that are consistent with the purposes of the programs described in this subtitle.

''(B) AGREEMENT.—The Secretary of Education and the Secretary of the Interior shall enter into an agreement, consistent with the requirements of this subtitle, for the distribution and use of the transferred funds under terms that the Secretary of Education determines best meet the purposes of the programs described in this subtitle. Such agreement shall set forth the plans of the Secretary of the Interior for the use of the amounts transferred, including appropriate goals, objectives, and milestones.'';

(2) in subsection (c)—

(A) by redesignating paragraph (3) as paragraph (4); and

(B) by striking the subsection heading and all that follows through paragraph (2) and inserting the following:

''(c) ALLOTMENTS.—

''(1) IN GENERAL.—The Secretary is authorized to allot to each State for a fiscal year an amount that bears the same ratio to the amount appropriated for such year under section 726 that remains after the Secretary reserves funds under subsection (b) and uses funds to carry out subsections (d) and (h) of section 724, as the amount allocated under section 1122 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6332) to the State for that year bears to the total amount allocated under section 1122 of such Act to all States for that year, except as provided in paragraph (2).

''(2) MINIMUM ALLOTMENTS.—Subject to paragraph (3), no State shall receive less under this subsection for a fiscal year than the greatest of—

''(A) $150,000;

''(B) one-fourth of 1 percent of the amount appropriated under section 726 for that year; or

''(C) the amount such State received under this section for fiscal year 2001.

''(3) REDUCTION FOR INSUFFICIENT FUNDS.—If there are insufficient funds in a fiscal year to allot to each State the minimum amount under paragraph (2), the Secretary shall ratably reduce the allotments to all States based on the proportionate share that each State received under this subsection for the preceding fiscal year.'';

(3) in subsection (d)—

(A) in paragraph (2)—

(i) by striking ''To provide'' and all that follows through ''that enable'' and inserting ''To provide services and activities to improve the identification of homeless children and youths (including preschool-aged homeless children) and enable''; and

(ii) by striking ''or, if'' and inserting ''including, if''; and

(B) in paragraph (3), by striking ''designate'' and all that follows and inserting ''designate in the State educational agency an Office of the Coordinator for Education of Homeless Children and Youths that can sufficiently carry out the duties described for the Office in this subtitle.'';

(4) in subsection (e)—

(A) in paragraph (1), by striking ''subsection (c)(1)'' and inserting ''subsection (c)(2)''; and

(B) in paragraph (3)—

(i) in subparagraph (E)(ii)(II), by striking ''subsection (g)(6)(A)(v)'' and inserting ''subsection (g)(6)(A)(vi)''; and

(ii) in subparagraph (F)(iii), by striking ''Not later'' and all that follows through ''the Secretary'' and inserting ''The Secretary'';

(5) by striking subsection (f) and inserting the following:

''(f) FUNCTIONS OF THE OFFICE OF THE COORDINATOR.—The Coordinator for Education of Homeless Children and Youths established in each State shall—

''(1) gather and make publicly available reliable, valid, and comprehensive information on—

''(A) the number of homeless children and youths identified in the State, which shall be

posted annually on the State educational agency's website;

''(B) the nature and extent of the problems homeless children and youths have in gaining access to public preschool programs and to public elementary schools and secondary schools;

''(C) the difficulties in identifying the special needs and barriers to the participation and achievement of such children and youths;

''(D) any progress made by the State educational agency and local educational agencies in the State in addressing such problems and difficulties; and

''(E) the success of the programs under this subtitle in identifying homeless children and youths and allowing such children and youths to enroll in, attend, and succeed in, school;

''(2) develop and carry out the State plan described in subsection (g);

''(3) collect data for and transmit to the Secretary, at such time and in such manner as the Secretary may reasonably require, a report containing information necessary to assess the educational needs of homeless children and youths within the State, including data necessary for the Secretary to fulfill the responsibilities under section 724(h);

''(4) in order to improve the provision of comprehensive education and related services to homeless children and youths and their families, coordinate activities and collaborate with—

''(A) educators, including teachers, special education personnel, administrators, and child development and preschool program personnel;

''(B) providers of services to homeless children and youths and their families, including services of public and private child welfare and social services agencies, law enforcement agencies, juvenile and family courts, agencies providing mental health services, domestic violence agencies, child care providers, runaway and homeless youth centers, and providers of services and programs funded under the Runaway and Homeless Youth Act (42 U.S.C. 5701 et seq.);

''(C) providers of emergency, transitional, and permanent housing to homeless children and youths, and their families, including public housing agencies, shelter operators, operators of transitional housing facilities, and providers of transitional living programs for homeless youths;

''(D) local educational agency liaisons designated under subsection (g)(1)(J)(ii) for homeless children and youths; and

''(E) community organizations and groups representing homeless children and youths and their families;

''(5) provide technical assistance to and conduct monitoring of local educational agencies in coordination with local educational agency liaisons designated under subsection (g)(1)(J)(ii), to ensure that local educational agencies comply with the requirements of subsection (e)(3) and paragraphs (3) through (7) of subsection (g);

''(6) provide professional development opportunities for local educational agency personnel and the local educational agency liaison designated under subsection (g)(1)(J)(ii) to assist such personnel and liaison in identifying and meeting the needs of homeless children and youths; and

''(7) respond to inquiries from parents and guardians of homeless children and youths, including (in the case of unaccompanied youths) such youths, to ensure that each child or youth who is the subject of such an inquiry receives the full protections and services provided by this subtitle.'';

(6) in subsection (g)—

(A) in paragraph (1)—

(i) in subparagraph (A), by striking ''achievement'';

(ii) in subparagraph (B), by striking ''special'';

(iii) in subparagraph (D)—

(I) by striking ''(including'' and all that follows through ''personnel)'' and inserting ''(including liaisons designated under subparagraph (J)(ii), principals and school leaders, attendance officers, teachers, enrollment personnel, and specialized instructional support personnel)''; and

(II) by striking ''of runaway and homeless youths'' and inserting ''of homeless children and youths, including such children and youths who are runaway and homeless youths'';

(iv) in subparagraph (E), by striking ''food'' and inserting ''nutrition'';

(v) in subparagraph (F)—

(I) in clause (i), by striking ''equal'' and all that follows and inserting ''access to the same public preschool programs, administered by the State educational agency or local educational agency, as are provided to other children in the State, including ensuring that access by having the administering agency carry out the policies and practices required under paragraph (3);'';

(II) in clause (ii), by striking ''services; and'' and inserting ''services, including through the implementation of policies and practices to ensure that youths described in this clause are able to receive appropriate credit for full or partial coursework satisfactorily completed while attending a prior school, in accordance with State, local, and school policies;''; and

(III) by striking clause (iii) and inserting the following:

''(iii) homeless children and youths who meet the relevant eligibility criteria have access to magnet school, summer school, career and technical education, dual or concurrent enrollment opportunities, early college high school, advanced placement, online learning, and charter school programs, if such programs are available at the State or local levels; and

''(iv) the State educational agency and local educational agencies will adopt policies and practices to promote school success for homeless children and youth, including providing access to full participation in the academic and extracurricular activities that are made available to students who are not homeless children and youth.'';

(vi) in subparagraph (H)(i), by striking ''medical'' and inserting ''other health'';

(vii) in subparagraph (I)—

(I) by striking ''enrollment'' and inserting ''identification of homeless children and youths, and the enrollment,''; and

(II) by striking ''State.'' and inserting ''State, including barriers related to fees, fines, absences, and credit accrual policies.''; and

(viii) in subparagraph (J)—

(I) in clause (ii), by striking ''to carry out'' and inserting ''and assurances that the liaison will have sufficient training and time to carry out'';

(II) in clause (iii), in the matter preceding subclause (I), by striking ''origin, as determined in paragraph (3)(A),'' and inserting ''origin (within the meaning of paragraph (3)(A)), which may include a preschool,''; and

(III) in subclauses (I) and (II) of clause (iii), by striking ''homeless'' each place it appears;

(B) in paragraph (3)—

(i) in subparagraph (A)(i)(I), by striking ''or'' at the end and inserting ''and'';

(ii) in subparagraph (B)—

(I) by striking ''BEST INTEREST'' and inserting ''SCHOOL STABILITY'';

(II) by redesignating clause (iii) as clause (iv);

(III) by striking clauses (i) and (ii) and inserting the following:

''(i) presume that keeping the child or youth in the school of origin is in the child's or youth's best interest, except when doing so is contrary to the request of the child's or youth's parent or guardian, or (in the case of an unaccompanied youth) the youth;

''(ii) consider factors related to the child's or youth's best interest, including factors related to the impact of mobility on achievement, health, and safety of homeless children and youth, giving priority to the request of the child's or youth's parent or guardian or (in the case of an unaccompanied youth) the youth;

''(iii) if after carrying out clauses (i) and (ii) the local educational agency sends the child or youth to a school other than the school of origin or a school requested as described in clause (ii), provide a written explanation, including a statement regarding the right to appeal under subparagraph (E), to the child's or youth's parent or guardian, or (in the case of an unaccompanied youth) the youth; and''; and

(IV) in that clause (iv), by inserting ''and takes into account'' after ''considers'';

(iii) by striking subparagraph (C) and inserting the following:

''(C) IMMEDIATE ENROLLMENT.—

''(i) IN GENERAL.—The school selected in accordance with this paragraph shall immediately enroll the homeless child or youth, even if the child or youth—

''(I) is unable to produce records normally required for enrollment, such as previous academic records, records of immunization and other required health records, proof of residency, or other documentation; or

''(II) has missed application or enrollment deadlines during any period of homelessness.

''(ii) RELEVANT ACADEMIC RECORDS.—The enrolling school shall immediately contact the school last attended by the child or youth to obtain relevant academic and other records.

''(iii) RELEVANT HEALTH RECORDS.—If the child or youth needs to obtain immunizations or health records, the enrolling school shall immediately refer the parent or guardian of the child or youth or (in the case of an unaccompanied youth) the youth, to the local educational agency liaison designated under paragraph (1)(J)(ii), who shall assist in obtaining necessary immunizations or screenings, or health records, in accordance with subparagraph (D).'';

(iv) in subparagraph (D)—

(I) in the matter preceding clause (i), by striking ''medical records'' and inserting ''health records''; and

(II) in clause (i), by inserting ''involved'' after ''records'';

(v) in subparagraph (E)—

(I) in the matter preceding clause (i), by striking ''If'' and all that follows through ''school—'' and inserting ''If a dispute arises over eligibility for enrollment, school selection, or enrollment in a public school, including a public preschool—'';

(II) in clause (i), by inserting before the semicolon the following: '', including all available appeals''; and

(III) by striking clause (ii) and inserting the following:

''(ii) the parent or guardian of the child or youth or (in the case of an unaccompanied youth) the youth shall be provided with a written explanation of any decisions related to school selection or enrollment made by the school, the local educational agency, or the State educational agency involved, including the rights of the parent, guardian, or unaccompanied youth to appeal such decisions;'';

(vi) by striking subparagraph (G) and inserting the following:

''(G) PRIVACY.—Information about a homeless child's or youth's living situation shall be treated as a student education record, and not as directory information, under section 444 of the General Education Provisions Act (20 U.S.C. 1232g).''; and

(vii) by adding at the end the following:

''(I) SCHOOL OF ORIGIN DEFINED.—In this paragraph:

''(i) IN GENERAL.—The term 'school of origin' means the school that a child or youth attended when permanently housed or the school in which the child or youth was last enrolled.

''(ii) RECEIVING SCHOOL.—In the case of a child or youth who completed the final grade level served by the school of origin, as described in clause (i), the term 'school of origin' shall include the designated receiving school at the next grade level.'';

(C) in paragraph (4)—

(i) in subparagraph (A), by inserting before the period the following '', which may include transportation to a preschool'';

(ii) in subparagraph (B), by striking ''and educational'' and all that follows and inserting ''educational programs for English learners, charter school programs, and magnet school programs.''; and

(iii) in subparagraph (C), by striking ''vocational'' and inserting ''career'';

(D) in paragraph (5)—

(i) in subparagraph (A)—

(I) in clause (i), by striking ''programs providing'' and inserting ''entities providing''; and

(II) in clause (ii), by striking ''such as transportation or'' and inserting ''including transportation and'';

(ii) in subparagraph (C)—

(I) by redesignating clauses (i) and (ii) as clauses (ii) and (iii), respectively;

(II) by inserting before clause (ii), as redesignated by subclause (I), the following:

''(i) ensure that all homeless children and youths are promptly identified;''; and

(III) in clause (ii), as redesignated by subclause (I), by striking ''have access and'' and inserting ''have access to and are in''; and

(iii) by adding at the end the following:

''(D) HOMELESS CHILDREN AND YOUTHS WITH DISABILITIES.—For children and youths who are to be assisted both under this subtitle, and under the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.), each local educational agency shall coordinate the provision of services under this subtitle with the provision of programs for children with disabilities served by that local educational agency and other involved local educational agencies.'';

(E) in paragraph (6)—

(i) in subparagraph (A)—

(I) by redesignating clauses (iv) through (vii) as clauses (v) through (viii), respectively;

(II) by striking clause (iii) and inserting the following:

''(iii) homeless families and homeless children and youths have access to and receive educational services for which such families, children, and youths are eligible, including services through Head Start programs (including Early Head Start programs) under the Head Start Act (42 U.S.C. 9831 et seq.), early intervention services under part C of the Individuals with Disabilities Education Act (20 U.S.C. 1431 et seq.), and other preschool programs administered by the local educational agency;

''(iv) homeless families and homeless children and youths receive referrals to health care services, dental services, mental health and substance abuse services, housing services, and other appropriate services;'';

(III) by striking clause (vi), as redesignated by subclause (I), and inserting the following:

''(vi) public notice of the educational rights of homeless children and youths is disseminated in locations frequented by parents and guardians of such children and youths, and unaccompanied youths, including schools, shelters, public libraries, and soup kitchens, in a manner and form understandable to the parents and guardians of homeless children and youths, and unaccompanied youths;'';

(IV) in clause (vii), as redesignated by subclause (I), by striking ''and'' at the end;

(V) in clause (viii), as redesignated by subclause (I), by striking the period and inserting a semicolon; and

(VI) by adding at the end the following:

''(ix) school personnel providing services under this subtitle receive professional development and other support; and

''(x) unaccompanied youths—

''(I) are enrolled in school;

''(II) have opportunities to meet the same challenging State academic standards as the State establishes for other children and youth, including through implementation of the procedures under paragraph (1)(F)(ii); and

''(III) are informed of their status as independent students under section 480 of the Higher Education Act of 1965 (20 U.S.C. 1087vv) and may obtain assistance to receive verification of such status for purposes of the Free Application for Federal Student Aid described in section 483 of such Act (20 U.S.C. 1090).'';

(ii) in subparagraph (B), by striking ''and advocates'' and all that follows and inserting ''advocates working with homeless families, parents and guardians of homeless children and youths, and homeless children and youths who are in secondary school, of the duties of the local educational agency liaisons, and publish an annually updated list of the liaisons on the State educational agency's website.'';

(iii) in subparagraph (C), by adding at the end the following: ''Such coordination shall include collecting and providing to the State coordinator the reliable, valid, and comprehensive information and data needed to meet the requirements of paragraphs (1) and (3) of subsection (f).''; and

(iv) by adding at the end the following:

''(D) PROFESSIONAL DEVELOPMENT.—As determined appropriate by the State coordinator, the local educational agency liaisons shall participate in the professional development activities provided, and other technical assistance activities provided pursuant to paragraphs (5) and (6) of subsection (f), by the State coordinator.''; and

(F) in paragraph (7)—

(i) in subparagraph (A), by striking ''that receives'' and all that follows through ''enrollment'' and inserting ''shall review and revise any policies that may act as barriers to the identification of homeless children and youths or enrollment''; and

(ii) in subparagraph (C), by striking ''enrollment'' and inserting ''identification, enrollment,''; and

(7) by striking subsection (h).

SEC. 10103. LOCAL EDUCATIONAL AGENCY SUBGRANTS.

Section 723 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11433) is amended—

(1) in subsection (a)—

(A) in paragraph (1), by inserting ''identification of homeless children and youths and'' before ''enrollment,''; and

(B) in paragraph (2)(B), in the matter preceding clause (i), by inserting ''the related'' before ''schools'';

(2) in subsection (b), by adding at the end the following:

''(6) An assurance that the local educational agency will collect and promptly provide the information and data requested by the State coordinator pursuant to paragraphs (1) and (3) of section 722(f).

''(7) An assurance that the applicant will meet the requirements of section 722(g)(3).'';

(3) in subsection (c)—

(A) in paragraph (2)—

(i) in the matter preceding subparagraph (A), by striking ''preschool, elementary, and secondary schools'' and inserting ''early childhood education and other preschool programs, elementary schools, and secondary schools,'';

(ii) in subparagraph (A), by inserting ''identification,'' before ''enrollment,'';

(iii) in subparagraph (B), by striking ''application—'' and all that follows and inserting ''application reflects coordination with other local and State agencies that serve homeless children and youths.''; and

(iv) in subparagraph (C), by inserting ''(as of the date of submission of the application)'' after ''practice'';

(B) in paragraph (3)—

(i) in subparagraph (C), by inserting ''extent to which the applicant will promote meaningful'' after ''The'';

(ii) in subparagraph (D), by striking ''within'' and inserting ''into'';

(iii) by redesignating subparagraph (G) as subparagraph (I);

(iv) by inserting after subparagraph (F) the following:

''(G) The extent to which the local educational agency will use the subgrant to leverage resources.

''(H) How the local educational agency uses funds to serve homeless children and youths under section 1113(a)(4) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6313(a)(4)).''; and

(v) in subparagraph (I), as redesignated by clause (iii), by striking ''Such'' and inserting ''The extent to which the applicant's program meets such''; and

(4) in subsection (d)—

(A) in paragraph (1), by striking ''the same challenging State academic content standards and challenging State student academic achievement standards'' and inserting ''the same challenging State academic standards as'';

(B) in paragraph (2)—

(i) by striking ''students with limited English proficiency'' and inserting ''English learners''; and

(ii) by striking ''vocational'' and inserting ''career'';

(C) in paragraph (3), by striking ''pupil services'' and inserting ''specialized instructional support services'';

(D) in paragraph (7), by striking ''and unaccompanied youths,'' and inserting ''particularly homeless children and youths who are not enrolled in school,'';

(E) in paragraph (9), by striking ''medical'' and inserting ''other health'';

(F) by striking paragraph (10) and inserting the following:

''(10) The provision of education and training to the parents and guardians of homeless children and youths about the rights of, and resources available to, such children and youths, and the provision of other activities designed to increase the meaningful involvement of parents and guardians of homeless children or youths in the education of the children or youths.'';

(G) in paragraph (12), by striking ''pupil services'' and inserting ''specialized instructional support services'';

(H) in paragraph (13), by inserting before the period the following: ''or parental mental health or substance abuse problems''; and

(I) in paragraph (16), by striking ''to attend school'' and inserting ''to enroll, attend, and succeed in school (including a preschool program)''.

SEC. 10104. SECRETARIAL RESPONSIBILITIES.

Section 724 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11434) is amended—

(1) by striking subsection (c) and inserting the following:

''(c) NOTICE.—

''(1) IN GENERAL.—The Secretary shall, before the next school year that begins after the date of enactment of the Every Child Achieves Act of 2015, update and disseminate nationwide the public notice described in this subsection (as in effect prior to such date) of the educational rights of homeless children and youths.

''(2) DISSEMINATION.—The Secretary shall disseminate the notice nationally to all Federal agencies, and grant recipients, serving homeless families or homeless children and youth.'';

(2) by striking subsection (d) and inserting the following:

''(d) EVALUATION, DISSEMINATION, AND TECHNICAL ASSISTANCE.—The Secretary shall conduct evaluation, dissemination, and technical assistance activities for programs designed to meet the educational needs of homeless elementary and secondary school students, and may use funds appropriated under section 726 to conduct such activities.'';

(3) in subsection (f), by adding at the end the following: ''The Secretary shall provide support and technical assistance to State educational agencies, concerning areas in which documented barriers to a free appropriate public education persist.'';

(4) by striking subsection (g) and inserting the following:

''(g) GUIDELINES.—The Secretary shall develop, issue, and publish in the Federal Register, not later than 60 days after the date of enactment of the Every Child Achieves Act of 2015, guidelines concerning ways in which a State—

''(1) may assist local educational agencies to implement the provisions related to homeless children and youth amended by that Act; and

''(2) may review and revise State policies and procedures that may present barriers to the identification of homeless children and youth, and the enrollment, attendance, and success of homeless children and youths in school.'';

(5) in subsection (h)—

(A) in the matter preceding subparagraph (A), by striking ''periodically'' and inserting ''periodically but not less frequently than once every 2 years,'';

(B) in subparagraph (A), by striking ''location'' and all that follows and inserting ''location (in cases in which location can be identified) of homeless children and youth, in all areas served by local educational agencies under this subtitle;'';

(C) in subparagraph (C), by striking ''and'' at the end;

(D) by redesignating subparagraph (D) as subparagraph (E); and

(E) by inserting after subparagraph (C) the following:

''(D) the academic progress being made by homeless children and youth, including the percentage or number of homeless children and youth participating in State assessments under section 1111(b)(2) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311(b)(2)); and''; and

(6) in subsection (i), by striking ''McKinney-Vento Homeless Education Assistance Improvements Act of 2001'' and inserting ''Every Child Achieves Act of 2015''.

SEC. 10105. DEFINITIONS.

(a) AMENDMENTS.—Section 725 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11434a) is amended—

(1) in paragraph (2)(B)(i), by striking ''or are awaiting foster care placement;''; and

(2) in paragraph (6), by striking ''youth'' and inserting ''homeless child or youth''.

(b) EFFECTIVE DATE.—

(1) IN GENERAL.—In the case of a State that is not a covered State, the amendment made by subsection (a)(1) shall take effect on the date that is 1 year after the date of enactment of this Act.

(2) COVERED STATE.—In the case of a covered State, the amendment made by subsection (a)(1) shall take effect on the date that is 2 years after the date of enactment of this Act.

(c) COVERED STATE.—For purposes of this section the term ''covered State'' means a State that has a statutory law that defines or describes the phrase ''awaiting foster care placement'', for purposes of a program under subtitle B of title VII of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11431 et seq.).

SEC. 10106. AUTHORIZATION OF APPROPRIATIONS.

Section 726 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11435) is amended to read as follows:

''SEC. 726. AUTHORIZATION OF APPROPRIATIONS.

''There are authorized to be appropriated to carry out this subtitle such sums as may be necessary for each of fiscal years 2016 through 2021.''.

PART B—OTHER LAWS; MISCELLANEOUS

SEC. 10201. USE OF TERM ''HIGHLY QUALIFIED'' IN OTHER LAWS.

Beginning on the date of the enactment of this Act, any reference in law to the term ''highly qualified'', as defined in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801), shall be treated as a reference to such term under section 9101 of the Elementary and Secondary Education Act of 1965 as in effect on the day before the date of the enactment of this Act.

SEC. 10202. DEPARTMENT STAFF.

The Secretary of Education shall—

(1) not later than 90 days after the date of the enactment of this Act—

(A) identify the number of Department of Education employees who worked on or administered each education program and project authorized under the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.), as such program or project was in effect on the day before such enactment date, and publish such information on the Department of Education's website; and

(B) identify the number of full-time equivalent employees who work on or administer programs or projects that—

(i) were authorized under the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.), as in effect on the day before such enactment date; and

(ii) have been eliminated or consolidated since such date; and

(2) not later than 1 year after the date of the enactment of this Act, prepare and submit a report to Congress on—

(A) the number of employees associated with each program or project authorized under the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.) administered by the Department, disaggregated by employee function with each such program or project;

(B) the number of full-time equivalent employees who were determined to be associated with eliminated or consolidated programs or projects under paragraph (1)(B); and

(C) how the Secretary addressed the findings of paragraph (1)(B) relating to the number of full-time equivalent employees who worked on or administered programs or projects authorized under the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.), as in effect on the day before such enactment date, that have been eliminated or consolidated since such date.

SEC. 10203. REPORT ON DEPARTMENT ACTIONS TO ADDRESS OFFICE OF THE INSPECTOR GENERAL CHARTER SCHOOL REPORTS.

Not later than 6 months after the date of enactment of this Act, the Secretary of Education shall prepare and submit to the Committee on Health, Education, Labor, and Pensions of the Senate, the Committee on Education and the Workforce of the House of Representatives, and the relevant appropriations committees of Congress, and to the public via the Department's website, a report containing an update on the Department of Education's continued implementation of the recommendations—

(1) responding to the March 9, 2010, final management information report of the Office of the Inspector General of the Department of Education, which expressed concern about findings of inadequate oversight by local educational agencies and authorized public chartering agencies to ensure Federal funds are properly used and accounted for;

(2) responding to the September 2012 report of the Office of the Inspector General of the Department of Education entitled ''The Office of Innovation and Improvement's Oversight and Monitoring of the Charter Schools Program's Planning and Implementation Grants Final Audit Report'' finding that none of the 3 States whose charter schools programs that Office investigated adequately monitored the public charter schools that the States funded; and

(3) describing actions the Department of Education has taken to address the concerns described in such memorandum and final audit report.

SA 2090. Mr. WHITEHOUSE submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

At the end, add the following:

TITLE XI—PROTECTING STUDENTS FROM SEXUAL AND VIOLENT PREDATORS

SEC. 11001. SHORT TITLE.

This title may be cited as the ''Protecting Students from Sexual and Violent Predators Act''.

SEC. 11002. DEFINITIONS.

In this title—

(1) the terms ''elementary school'', ''local educational agency'', ''secondary school'', ''State'', and ''State educational agency'' have the meanings given the terms in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801);

(2) the term ''covered local educational agency'' means a local educational agency that receives funds under the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.);

(3) the term ''covered school'' means an elementary school or secondary school that receives funds under the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.);

(4) the term ''covered State'' means a State that receives funds under the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.);

(5) the term ''covered State educational agency'' means a State educational agency that receives funds under the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.);

(6) the term ''current school employee'' means a school employee who has begun employment with a covered school, covered State educational agency, or covered local educational agency or an employee of any person or company who has a contract or agreement to provide services with a covered school, covered local educational agency, or covered State educational agency before the effective date of this title;

(7) the term ''designated State agency'' means the agency designated in section 11003(d)(1)(A); and

(8) the term ''school employee'' means—

(A) an employee of, or a person seeking employment with, a covered school, covered local educational agency, or covered State educational agency and who, as a result of such employment, has (or, in the case of a person seeking employment, will have) a job duty that includes unsupervised contact or interaction with elementary school or secondary school students; or

(B) any person, or an employee of any person, who has a contract or agreement to provide services with a covered school, covered local educational agency, or covered State educational agency, and such person or employee, as a result of such contract or agreement, has a job duty that includes unsupervised contact or interaction with elementary school or secondary school students.

SEC. 11003. BACKGROUND CHECKS.

(a) IN GENERAL.—Each covered State shall ensure that the State has in effect laws, regulations, or policies and procedures requiring that—

(1) a criminal background check be conducted for each school employee in a manner that is consistent with title VII of the Civil Rights Act of 1964 (42 U.S.C. 2000e et seq.) and otherwise meets the requirements of this section, including—

(A) a search of the State criminal registry or repository of the State in which the school employee resides;

(B) a search of State-based child abuse and neglect registries and databases of the State in which the school employee resides;

(C) a Federal Bureau of Investigation fingerprint check using the Integrated Automated Fingerprint Identification System, conducted in accordance with section 11006; and

(D) a search of the National Sex Offender Registry established under section 119 of the Adam Walsh Child Protection and Safety Act of 2006 (42 U.S.C. 16919); and

(2) each criminal background check conducted under paragraph (1) be periodically repeated or updated in accordance with State law or the policies of the covered State educational agency or the covered local educational agencies in the State.

(b) TIMING OF BACKGROUND CHECKS.—

(1) CURRENT SCHOOL EMPLOYEES.—For a current school employee—

(A) the criminal background check required under subsection (a) shall be completed by not later than 3 years after the effective date of this title or by the date of the current school employee's next scheduled performance review as provided by State law (including regulations), whichever is first; and

(B) the employment of the current school employee shall not be terminated by reason of this title while the criminal background check is being conducted.

(2) ALL OTHER SCHOOL EMPLOYEES.—For any school employee who is not a current school employee, the criminal background check required under subsection (a) shall be completed before the school employee begins employment.

(c) EXCEPTION FOR CURRENT SCHOOL EMPLOYEES WITH PRIOR BACKGROUND CHECKS.—

(1) IN GENERAL.—A covered State shall not be required to obtain a criminal background check under subsection (a)(1) for a current school employee if—

(A)(i) the current school employee has received 1 or more criminal background checks (whether on one occasion or on separate occasions) that included—

(I) a search of the State criminal registry or repository of the State in which the current school employee resides;

(II) a search of the State-based child abuse and neglect registries and databases of the State in which the current school employee resides;

(III) a Federal Bureau of Investigation fingerprint check using the Integrated Automated Fingerprint Identification System, conducted in accordance with section 11006; and

(IV) a search of the National Sex Offender Registry established under section 119 of the Adam Walsh Child Protection and Safety Act of 2006 (42 U.S.C. 16919); or

(ii) the current school employee has received 1 or more criminal background checks (whether on one occasion or on separate occasions) that included 1 or more of the searches and checks described in subclauses (I) through (IV) of clause (i), and the designated State agency ensures that a criminal background check including all of the remaining searches and checks described in such subclauses is conducted for the current school employee within the timeframe established by subsection (b)(1)(A);

(B) each of the searches and checks described in subclauses (I) through (IV) of subparagraph (A)(i) were conducted for the school employee, whether as part of 1 criminal background check or on separate occasions, on or after the date that is 5 years before the effective date of this title;

(C) the appropriate Federal, State, or local agency provides the results of all the searches and checks described in subclauses (I) through (IV) of subparagraph (A)(i) to the appropriate body, as designated by State law or the policies of the covered State educational agency or the employing covered local educational agency; and

(D) the appropriate body, as designated by State law or the policies of the covered State agency or covered local educational agency, takes steps to verify all criminal background checks in accordance with State law or the policies of the covered State educational agency or the employing covered local educational agency.

(2) CONTINUED EMPLOYMENT DURING VERIFICATION PERIOD.—

(A) CONTINUED EMPLOYMENT.—During any period during which the requirements of paragraph (1) are being verified for a current school employee—

(i) the employing covered State educational agency, covered local educational agency, or covered school shall not terminate the employment of the covered school employee or reduce the employee's pay or benefits by reason of this title; and

(ii) nothing in this title shall be construed to prohibit the covered State educational agency, covered local educational agency, or covered school from transferring the employee to a position not meeting the criteria of section 11002(8) during such period of verification.

(3) PERIODIC UPDATING.—Each covered State shall ensure that the State has in effect laws, regulations, or policies and procedures requiring that, for each current school employee who meets the requirements of this title through paragraph (1), all of the searches and checks described in paragraph (1)(A)(i) be periodically repeated or updated through a criminal background check, in accordance with State law or the policies of the covered State educational agency or the covered local educational agencies in the State.

(d) CONFIDENTIALITY OF AND ACCESS TO BACKGROUND CHECKS.—

(1) CONFIDENTIALITY.—Each covered State shall have in effect laws, regulations, or policies and procedures that—

(A) designate a single State agency to administer the criminal background checks required under subsection (a) and paragraphs (1)(A)(ii) and (3) of subsection (c); and

(B) require that information obtained through a criminal background check under subsection (a) or (c) shall only be revealed to the school employee, the designated representative of the school employee, and persons authorized by the State to receive the information in order to make employment decisions.

(2) COPY OF BACKGROUND CHECK RESULTS.—

(A) UPON REQUEST.—Upon a request by a school employee, the designated State agency shall directly provide a copy of the results of the criminal background check conducted pursuant to subsection (a) or (c) to the school employee or to the school employee's designated representative.

(B) UPON TERMINATION OR DISQUALIFICATION.—If a school employee is terminated or disqualified from employment under subparagraphs (B) through (D) of section 11004(a)(3), the designated State agency shall provide the school employee with a copy of the results of any criminal background check conducted under this title.

(e) APPEALS PROCESS.—

(1) IN GENERAL.—Each covered State shall have in effect laws, regulations, or policies and procedures—

(A) providing for a process by which a school employee may appeal the results of a criminal background check conducted pursuant to subsection (a) or (c) to challenge the accuracy or completeness of the information yielded by the criminal background check; and

(B) ensuring that—

(i) each school employee shall be given prompt notice of the opportunity to appeal;

(ii) each school employee will receive instructions about how to complete the appeals process; and

(iii) the appeals process is completed no later than 30 days after the appeal is filed for each school employee.

(2) EMPLOYMENT STATUS OF CURRENT SCHOOL EMPLOYEES FILING AN APPEAL.—If a current school employee is disqualified from employment under section 11004(a) but files an appeal under this subsection, during the pendency of the appeal, such employee shall not lose employment or face a reduction in pay or benefits. During the pendency of the appeal, the employing covered State educational agency, covered local educational agency, or covered school may place the school employee in a capacity where the school employee's job duties do not include unsupervised contact or interaction with children.

(f) PUBLICATION OF POLICIES AND PROCEDURES.—Each covered State shall ensure that the laws, regulations, or policies and procedures required under this section are published on the website of the covered State educational agency and the website of each covered local educational agency that has a website as of the effective date of this title.

(g) FEES FOR BACKGROUND CHECKS.—

(1) REQUIREMENT FOR REASONABLE FEES.—The Attorney General of the United States, and the State Attorney General or other State law enforcement official of a covered State, may charge a fee for conducting a criminal background check under subsection

(a) or (c) if the amount of the fee does not exceed the actual costs to the Federal Government or the State, as the case may be, for processing and administration.

(2) ADMINISTRATIVE FUNDS.—A covered State educational agency or covered local educational agency may use administrative funds received under the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.) to pay any reasonable fees charged for conducting criminal background checks under subsection (a) or (c).

SEC. 11004. PROHIBITION ON HIRING & TRANSFER.

(a) PROHIBITION ON HIRING.—Each covered State shall have in effect laws, regulations, or policies and procedures that prohibit any covered State educational agency, covered local educational agency, or covered school from employing an individual as a school employee if such employee—

(1) refuses to consent to a criminal background check under section 11003;

(2) makes a knowingly false statement in connection with a criminal background check under section 11003; or

(3) has been convicted of a felony consisting of—

(A) murder, as described in section 1111 of title 18, United States Code;

(B) child abuse;

(C) child pornography; or

(D) a crime involving rape or sexual assault, except for statutory rape where the victim and perpetrator engaged in consensual sexual conduct, the victim and perpetrator were both under the age of 21, and the victim and perpetrator differed in age by not more than 3 years at the time of the offense.

(b) REVIEW.—

(1) IN GENERAL.—Each covered State shall have in effect laws, regulations, or policies and procedures that establish a timely review process, not to exceed 30 days from the date that an appeal is received by the State, through which the State may determine that, notwithstanding paragraph (2) or (3) of subsection (a), a school employee identified under paragraph (2) or (3) of subsection (a) is eligible for employment with the covered State educational agency, covered local educational agency, or covered school. The review process shall be an individualized assessment consistent with title VII of the Civil Rights Act of 1964 (42 U.S.C. 2000e et seq.) and may include consideration of the following factors:

(A) Nature and seriousness of the offense.

(B) Circumstances under which the offense was committed.

(C) Lapse of time since the offense was committed or the individual was released from prison.

(D) Individual's age at the time of the offense.

(E) Social conditions that may have fostered the offense.

(F) Relationship of the nature of the offense to the position sought.

(G) Number of criminal convictions.

(H) Honesty and transparency of the candidate in admitting the conviction record.

(I) Individual's work history, including evidence that the individual performed the same or similar work, post-conviction, with the same or different employer, with no known incidents of criminal conduct.

(J) Evidence of rehabilitation, as demonstrated by the individual's good conduct while in correctional custody or in the community, counseling or psychiatric treatment received, acquisition of additional academic or career or technical schooling, successful participation in a correctional work-release program, or the recommendation of a current or former supervisor of the individual.

(K) Whether the individual is bonded under a Federal, State, or local bonding program.

(L) Any other factor that may lead to the conclusion that the individual does not pose a risk to children.

(2) EMPLOYMENT DURING REVIEW.—During the pendency of the review described in paragraph (1) of a school employee, the employing covered State educational agency, covered local educational agency, or covered school may place the school employee in a capacity where the employee's job duties do not include unsupervised contact or interaction with children.

(c) PROHIBITION ON TRANSFER.—A covered State educational agency, covered local educational agency, covered school, or any employee or agent of a covered State educational agency, covered local educational agency, or covered school, shall not knowingly transfer or facilitate the transfer of any school employee if the agency, school, employee, or agent knows or has reasonable cause to believe that the school employee engaged in abuse of a child, unless—

(1) the allegations of abuse have been properly reported as required by Federal, State, or local law, including title IX of the Education Amendments of 1972 (20 U.S.C. 1681 et seq.) and the regulations implementing such title under part 106 of title 34, Code of Federal Regulations; and

(2) with respect to the allegations—

(A) no prosecution is undertaken by local or Federal prosecutors within 1 year of the report;

(B) the local prosecutors have indicated that the individual will not be charged; or

(C) the school employee has been charged and exonerated of the charges, as defined by law or by regulations or policies of the State, covered State educational agency, or applicable covered local educational agency.

SEC. 11005. REPORTING OF ABUSE ALLEGATIONS.

(a) PROHIBITION ON AGREEMENTS TO WITHHOLD ALLEGATIONS.—Each covered State shall have laws, regulations, or policies and procedures that—

(1) prohibit any State educational agency, local educational agency, elementary school, secondary school, or employee or agent of any State educational agency, local educational agency, elementary school, or secondary school, from making any agreement—

(A) to withhold, from any law enforcement authority, State educational agency, local educational agency, elementary school, or secondary school, the reporting of the fact that an allegation of child abuse in an educational setting has been made against a school employee or volunteer; or

(B) to waive any portion of subsection (c); and

(2) provide that the punishment for any violation of paragraph (1) is not less than the punishment for a violation of the State's law requiring mandatory reporting of concerns of child abuse and neglect.

(b) IMMUNITY FROM LIABILITY FOR REPORTING.—Each covered State shall have laws, regulations, or policies and procedures ensuring that, notwithstanding any other Federal, State, or local law or any agreement or contract, any State educational agency, local educational agency, elementary school, secondary school, or employee or agent of any State educational agency, local educational agency, elementary school, or secondary school who reasonably and in good faith reports to law enforcement officials information regarding allegations of child abuse or a resignation or voluntary suspension due to circumstances described in subsection (a)(1) shall have immunity from any civil or criminal liability.

(c) WARNINGS TO OTHER EDUCATIONAL AGENCIES AND SCHOOLS.—Each covered State shall have in effect laws, regulations, or policies and procedures ensuring that, notwithstanding any other Federal, State, or local law or any agreement or contract, if the State educational agency or any local educational agency, elementary school, secondary school, or employee or agent of the State educational agency, local educational agency, elementary school, or secondary school, has reasonably and in good faith reported to law enforcement officials information regarding allegations of child abuse in an educational setting made against a school employee, and the circumstances described in section 11004(c)(2) do not apply to such allegations, the agency, school, employee, or agent may share the report with any other State educational agency, local educational agency, elementary school, or secondary school that is considering hiring that school employee.

(d) TRAINING.—Notwithstanding any other provision of this title, a local educational agency may use funds provided under part A of title II of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6601 et seq.) to train school employees in—

(1) recognizing signs of abuse, neglect, or sexual abuse in students;

(2) properly identifying and reporting suspected child physical or sexual abuse, including appropriate behaviors by school personnel and inappropriate behaviors, such as grooming behaviors (defined as actions deliberately undertaken with the aim of befriending and establishing an emotional connection with a child to lower the child's inhibitions in order to sexually abuse the child); and

(3) effectively responding to incidents of child physical and sexual abuse, including linking students and families to law enforcement, school, community, mental health, or medical supports.

SEC. 11006. FBI REQUIREMENTS FOR FINGERPRINT CHECKS.

Notwithstanding any other provision of law, if a fingerprint check by the Federal Bureau of Investigation, conducted pursuant to section 11003(a) or in accordance with section 11003(c) after the effective date of this title, reveals a record that indicates that an individual was arrested or criminal proceedings were instituted against an individual, but that does not include the final disposition of the arrest or proceeding, the Federal Bureau of Investigation shall—

(1) further investigate the school employee's criminal history until the earlier of—

(A) the date on which the Bureau is able to determine whether a final disposition was reached and what the final disposition was; or

(B) 3 business days (exclusive of the day on which the initial request is made) after the date of the initial request;

(2) notify the State through the designated State agency of the results of the further investigation; and

(3) promptly correct the record, including by making deletions to the record, if the Federal Bureau of Investigations determined that the record was inaccurate.

SEC. 11007. RULES OF CONSTRUCTION.

Nothing in this title shall be construed to—

(1) alter or otherwise affect the rights and remedies provided for school employees residing in a State that disqualifies individuals for employment as a school employee based on convictions for crimes not specifically listed in this title;

(2) prevent a State or locality from applying the requirements of this title to State educational agencies, local educational agencies, elementary schools, or secondary schools that do not receive funds under the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.); or

(3) create a private right of action against a State educational agency, local educational agency, elementary school, secondary school, or an employee or agent of a State educational agency, local educational agency, elementary school, or secondary school that is in compliance with this title and with any laws, regulations, or policies and procedures promulgated pursuant to this title.

SEC. 11008. EFFECTIVE DATE.

This title shall take effect on the date that is 2 years from the date of enactment of this Act.

SA 2091. Mrs. MCCASKILL submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

At the end of title II, insert the following:

SEC. 2007. PROGRAM FOR INTERSTATE TEACHING APPLICATIONS.

Part F of title II, as added by section 2006, is further amended by adding at the end the following:

"SEC. 2602. PROGRAM FOR INTERSTATE TEACHING APPLICATIONS.

''(a) ESTABLISHMENT.—The Secretary may establish and carry out a program to allow States to voluntarily participate in an interstate teaching application process that allows teachers who are licensed or certified in any participating State—

''(1) to be eligible for licensure or certification in other participating States without subsequently completing additional licensure or certification requirements; and

''(2) to be able to apply for open teaching positions in schools that receive funds under part A of title I in other participating States, unless the open position falls outside the applicant's content area or grade level for which the applicant is already licensed or certified.

''(b) PROGRAM REQUIREMENTS.—In carrying out a program established under subsection (a), the Secretary shall—

''(1) create an application for eligible teachers licensed or certified in a State participating in the program who wish to teach in other States participating in the program;

''(2) require each participating State to recognize a teaching licensure or certification of each such teacher who meets the application requirements under subsection (c)(1), and allow such teacher to teach in an open teaching position described in subsection (a)(2), without requiring such teacher to complete additional requirements for licensure or certification;

''(3) ensure that participating States maintain the eligibility requirements described in subsection (d);

''(4) provide technical assistance to participating States; and

''(5) provide an electronic application process for teachers to apply for the program.

''(c) PARTICIPATING TEACHERS.—

''(1) IN GENERAL.—Each teacher seeking to participate in a program established under subsection (a) shall submit an application containing—

''(A) proof of an active teaching license or certification in a participating State;

''(B) the teacher's results on each of the assessments described in subparagraphs (A) through (C) of subsection (d)(1) that are required by the initial licensing or certifying participating State; and

''(C) such other information as the Secretary considers appropriate.

''(2) CONTRACT.—The Secretary shall award a contract to a qualified entity to collect the teacher applications submitted under paragraph (1).

''(d) PARTICIPATING STATES.—A State shall be eligible to participate in a program established under subsection (a) if—

''(1) such State, in awarding a teaching license or certification to an individual, requires—

''(A) an assessment of the content knowledge necessary for postsecondary education and a career before a teacher begins teaching in a classroom;

''(B) an assessment of pedagogical skills not later than 1 year after the date on which a teacher first begins teaching in a classroom; and

''(C) a performance assessment not later than one year after the date on which a teacher first begins teaching, which may include a performance assessment completed as part of a teacher preparation program; and

''(2) the assessments described in paragraph (1) and required by such State are identified as sufficiently rigorous by an organization such as the Council of Chief State School Officers.

''(e) REGULATIONS.—The Secretary may issue such regulations as the Secretary considers necessary to carry out this section.''.

SA 2092. Mrs. MCCASKILL submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

On page 284, between lines 11 and 12, insert the following:

''(xxi) Enabling States, as a consortium, to voluntarily develop a process that allows teachers who are licensed or certified in a participating State to teach in other participating States without completing additional licensure or certification requirements, except that nothing in this clause shall be construed to allow the Secretary to exercise any direction, supervision, or control over State teacher licensing or certification requirements.

SA 2093. Mr. FRANKEN (for himself, Ms. BALDWIN, Mr. BENNET, Mr. BOOKER, Mrs. BOXER, Mr. BROWN, Ms. CANTWELL, Mr. CARDIN, Mr. CARPER, Mr. CASEY, Mr. COONS, Mr. DURBIN, Mrs. FEINSTEIN, Mrs. GILLIBRAND, Mr. HEINRICH, Ms. HEITKAMP, Ms. HIRONO, Mr. KAINE, Ms. KLOBUCHAR, Mr. LEAHY, Mr. MARKEY, Mr. MANCHIN, Mrs. MCCASKILL, Mr. MENENDEZ, Mr. MERKLEY, Ms. MIKULSKI, Mr. MURPHY, Mrs. MURRAY, Mr. PETERS, Mr. REED, Mr. SANDERS, Mr. SCHATZ, Mr. SCHUMER, Mrs. SHAHEEN, Ms. STABENOW, Mr. TESTER, Mr. UDALL, Ms. WARREN, Mr. WHITEHOUSE, Mr. WYDEN, and Mr. KIRK) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

At the end of part B of title X, insert the following:

SEC. ____. STUDENT NON-DISCRIMINATION.

(a) SHORT TITLE.—This section may be cited as the ''Student Non-Discrimination Act of 2015''.

(b) FINDINGS AND PURPOSES.—

(1) FINDINGS.—Congress makes the following findings:

(A) Public school students who are lesbian, gay, bisexual, or transgender (referred to in this section as ''LGBT''), or are perceived to be LGBT, or who associate with LGBT people, have been and are subjected to pervasive discrimination, including harassment, bullying, intimidation, and violence, and have been deprived of equal educational opportunities, in schools in every part of the Nation.

(B) While discrimination of any kind is harmful to students and to the education system, actions that target students based on sexual orientation or gender identity represent a distinct and severe problem that remains inadequately addressed by current Federal law.

(C) Numerous social science studies demonstrate that discrimination at school has contributed to high rates of absenteeism, academic underachievement, dropping out, and adverse physical and mental health consequences among LGBT youth.

(D) When left unchecked, discrimination in schools based on sexual orientation or gender identity can lead, and has led, to life-threatening violence and to suicide.

(E) Public school students enjoy a variety of constitutional rights, including rights to equal protection, privacy, and free expression, which are infringed when school officials engage in or fail to take prompt and effective action to stop discrimination on the basis of sexual orientation or gender identity.

(F) Provisions of Federal statutory law expressly prohibit discrimination on the basis of race, color, sex, religion, disability, and national origin. The Department of Education and the Department of Justice, as well as numerous courts, have correctly interpreted the prohibitions on sex discrimination to include discrimination based on sex stereotypes and gender identity, even when that sex-based discrimination coincides or overlaps with discrimination based on sexual orientation. However, the absence of express Federal law prohibitions on discrimination on the basis of sexual orientation and gender identity has created unnecessary uncertainty that risks limiting access to legal remedies under Federal law for LGBT students and their parents.

(2) PURPOSES.—The purposes of this section are—

(A) to ensure that all students have access to public education in a safe environment free from discrimination, including harassment, bullying, intimidation, and violence, on the basis of sexual orientation or gender identity;

(B) to provide a comprehensive Federal prohibition of discrimination in public schools based on actual or perceived sexual orientation or gender identity;

(C) to provide meaningful and effective remedies for discrimination in public schools based on actual or perceived sexual orientation or gender identity;

(D) to invoke congressional powers, including the power to enforce the 14th Amendment to the Constitution of the United States and to provide for the general welfare pursuant to section 8 of article I of the Constitution and the power to make all laws necessary and proper for the execution of the foregoing powers pursuant to section 8 of article I of the Constitution, in order to prohibit discrimination in public schools on the basis of sexual orientation or gender identity; and

(E) to allow the Department of Education and the Department of Justice to effectively combat discrimination based on sexual orientation and gender identity in public schools, through regulation and enforcement, as the Departments have issued regulations under and enforced title IX of the Education Amendments of 1972 (20 U.S.C. 1681 et seq.) and other nondiscrimination laws in a manner that effectively addresses discrimination.

(c) DEFINITIONS AND RULE.—

(1) DEFINITIONS.—For purposes of this section:

(A) EDUCATIONAL AGENCY.—The term ''educational agency'' means a local educational agency, an educational service agency, or a State educational agency, as those terms are defined in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

(B) GENDER IDENTITY.—The term ''gender identity'' means the gender-related identity, appearance, or mannerisms or other gender-related characteristics of an individual, with or without regard to the individual's designated sex at birth.

(C) HARASSMENT.—The term ''harassment'' means conduct that is sufficiently severe, persistent, or pervasive to limit a student's ability to participate in or benefit from a program or activity of a public school or educational agency, including acts of verbal, nonverbal, or physical aggression, intimidation, or hostility, if such conduct is based on—

(i) a student's actual or perceived sexual orientation or gender identity; or

(ii) the actual or perceived sexual orientation or gender identity of a person with whom a student associates or has associated.

(D) PROGRAM OR ACTIVITY.—The terms ''program or activity'' and ''program'' have the same meanings given such terms as applied under section 606 of the Civil Rights Act of 1964 (42 U.S.C. 2000d–4a) to the operations of public entities under paragraph (2)(B) of such section.

(E) PUBLIC SCHOOL.—The term ''public school'' means an elementary school (as the term is defined in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801)) that is a public institution, and a secondary school (as so defined) that is a public institution.

(F) SEXUAL ORIENTATION.—The term ''sexual orientation'' means homosexuality, heterosexuality, or bisexuality.

(G) STUDENT.—The term ''student'' means an individual within the age limits for which the State provides free public education who is enrolled in a public school or who, regardless of official enrollment status, attends classes or participates in the programs or activities of a public school or local educational agency.

(2) RULE.—Consistent with Federal law, in this section the term ''includes'' means ''includes but is not limited to''.

(d) PROHIBITION AGAINST DISCRIMINATION.—

(1) IN GENERAL.—No student shall, on the basis of actual or perceived sexual orientation or gender identity of such individual or of a person with whom the student associates or has associated, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.

(2) HARASSMENT.—For purposes of this section, discrimination includes harassment of a student on the basis of actual or perceived sexual orientation or gender identity of such student or of a person with whom the student associates or has associated.

(3) RETALIATION PROHIBITED.—

(A) PROHIBITION.—No person shall be excluded from participation in, be denied the benefits of, or be subjected to discrimination, retaliation, or reprisal under any program or activity receiving Federal financial assistance based on the person's opposition to conduct made unlawful by this section.

(B) DEFINITION.—For purposes of this paragraph, ''opposition to conduct made unlawful by this section'' includes—

(i) opposition to conduct believed to be made unlawful by this section or conduct that could be believed to become unlawful under this section if allowed to continue;

(ii) any formal or informal report, whether oral or written, to any governmental entity, including public schools and educational agencies and employees of the public schools or educational agencies, regarding conduct made unlawful by this section, conduct believed to be made unlawful by this section, or conduct that could be believed to become unlawful under this section if allowed to continue;

(iii) participation in any investigation, proceeding, or hearing related to conduct made unlawful by this section, conduct believed to be made unlawful by this section, or conduct that could be believed to become unlawful under this section if allowed to continue; and

(iv) assistance or encouragement provided to any other person in the exercise or enjoyment of any right granted or protected by this section,

if in the course of that expression, the person involved does not purposefully provide information known to be false to any public school or educational agency or other governmental entity regarding conduct made unlawful by this section, or conduct believed to be made unlawful by this section, or conduct that could be believed to become unlawful under this section if allowed to continue.

(e) FEDERAL ADMINISTRATIVE ENFORCEMENT; REPORT TO CONGRESSIONAL COMMITTEES.—

(1) REQUIREMENTS.—Each Federal department and agency which is empowered to extend Federal financial assistance to any education program or activity, by way of grant, loan, or contract other than a contract of insurance or guaranty, is authorized and directed to effectuate the provisions of subsection (d) with respect to such program or activity by issuing rules, regulations, or orders of general applicability which shall be consistent with achievement of the objectives of the statute authorizing the financial assistance in connection with which the action is taken. No such rule, regulation, or order shall become effective unless and until approved by the President.

(2) ENFORCEMENT.—Compliance with any requirement adopted pursuant to this subsection may be effected—

(A) by the termination of or refusal to grant or to continue assistance under such program or activity to any recipient as to whom there has been an express finding on the record, after opportunity for hearing, of a failure to comply with such requirement, but such termination or refusal shall be limited to the particular political entity, or part thereof, or other recipient as to whom such a finding has been made, and shall be limited in its effect to the particular program, or part thereof, in which such noncompliance has been so found; or

(B) by any other means authorized by law, except that no such action shall be taken until the department or agency concerned has advised the appropriate person or persons of the failure to comply with the requirement and has determined that compliance cannot be secured by voluntary means.

(3) REPORTS.—In the case of any action terminating, or refusing to grant or continue, assistance because of failure to comply with a requirement imposed pursuant to this subsection, the head of the Federal department or agency shall file with the committees of the House of Representatives and Senate having legislative jurisdiction over the program or activity involved a full written report of the circumstances and the grounds for such action. No such action shall become effective until 30 days have elapsed after the filing of such report.

(f) PRIVATE CAUSE OF ACTION.—

(1) PRIVATE CAUSE OF ACTION.—Subject to paragraph (3), and consistent with the cause of action recognized under title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq.) and title IX of the Education Amendments of 1972 (20 U.S.C. 1681 et seq.), an aggrieved individual may bring an action in a court of competent jurisdiction, asserting a violation of this section. Aggrieved individuals may be awarded all appropriate relief, including equitable relief, compensatory damages, and costs of the action.

(2) RULE OF CONSTRUCTION.—This subsection shall not be construed to preclude an aggrieved individual from obtaining remedies under any other provision of law or to require such individual to exhaust any administrative complaint process or notice of claim requirement before seeking redress under this subsection.

(3) STATUTE OF LIMITATIONS.—For actions brought pursuant to this subsection, the statute of limitations period shall be determined in accordance with section 1658(a) of title 28, United States Code. The tolling of any such limitations period shall be determined in accordance with the law governing actions under section 1979 of the Revised Statutes (42 U.S.C. 1983) in the State in which the action is brought.

(g) CAUSE OF ACTION BY THE ATTORNEY GENERAL.—The Attorney General is authorized to institute for or in the name of the United States a civil action for a violation of this section in any appropriate district court of the United States against such parties and for such relief as may be appropriate, including equitable relief and compensatory damages. Whenever a civil action is instituted for a violation of this section, the Attorney General may intervene in such action upon timely application and shall be entitled to the same relief as if the Attorney General had instituted the action. Nothing in this section shall adversely affect the right of any person to sue or obtain relief in any court for any activity that violates this section, including regulations promulgated pursuant to this section.

(h) STATE IMMUNITY.—

(1) STATE IMMUNITY.—A State shall not be immune under the 11th Amendment to the Constitution of the United States from suit in Federal court for a violation of this section.

(2) WAIVER.—A State's receipt or use of Federal financial assistance for any program or activity of a State shall constitute a waiver of sovereign immunity, under the 11th Amendment or otherwise, to a suit brought by an aggrieved individual for a violation of subsection (d).

(3) REMEDIES.—In a suit against a State for a violation of this section, remedies (including remedies both at law and in equity) are available for such a violation to the same extent as such remedies are available for such a violation in the suit against any public or private entity other than a State.

(i) ATTORNEY'S FEES.—Section 722(b) of the Revised Statutes (42 U.S.C. 1988(b)) is amended by inserting ''the Student Non-Discrimination Act of 2015,'' after ''Religious Land Use and Institutionalized Persons Act of 2000,''.

(j) EFFECT ON OTHER LAWS.—

(1) FEDERAL AND STATE NONDISCRIMINATION LAWS.—Nothing in this section shall be construed to preempt, invalidate, or limit rights, remedies, procedures, or legal standards available to victims of discrimination or retaliation, under any other Federal law or law of a State or political subdivision of a State, including titles IV and VI of the Civil Rights Act of 1964 (42 U.S.C. 2000c et seq., 2000d et seq.), title IX of the Education Amendments of 1972 (20 U.S.C. 1681 et seq.), section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794), the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.), or section 1979 of the Revised Statutes (42 U.S.C. 1983). The obligations imposed by this section are in addition to those imposed by titles IV and VI of the Civil Rights Act of 1964 (42 U.S.C. 2000c et seq., 2000d et seq.), title IX of the Education Amendments of 1972 (20 U.S.C. 1681 et seq.), section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794), the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.), and section 1979 of the Revised Statutes (42 U.S.C. 1983).

(2) FREE SPEECH AND EXPRESSION LAWS AND RELIGIOUS STUDENT GROUPS.—Nothing in this section shall be construed to alter legal standards regarding, or affect the rights available to individuals or groups under, other Federal laws that establish protections for freedom of speech and expression, such as legal standards and rights available to religious and other student groups under the First Amendment and the Equal Access Act (20 U.S.C. 4071 et seq.).

(k) SEVERABILITY.—If any provision of this section, or any application of such provision to any person or circumstance, is held to be unconstitutional, the remainder of this section, and the application of the provision to any other person or circumstance shall not be impacted.

(l) EFFECTIVE DATE.—This section shall take effect 60 days after the date of enactment of this section and shall not apply to conduct occurring before the effective date of this section.

SA 2094. Mr. TOOMEY (for himself, Mr. MANCHIN, Mr. COTTON, Mr. MCCAIN, Mr. GARDNER, and Mr. VITTER) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; as follows:

At the end of title IX, add the following:

SEC. _____. PROTECTING CHILDREN FROM CHILDREN FROM CONVICTED PEDOPHILES, CHILD MOLESTERS, AND OTHER SEX OFFENDERS.

Title IX (20 U.S.C. 7801 et seq.), as amended by this title, is further amended by adding at the end the following:

"PART H—SCHOOL EMPLOYEE BACKGROUND CHECKS

"SEC. 9651. SHORT TITLE.

"This part may be cited as the 'Protecting Students from Sexual and Violent Predators Act'.

"SEC. 9652. DEFINITION OF SCHOOL EMPLOYEE.

"In this part, the term 'school employee' means—

"(1) a person who—

"(A) is an employee of, or is seeking employment with, an elementary school, secondary school, local educational agency, or State educational agency, that receives funds under this Act; and

"(B) as a result of such employment, has (or will have) a job duty that results in unsupervised access to elementary school or secondary school students; or

"(2) a person, or an employee of a person, who—

"(A) has a contract or agreement to provide services with an elementary school, secondary school, local educational agency, or State educational agency, that receives funds under this Act; and

"(B) as a result of such contract or agreement, the person or employee, respectively, has a job duty that results in unsupervised access to elementary school or secondary school students.

"SEC. 9653. BACKGROUND CHECKS.

"(a) BACKGROUND CHECKS.—Not later than 2 years after the date of enactment of the Every Child Achieves Act of 2015, each State educational agency, or each local educational agency in any case where State law designates a local educational agency to carry out the requirements of this part, that receives funds under this Act shall, as a condition of receiving such funds, have in effect policies and procedures that—

"(1) require that a criminal background check be conducted for each school employee that includes—

"(A) a search of the State criminal registry or repository of the State in which the school employee resides;

"(B) a search of State-based child abuse and neglect registries and databases of the State in which the school employee resides;

"(C) a Federal Bureau of Investigation fingerprint check using the Integrated Automated Fingerprint Identification System; and

"(D) a search of the National Sex Offender Registry established under section 119 of the Adam Walsh Child Protection and Safety Act of 2006 (42 U.S.C. 16919);

"(2) prohibit the employment of a school employee as a school employee if such employee—

"(A) refuses to consent to a criminal background check under paragraph (1);

"(B) makes a false statement in connection with such criminal background check;

"(C) has been convicted of a felony consisting of—

"(i) murder;

"(ii) child abuse or neglect;

"(iii) a crime against children, including child pornography;

"(iv) spousal abuse;

"(v) a crime involving rape or sexual assault;

"(vi) kidnapping;

"(vii) arson; or

"(viii) physical assault, battery, or a drug-related offense, committed on or after the date that is 5 years before the date of such employee's criminal background check under paragraph (1); or

"(D) has been convicted of any other crime that is a violent or sexual crime against a minor;

"(3) require that each criminal background check conducted under paragraph (1) be periodically repeated or updated in accordance with State law or the policies of local educational agencies served by the State educational agency;

"(4) upon request, provide each school employee who has had a criminal background check under paragraph (1) with a copy of the results of the criminal background check;

"(5) provide for a timely process, by which a school employee may appeal, but which does not permit the employee to be employed as a school employee during such appeal, the results of a criminal background check conducted under paragraph (1) which prohibit the employee from being employed as a school employee under paragraph (2) to—

"(A) challenge the accuracy or completeness of the information produced by such criminal background check; and

"(B) establish or reestablish eligibility to be hired or reinstated as a school employee by demonstrating that the information is materially inaccurate or incomplete, and has been corrected;

"(6) ensure that such policies and procedures are published on the website of the State educational agency and the website of each local educational agency served by the State educational agency; and

"(7) allow a local educational agency to share the results of a school employee's criminal background check recently conducted under paragraph (1) with another local educational agency that is considering such school employee for employment as a school employee.

"(b) FEES FOR BACKGROUND CHECKS.—

"(1) CHARGING OF FEES.—The Attorney General, attorney general of a State, or other State law enforcement official may charge reasonable fees for conducting a criminal background check under subsection (a)(1), but such fees shall not exceed the actual costs for the processing and administration of the criminal background check.

"(2) ADMINISTRATIVE FUNDS.—A local educational agency or State educational agency may use administrative funds received under this Act to pay any reasonable fees charged for conducting such criminal background check.

"PART I—BAN ON AIDING AND ABETTING CHILD SEXUAL ABUSE THROUGH 'PASSING THE TRASH'

"SEC. 9661. BAN ON AIDING AND ABETTING CHILD SEXUAL ABUSE THROUGH 'PASSING THE TRASH'.

"Each State or State educational agency, or each local educational agency in any case where State law designates a local educational agency to carry out the requirements of this part, that receives funds under this Act shall, as a condition of receiving such funds, have in effect laws, regulations, or policies and procedures that prohibit any agency or person from transferring, or facilitating the transfer of, any school employee if the agency or person knows, or recklessly disregards information showing, that such school employee engaged in sexual misconduct with a minor in violation of law.".

SA 2095. Mr. PETERS submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; as follows:

On page 172, line 25, insert "financial literacy activities and" before "adult education".

SA 2096. Mr. KAINE (for himself, Mr. MERKLEY, Ms. AYOTTE, and Ms. BALDWIN) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

On page 759, line 3, insert "career and technical education," after "music,".

SA 2097. Mr. BROWN submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize

the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

Beginning on page 494, strike line 1 and all that follows through page 544, line 9, and insert the following:

SEC. 5002. PUBLIC CHARTER SCHOOLS.

Part A of title V (20 U.S.C. 7221 et seq.), as redesignated by section 5001(5), is amended—

(1) by striking sections 5101 through 5105, as redesignated by section 5001(7), and inserting the following:

"SEC. 5101. PURPOSE.

''It is the purpose of this part to—

''(1) provide authorization and support for public charter schools providing elementary or secondary education as a means to test and learn from innovations aimed at improving the education of all students and strengthening public education;

''(2) evaluate the impact of such schools on student achievement, families, and communities, and share best practices among charter schools and other public schools;

''(3) expand opportunities for children with disabilities, students who are English learners, and other traditionally underserved students to attend charter schools and meet the challenging State academic standards under section 1111(b)(1); and

''(4) support efforts to strengthen the charter school authorizing process to improve performance management, including transparency, monitoring, including financial audits, and evaluation of such schools.

"SEC. 5102. PROGRAM AUTHORIZED.

''(a) IN GENERAL.—The Secretary may award grants to eligible State educational agencies having applications approved pursuant to section 5103(f) to enable such agencies to conduct a charter school grant program in accordance with this part, by—

''(1) supporting the startup of charter schools that are evaluated by the charter school authorizer for quality and local impact;

''(2) supporting the replication and expansion of high-quality charter schools;

''(3) assisting charter schools in accessing credit to acquire and renovate facilities for school use; and

''(4) carrying out national activities to support—

''(A) the dissemination of best and promising practices between and among magnet, traditional district, and charter schools;

''(B) the evaluation of the impacts of the charter school program under this part on educational quality and equity for students, and the overall strength of public education in local communities; and

''(C) stronger charter school authorizing.

''(b) FUNDING ALLOTMENT.—From the amount made available under section 5113 for a fiscal year, the Secretary shall—

''(1) reserve 12.5 percent to support charter school facilities assistance under section 5104;

''(2) reserve not more than 25 percent to carry out section 5103A and section 5105; and

''(3) use the remaining amount after the reservations under paragraphs (1) and (2) to carry out section 5103.

''(c) PRIOR GRANTS AND SUBGRANTS.—The recipient of a grant or subgrant under this part (as such part was in effect on the day before the date of enactment of the Every Child Achieves Act of 2015) shall continue to receive funds in accordance with the terms and conditions of such grant or subgrant.

"SEC. 5103. GRANTS TO SUPPORT HIGH-QUALITY CHARTER SCHOOLS.

''(a) PROGRAM AUTHORIZED.—From the amount available under section 5102(b)(3), the Secretary shall award, on a competitive basis, grants to eligible State educational agencies having applications approved under subsection (f) to enable such eligible State educational agencies to—

''(1) award subgrants to eligible applicants to enable such eligible applicants to—

''(A) support the startup of charter schools that are thoroughly vetted by the authorizer for quality and local impact;

''(B) replicate or expand high-quality charter schools, which may include—

''(i) supporting the acquisition, expansion, or preparation of a charter school building to meet increasing enrollment needs, including financing the development of a new building and ensuring that a school building complies with applicable statutes and regulations;

''(ii) paying costs associated with hiring additional teachers to serve additional students;

''(iii) providing transportation to students to and from the charter school;

''(iv) providing instructional materials, implementing teacher and principal or other school leader professional development programs, and hiring additional nonteaching staff;

''(v) supporting any necessary activities that assist the charter school in carrying out this section; and

''(vi) providing early childhood education programs for children, including direct support to, and coordination with, school or community based early childhood education programs; or

''(C) in the case of the closure or dissolution of a charter school, transfer students and student records to another school in the school district in which the charter school is located; and

''(2) provide technical assistance to eligible applicants and charter school authorizers in carrying out the activities described in paragraph (1), and work with charter school authorizers in the State to improve authorizing quality, including developing capacity for and conducting fiscal oversight and auditing of charter schools.

''(b) ELIGIBLE STATE EDUCATIONAL AGENCY DEFINED.—For purposes of this section, the term 'eligible State educational agencies' are State educational agencies with all of the following student, family, community and taxpayer protection laws and policies in place:

''(1) STATE LAW AUTHORIZING THE CREATION OF CHARTER SCHOOLS.—The State must have a law in force that authorizes the creation and operation of charter schools.

''(2) FIDUCIARY DUTIES AND CONFLICT OF INTEREST RULES.—The State must have legally binding rules establishing fiduciary duties for officers, directors, managers, and employees of charter schools and prohibitions against conflicts of interest among officers, directors, managers, and employees of charter schools, education management organizations, and related entities. Specifically, the State must have legally binding rules—

''(A) providing that charter school officers, directors, managers, and employees occupy positions of trust when they handle the money or property of the charter school;

''(B) prohibiting charter school officers, directors, managers, and employees from dealing with the charter school as an adverse party or acting on behalf of an adverse party in any matter connected with the duties of such officer, director, manager, or employee;

''(C) prohibiting charter school officers, directors, managers, and employees from holding or acquiring any pecuniary or personal interest that conflicts with the interests of the charter school;

''(D) prohibiting education management organizations from entering into any transaction with a related party, including—

''(i) any related entity formed for the purpose of managing or providing support to a charter school or group of related charter schools;

''(ii) any direct or indirect wholly owned subsidiary of any such entity, if the transaction benefits the education management organization, the related party, or both; or

''(iii) any other related party; and

''(E) providing civil remedies and criminal penalties, as applicable, that will apply to a breach of fiduciary duties and prohibited actions described in this paragraph in the same manner that such remedies or penalties apply to a breach of fiduciary duties or an action similar to a prohibited action under this paragraph in the case of officers, directors, managers, and employees of an entity that is not a charter school.

''(3) PUBLIC REMOVAL OF CHARTER SCHOOL GOVERNING BOARD MEMBERS.—The State charter school law shall ensure that a State agency or charter school authorizer has the authority to remove a member of a charter school's governing board if the member has violated the member's fiduciary responsibilities or the applicable conflict of interest rules.

''(4) INDEPENDENT FINANCIAL AUDIT REQUIREMENTS WITH PUBLIC DISCLOSURE.—The State must require that all charter schools, and all education management organizations that enter into management services contracts with charter schools—

''(A) conduct annual, independent audits of their financial statements and submit these required audit reports to the eligible State educational agency; and

''(B) make the required audit reports, including any management letters, publicly available via disclosure by the eligible State educational agency.

''(5) CHARTER SCHOOL ACCESS TO BOOKS AND RECORDS OF EDUCATION MANAGEMENT ORGANIZATIONS.—The State must require that a charter school's governing board have access to all the books and records—

''(A) of any education management organization with which the board has contracted to manage the school; and

''(B) that are applicable to that charter school.

''(6) OPEN MEETINGS AND OPEN RECORDS REQUIREMENTS FOR CHARTER SCHOOLS.—The State must provide that charter schools are covered by the State's open meetings and open records laws to the same extent that public schools and school boards are covered by such laws.

''(7) CHARTER SCHOOL AUTHORIZER AUTHORITY.—The State must have policies in force that provide charter school authorizers with the authority to—

''(A) inspect and obtain copies of any books and records of the charter schools they authorize, including all contracts entered into by the charter schools; and

''(B) conduct a review or audit of educational performance and financial operations of the charter schools they authorize.

''(8) CHARTER SCHOOL AUTHORIZER ACCOUNTABILITY.—The State must have policies holding charter school authorizers responsible for monitoring the educational performance and financial operations of all charter schools that the charter school authorizer has authorized. Such policies must include all of the following:

''(A) Performance standards for charter school authorizers.

''(B) A standardized and public charter school authorizer performance reporting system that discloses, for each authorizer in each school year—

''(i) the number of applications received;

''(ii) the number of applications approved;

''(iii) the name, location, and status of each authorized school; and

''(iv) all charter school closures, decisions to deny renewal of charters, or decisions to cancel charters, including reasons for the closures, nonrenewal decisions, or cancellation decisions.

''(C) The provision of technical assistance to help authorizers meet performance standards.

''(D) Authority on the part of an agency or instrumentality of the State to suspend or revoke an authorizer's ability to authorize charter schools on the basis of poor performance, and policies relating to that authority, including—

''(i) published criteria for such suspensions or revocations based on the educational or financial performance of the schools that are authorized by the charter school authorizer; and

''(ii) a protocol or policy for reassigning authorizer responsibilities for each such school to another appropriate authorizer and assisting with the necessary transition (except in the case of a State that has only one charter school authorizer).

''(E) A policy regarding how charter schools are monitored and held accountable for—

''(i) meeting the requirements described in section 5110(1); and

''(ii) providing equitable access and effectively serving the needs of all students, including students with disabilities and English learners.

''(F) A policy regarding how the charter school authorizer will ensure that the local educational agency that serves a charter school that such charter school authorizer has authorized will comply with subsections (a)(5) and (e)(1)(B) of section 613 of the Individuals with Disabilities Education Act.

''(9) FOR-PROFIT CHARTER SCHOOLS.—The State must have laws in effect that require for-profit charter schools to—

''(A) ensure that the charter school's educational responsibilities take primacy over other purposes, such as generating financial returns for investors, contributing to a related or parent organization, or supporting external interests; and

''(B) include board members who have no significant administrative position and no ownership interest in the charter school or a related party, as described in 5103(b)(2)(D).

''(10) DISTRICTWIDE MULTI-YEAR SCHOOL PLAN.—The State must require local educational agencies, charter school authorizers, and charter schools to jointly develop and regularly update a districtwide multi-year school plan, which shall be coordinated by the charter school authorizer.

''(11) IMPACT STATEMENT.—The State must require that before any new charter school application is approved, the local educational agency that serves the charter school or is in the geographic area of the charter school, in accordance with the districtwide multi-year school plan, shall—

''(A) prepare an impact statement—

''(i) assessing the proposed charter school's impact on the districtwide multi-year school plan; and

''(ii) identifying the role that the charter school intends to fill within the local educational agency;

''(B) make such impact statement available to community members prior to the hearing described in subparagraph (C); and

''(C) hold a community input hearing prior to the determination about the approval or disapproval of a pending charter school application.

''(12) IMPACT REPORT.—The State educational agency must prepare, and publish on the State educational agency website, an annual assessment of the impact of charter schools on local educational agencies in the State, including—

''(A) a review of the flow of funding between sectors, student enrollment trends, and educational outcomes;

''(B) identification of noteworthy innovative or promising practices carried out by charter schools in the State; and

''(C) documentation of efforts that lead to two-way cross sector sharing of promising practices.

''(13) CHARTER SCHOOL DISCLOSURES.—

''(A) IN GENERAL.—Subject to subparagraph (B), the State must require each charter school to publicly disclose, on the school's website, the following:

''(i) The school's charter documents.

''(ii) Any performance agreements in effect between the charter school and the charter school's authorizer.

''(iii) A description of the schools' program, including courses and programs offered.

''(iv) Whether or not transportation services are provided, and any fees for transportation.

''(v) Whether or not meals and snacks are served at school and whether or not free or reduced-price meals are available (and, if so, to which students).

''(vi) Annual student attrition rates by grade level.

''(vii) Student behavior or discipline codes, policies, and processes, including parent appeal options.

''(viii) Annual teacher attrition rates.

''(ix) The amounts of non-public funding sources, including the duration of philanthropic funding commitments.

''(x) The names of legal title holders of land and buildings that the charter school utilizes, along with a description of any public subsidies used directly or indirectly to purchase or lease charter school property.

''(xi) Fees related to incidentals of attendance, and whether any of those fees are waived for certain students (such as for students who are eligible to receive a free or reduced price lunch).

''(xii) Information related to financial and in-kind contributions of support, which shall be—

''(I) the amount and duration of any Federal, State, local, and private financial and in-kind contributions of support, and how such funding and in-kind contributions are spent or used;

''(II) the information required to be submitted to the Office for Civil Rights for the Civil Rights Data Collection; or

''(III) in the case of an organization described in section 501(c)(3) of the Internal Revenue Code that is exempt from taxation under section 501(a) of that Code, the information required to be submitted on any return to be filed under section 6033 of that Code.

''(B) PERSONALLY IDENTIFIABLE INFORMATION.—Notwithstanding the requirements under subparagraph (A), a charter school shall not provide any information under this paragraph that would reveal personally identifiable information about an individual.

''(c) ELIGIBLE STATE EDUCATIONAL AGENCY USES OF FUNDS.—

''(1) IN GENERAL.—An eligible State educational agency receiving a grant under this section shall—

''(A) use not less than 90 percent of the grant funds to award subgrants to eligible applicants, in accordance with the quality charter school program described in the eligible State educational agency's application pursuant to subsection (f), for the purposes described in subsection (a)(1);

''(B) reserve not less than 5 percent of such funds to carry out the activities described in subsection (a)(2);

''(C) reserve not more than 3 percent of such funds for administrative costs, which may include the administrative costs of providing technical assistance; and

''(D) reserve not less than 2 percent of such funds for the oversight of charter school use of Federal, State, and local public funds and private funds, including the investigation of fraud, waste, mismanagement and misconduct and ensuring compliance with paragraphs (2), (4), and (13) of subsection (b), which may be used by—

''(i) the State for oversight of each charter school in the State;

''(ii) local educational agencies for oversight of public charter schools served by the local educational agency; and

''(iii) charter school authorizers for—

''(I) oversight of each charter school that is authorized by such authorizer; and

''(II) coordination of the districtwide multi-year school plan, as described in subsection (b)(10).

''(2) RULES OF CONSTRUCTION.—Nothing in this part shall prohibit the Secretary from awarding grants to eligible State educational agencies, or eligible State educational agencies from awarding subgrants to eligible applicants, that use a weighted lottery, or an equivalent lottery mechanism, to give better chances for school admission to all or a subset of educationally disadvantaged students if—

''(A) the use of a weighted lottery in favor of such students is not prohibited by State law; and

''(B) such weighted lottery is not used for the purpose of creating schools exclusively to serve a particular subset of students.

''(d) PROGRAM PERIODS; PEER REVIEW; DISTRIBUTION OF SUBGRANTS; WAIVERS.—

''(1) PROGRAM PERIODS.—

''(A) GRANTS.—A grant awarded by the Secretary to an eligible State educational agency under this section shall be for a period of not more than 3 years, and may be renewed by the Secretary for one additional 2-year period.

''(B) SUBGRANTS.—A subgrant awarded by an eligible State educational agency under this section—

''(i) shall be for a period of not more than 3 years, of which an eligible applicant may use not more than 18 months for planning and program design; and

''(ii) may be renewed by the eligible State educational agency for one additional 2-year period.

''(2) PEER REVIEW.—The Secretary, and each eligible State educational agency awarding subgrants under this section, shall use a peer-review process to review applications for assistance under this section.

''(3) DISTRIBUTION OF SUBGRANTS.—Each eligible State educational agency awarding subgrants under this section shall award subgrants in a manner that, to the extent practicable and applicable, ensures that such subgrants—

''(A) prioritize eligible applicants that plan to serve a significant number of students from low-income families;

''(B) are distributed throughout different areas, including urban, suburban, and rural areas; and

''(C) will assist charter schools representing a variety of educational approaches.

''(4) WAIVERS.—The Secretary may waive any statutory or regulatory requirement over which the Secretary exercises administrative authority under this Act with respect to charter schools supported under this part, except any such requirement relating to the elements of a charter school, if—

''(A) the waiver is requested in an approved application; and

''(B) the Secretary determines that granting such waiver will promote the purposes of this part.

''(e) LIMITATIONS.—

''(1) GRANTS.—An eligible State educational agency may not receive more than 1 grant under this section at a time.

''(2) SUBGRANTS.—An eligible applicant may not receive more than 1 subgrant under this section for each individual charter school for each grant period or renewal period, unless the eligible applicant demonstrates to the eligible State educational agency that such individual charter school has demonstrated a strong track record of positive results over the course of the grant period regarding the elements described in subparagraphs (A) and (D) of section 5110(8).

''(f) APPLICATIONS.—

''(1) IN GENERAL.—An eligible State educational agency desiring to receive a grant under this section shall submit an application to the Secretary at such time and in such manner as the Secretary may require.

''(2) CONTENTS.—The application shall, in addition to citing the applicable policies necessary to satisfy the grant eligibility criteria set forth in subsection (b), provide a description of the eligible State educational agency's objectives in running a quality charter school program under this section and how the objectives of the program will be carried out, including a description of the following:

''(A) How the eligible State educational agency will—

''(i) support the opening of new charter schools and, if applicable, the replication or expansion of high-quality charter schools, and the proposed number of charter schools to be opened, replicated, or expanded under the eligible State educational agency's program;

''(ii) inform eligible charter schools, developers, and charter school authorizers of the availability of funds under the program;

''(iii) work with eligible applicants to ensure that the eligible applicants access all Federal funds that such applicants are eligible to receive, and help the charter schools supported by the applicants and the students attending those charter schools—

''(I) participate in the Federal programs in which the schools and students are eligible to participate; and

''(II) receive the commensurate share of Federal funds the schools and students are eligible to receive under such programs;

''(iv) ensure each eligible applicant that receives a subgrant under the eligible State educational agency's program—

''(I) is opening or expanding schools that meet the definition of a charter school under section 5110; and

''(II) is prepared to continue to operate such charter schools once the subgrant funds under this section are no longer available;

''(v) support charter schools in local educational agencies with schools that have been identified by the State under section 1114(a)(1)(A);

''(vi) work with charter schools to promote inclusion of all students and support all students upon enrollment in order to promote retention of students in the school;

''(vii) work with charter schools on recruitment practices, including efforts to engage groups that may otherwise have limited opportunities to attend charter schools;

''(viii) promote the sharing of best and promising practices among and across their charter, magnet, and traditional school sectors;

''(ix) ensure that charter schools receiving funds under the eligible State educational agency's program meet the educational needs of their students, including students with disabilities and students who are English learners;

''(x) support efforts to increase charter school quality initiatives, including meeting quality authorizing elements in this part;

''(xi) hold charter schools within such eligible State educational agency's jurisdiction accountable if such schools do not meet the objectives specified in the performance contract described in section 5110(1), including by closing unsuccessful schools; and

''(xii) ensure that local educational agencies within such eligible State educational agency's jurisdiction comply with subsections (a)(5) and (e)(1)(B) of section 613 of the Individuals with Disabilities Education Act.

''(B) The eligible State educational agency's authorizer accountability policies and operations, and plans pursuant to section 5103(b)(8).

''(C) How the eligible State educational agency will ensure that each eligible applicant will solicit and consider input from parents and other members of the community on the implementation and operation of each charter school that will receive funds under the eligible State educational agency's program.

''(D) How the eligible State educational agency will allow for an impartial appeals process for a denial by a charter school authorizer of a developer's application for a charter school.

''(E) How the eligible State educational agency will award subgrants, on a competitive basis, to eligible applicants, on the basis of applications that include—

''(i) the name and address of the public charter school and its mission, purpose, and any specialized innovation of the charter school;

''(ii) a description of the roles and responsibilities of eligible applicants, and of any education management organizations or other organizations with which the eligible applicant will partner to open charter schools, including the administrative and contractual roles and responsibilities of such partners;

''(iii) the proposed governance structure of the school, developed with public input and including, at a minimum, a list of members of the governing board with each member's qualifications, terms, and full financial disclosure of any potential conflicts of interest, including relationships with education management organizations, vendors, or other business dealings with the school or other charter schools;

''(iv) for a traditional public school applying to convert to a charter school, demonstrated support of two-thirds of the families of children attending the school and two-thirds of the school staff for the conversion;

''(v) any contract between the charter school and an education management organization;

''(vi) student recruitment, admission, and retention policies and practices, including a description of how the school provides equitable access and effectively serves the needs of all students, including students with disabilities and English learners, and implements outreach and recruitment practices that include the families of all students;

''(vii) the ages and grades of students and an estimate of the total enrollment of the school to be served by the charter school;

''(viii) the number of staff and school leadership positions, including full-time and part-time employees, and qualifications of employees;

''(ix) a description of the educational program, methodology, and services to be offered to students, including students who are English learners and students with disabilities;

''(x) information about the school's daily hours of operation and number of days in the school year;

''(xi) a description of how the school will engage parents as partners in the education of their children;

''(xii) a description of transportation services provided to and from school for students;

''(xiii) a statement that the school will not discriminate on the basis of race, national origin, gender, sexual orientation and gender identity, ethnicity, disability, academic achievement, or home language and that the school will comply with Federal and State civil rights laws applicable to other publicly funded elementary and secondary schools;

''(xiv) evidence of adequate community support for and interest in the charter school sufficient to allow the school to reach its anticipated enrollment, and an assessment of the projected programmatic and fiscal impact of the school on other public and nonpublic schools in the area;

''(xv) a description of the health and food services to be provided to students attending the school, including whether the school participates in any free or reduced price lunch programs;

''(xvi) methods and strategies for serving students with disabilities, students who are English learners, and students who are homeless, including compliance with all applicable Federal laws;

''(xvii) a description of the procedures to be followed in the case of the closure or dissolution of the charter school, including—

''(I) provisions for the transfer of students and student records to the school district in which the charter school is located, which transfer activities may be carried out using funds under this part;

''(II) the amount of funds that will be held in escrow annually to fund closure or dissolution related costs; and

''(III) unless State law requires otherwise, procedures for the disposition of the charter school's assets to the local educational agency that serves the charter school or is in the geographic area of the charter school;

''(xviii) the hiring and personnel policies and procedures of the school;

''(xix) a description of the manner by which employees of the charter school will be covered by the State teachers' retirement system, the public employees' retirement system, or other pension or retirement plan as well as compensation, health, and other benefits provided to the school's employees;

''(xx) for the purposes of a traditional public school that seeks to convert to a public charter school, how the charter school will comply with the same public sector labor relations laws and regulations as required of traditional public schools, including collective bargaining rights of the employees of the charter school, as applicable under State law;

''(xxi) a statement that the public charter school will conduct or arrange for the performance of annual independent financial audits and submit the audits to the eligible State educational agency;

''(xxii) a 3-year plan to sustain the maintenance, operation, and fiscal stability of the school;

''(xxiii) a statement that the school will maintain a public online site with information as required in this section, and as otherwise provided in Federal, State, and local requirements applicable to other public schools, and a statement that the public charter school will participate in an independent evaluation, and any other evaluations or assessments, in the time and manner determined by the eligible State educational agency; and

''(xxiv) a description of the quality controls agreed to between the eligible applicant and the authorizer, such as a contract

or a performance agreement or financial audits to ensure adequate fiscal oversight.

''(F) In the case of an eligible State educational agency that partners with an outside organization to carry out the entity's quality charter school program, in whole or in part, a description of the roles and responsibilities of the partner.

''(G) How the eligible State educational agency will help the charter schools receiving funds under the eligible State educational agency's program address the transportation needs of the schools' students.

''(3) ASSURANCES.—The application shall, in addition to the information described in paragraph (2), include assurances that the eligible State educational agency will ensure that the charter school authorizer of any charter school that receives funds under the eligible State educational agency's program—

''(A) ensures that the charter school under the authority of such agency is meeting the requirements of this Act, part B of the Individuals with Disabilities Education Act, title VI of the Civil Rights Act of 1964, and section 504 of the Rehabilitation Act of 1973;

''(B) adequately monitors and provides adequate technical assistance to each charter school under the authority of such agency in recruiting, enrolling, retaining, and meeting the needs of all students, including children with disabilities and students who are English learners; and

''(C) ensures that each such charter school solicits and considers input from parents and other members of the community on the implementation and operation of the school.

''(g) PARENT INFORMATION AND RIGHTS.—

''(1) As a condition for eligibility for funding under this part, eligible State educational agencies shall—

''(A) ensure that each charter school in the State provides the information described in paragraph (2) to the parents of the students who attend the charter school in a manner that is—

''(i) concise;

''(ii) presented in an understandable and uniform format and, to the extent practicable, in a language that parents can understand; and

''(iii) widely accessible to the public; and

''(B) make such information available on a single webpage of the State educational agency's website.

''(2) Such information shall include, at a minimum, each of the following:

''(A) Information about the charter school's mission, educational programs, and services.

''(B) The charter application and the approved charter document for the school, as well as any performance or other agreements in effect between the charter school and its authorizer.

''(C) Rules and policies regarding student behavior and student disciplinary policies and practices, including suspension and expulsion policies.

''(D) Information about the provision of meals and snacks, including—

''(i) the number and type of meals and snacks served each day;

''(ii) whether such meals and snacks are fully or partially subsidized; and

''(iii) information about student eligibility for free and reduced price lunch programs.

''(E) Information about transportation to and from the school, including any transportation that is free or subsidized to students and the eligibility requirements for free or subsidized transportation.

''(F) Recruitment and admission policies and practices used at each charter school site.

''(G) Information about the school's daily, weekly, and school year schedule, including hours of operation and number of days in the school year.

''(H) The number of years that the public charter school has operated.

''(I) The maximum number of students in each classroom by grade.

''(J) Staff qualifications (including school leadership) and languages spoken by staff.

''(K) Fees related to incidentals of attendance (other than tuition), and whether any of those fees are waived for certain students (such as for students who are eligible to receive a free or reduced price lunch).

''(L) Data on attendance and the number of suspensions and expulsions by school year, in total and disaggregated by each of the categories of students, as defined in section 1111(b)(3)(A).

''(M) Annual student attrition rates by grade level.

''(N) Annual teacher attrition rates and numbers, disaggregated by grade level and teaching subject matter, years of experience, and credential.

''(O) Procedures for parents, students, and school employees to appeal school decisions and the procedures and processes for such appeals.

''(P) Other information that would assist a parent in making a decision to enroll a child in the public charter school.

''(3) Notwithstanding the requirements under paragraph (2), a charter school shall not provide any information under this subsection that would reveal personally identifiable information about an individual.

''(h) SELECTION CRITERIA; PRIORITY.—The Secretary shall award grants to eligible State educational agencies under this section on the basis of—

''(1) the quality of the applications submitted;

''(2) the performance record of the charter sector in the applicant State, including in the areas of promoting high student achievement and growth, identification and use of instructional and other educational program innovations to strengthen public education, financial management, student safety, and compliance with applicable policies; and

''(3) the eligible State educational agency's plan to solicit and consider input from parents and other members of the community on the implementation and operation of the charter schools in the State.

''(i) STATE EVALUATION AND REPORT.—

''(1) IN GENERAL.—Beginning not later than 2 years after the date of enactment of the Every Child Achieves Act, each eligible State educational agency receiving a grant under this section shall enter into a contract for an independent evaluation of the charter schools in the State, which shall be carried out on an annual basis. The State educational agency may use grant funds under this section to pay the cost of the independent evaluation and related reporting.

''(2) SUBMISSION TO THE SECRETARY; PUBLIC AVAILABILITY.—Each such independent evaluation shall be submitted to the Secretary and shall also be made publicly available on the website of the agency.

''(3) CONTENTS.—The independent evaluation described in paragraph (1) shall include an evaluation of the following:

''(A) An assessment of the cumulative impact of charter schools on local educational agencies within the State, including on the flows of funding between sectors, student enrollment trends, staffing, and educational outcomes, along with recommendations for any changes to laws, regulations, or policies to address identified problems.

''(B) A compilation of profiles of public charter school and other charter schools in the State relating to demographic information on student enrollment and retention.

''(C) Staff and leadership qualifications, demographic information and retention information regarding staff, and academic and nonacademic programs provided, in charter schools in the State.

''(D) The academic achievement of students in each public charter school in the State, as compared to students enrolled in other public charter schools within the same local educational agency and as compared to other students enrolled in all public schools in the local educational agency, accounting for differences in student populations served, programs and services provided, and public and nonpublic funding available in the schools students are attending.

''(E) Adequacy of funding and resource distribution among public charter schools and noncharter public schools in the State, accounting for differences in student populations served and programs and services provided.

''(F) Recommendations for any changes to laws, regulations, or policies that would facilitate improvement of student outcomes in public charter schools in the State.

''(G) Recommendations for improvements in equity, transparency, and accountability of public charter schools in the State to the public and the parents and staff at such public charter schools.

''(H) Identification of best and promising practices within the sectors of public schools, private schools, and charter schools, in the State and the extent to which these are being shared to improve educational outcomes as a whole, barriers to effective sharing, and recommendations for how to reduce such barriers, in the State.

''(I) How the eligible State educational agency has worked with charter schools receiving funds under the State educational agency's program to foster community involvement in the planning for and opening of such schools.

''SEC. 5103A. GRANTS FOR THE REPLICATION AND EXPANSION OF HIGH-QUALITY CHARTER SCHOOLS.

''(a) IN GENERAL.—From amounts reserved under section 5102(b)(2), the Secretary shall make grants, on a competitive basis, to eligible entities having applications approved under this section to enable such eligible entities to replicate a high-quality charter school or expand a high-quality charter school.

''(b) ELIGIBLE ENTITY DEFINED.—For purposes of this section, the term 'eligible entity' means an entity that—

''(1)(A) is a charter management organization that, at the time of the application, operates or manages one or more high-quality charter schools; or

''(B) is a nonprofit organization that oversees and coordinates the activities of a group of such charter management organizations; and

''(2)(A) operates in a State that meets the requirements of section 5103(b); or

''(B) if the entity does not operate in such a State, the Secretary has certified that the eligible entity has policies and controls in place that are in compliance with section 5103(b) and the Secretary has determined that awarding a grant under this section to the entity will promote the purposes of this part.

''(c) APPLICATION REQUIREMENTS.—An eligible entity desiring to receive a grant under this section shall submit an application to the Secretary at such time and in such manner as the Secretary may require. The application shall include the following:

''(1) Each item that is required for an application as described in clauses (i) through (xxiv) of section 5103(f)(2)(E), except that the term 'eligible entity' shall be substituted for the term 'eligible applicant'.

''(2) A description of the eligible entity's objectives for implementing a high-quality charter school program with funding under this section, including a description of the proposed number of high-quality charter schools to be replicated or expanded with funding under this section.

''(3) A description of the educational program that the eligible entity will implement in the charter schools that the eligible entity proposes to replicate or expand, including information on how the program will enable all students to meet the challenging State academic standards under section 1111(b)(1), the grade levels or ages of students that will be served, and the instructional practices that will be used.

''(4) A multi-year financial and operating model for the eligible entity, including a description of how the operation of the charter schools to be replicated or expanded will be sustained after the grant under this section has ended.

''(5) A description of how the eligible entity will inform all students in the community, including children with disabilities, students who are English learners, and other educationally disadvantaged students, about the charter schools to be replicated or expanded with funding under this section.

''(6) For each charter school currently operated or managed by the eligible entity—

''(A) student assessment results for all students and for each category of students described in section 1111(b)(2)(B)(xi); and

''(B) attendance and student retention rates for the most recently completed school year and, if applicable, the most recent available 4-year adjusted cohort graduate rate and extended-year adjusted cohort graduation rate (as such rates were calculated on the day before enactment of the Every Child Achieves Act of 2015).

''(7) Information on any significant compliance issues encountered, within the last 3 years, by any school operated or managed by the eligible entity, including in the areas of student safety and financial management.

''(8) An assurance that the eligibly entity will comply with the requirements of—

''(A) section 5103(f)(3); and

''(B) section 5103(g).

''(d) SELECTION CRITERIA.—The Secretary shall select eligible entities to receive grants under this section, on the basis of the quality of—

''(1) the selection criteria described in section 5103(h);

''(2) the eligible entity's financial and operating model, including the quality of the eligible entity's plan for sustaining the operation of the charter schools to be replicated or expanded after the grant under this section has ended;

''(3) a determination that the eligible entity has not operated or managed a significant proportion of charter schools that—

''(A) have been closed;

''(B) have had a school charter revoked due to problems with statutory or regulatory compliance; or

''(C) have had the school's affiliation with the eligible entity revoked; and

''(4) a determination that the eligible entity has not experienced significant problems with statutory or regulatory compliance that could lead to the revocation of a school's charter.

''(e) PRIORITY.—In awarding grants under this section, the Secretary shall give priority to eligible entities that operate or manage charter schools that, in the aggregate, serve students at least 60 percent of whom are eligible for a free or reduced price lunch under the Richard B. Russell National School Lunch Act.

''(f) TERMS AND CONDITIONS.—Except as otherwise provided in this section, grants awarded under this section shall have the same terms and conditions as grants awarded to eligible State educational agencies under section 5103.

''SEC. 5104. FACILITIES FINANCING ASSISTANCE.

''(a) GRANTS TO ELIGIBLE ENTITIES.—

''(1) IN GENERAL.—From the amount reserved under section 5102(b)(1), the Secretary shall use not less than 50 percent to award not less than 3 grants, on a competitive basis, to eligible entities that have the highest-quality applications approved under subsection (d) to demonstrate innovative methods of helping charter schools to address the cost of acquiring, constructing, and renovating facilities by enhancing the availability of loans or bond financing.

''(2) ELIGIBLE ENTITY DEFINED.—For the purposes of this section, the term 'eligible entity' means an entity with at least an upper medium grade credit rating, which shall be—

''(A) a public entity, such as a State or local governmental entity;

''(B) a private nonprofit entity; or

''(C) a consortium of entities described in subparagraphs (A) and (B).

''(b) GRANTEE SELECTION.—The Secretary shall evaluate each application submitted under subsection (d), and shall determine whether the application is sufficient to merit approval.

''(c) GRANT CHARACTERISTICS.—Grants under subsection (a) shall be of a sufficient size, scope, and quality so as to ensure an effective demonstration of an innovative means of enhancing credit for the financing of charter school acquisition, construction, or renovation.

''(d) APPLICATIONS.—

''(1) IN GENERAL.—An eligible entity desiring to receive a grant under this section shall submit an application to the Secretary in such form as the Secretary may reasonably require.

''(2) CONTENTS.—An application submitted under paragraph (1) shall contain—

''(A) a statement identifying the activities that the eligible entity proposes to carry out with funds received under subsection (a), including how the eligible entity will determine which charter schools will receive assistance, and how much and what types of assistance charter schools will receive;

''(B) a description of the involvement of charter schools in the application's development and the design of the proposed activities;

''(C) a description of the eligible entity's expertise in capital market financing;

''(D) a description of how the proposed activities will leverage the maximum amount of private-sector financing capital relative to the amount of government funding used and otherwise enhance credit available to charter schools, including how the entity will offer a combination of rates and terms more favorable than the rates and terms that a charter school could receive without assistance from the entity under this section;

''(E) a description of how the eligible entity possesses sufficient expertise in education to evaluate the likelihood of success of a charter school program for which facilities financing is sought; and

''(F) in the case of an application submitted by a State governmental entity, a description of the actions that the entity has taken, or will take, to ensure that charter schools within the State receive the funding that charter schools need to have adequate facilities.

''(e) CHARTER SCHOOL OBJECTIVES.—An eligible entity receiving a grant under this section shall use the funds deposited in the reserve account established under subsection (f) to assist one or more charter schools to access private sector capital to accomplish one or more of the following objectives:

''(1) The acquisition (by purchase, lease, donation, or otherwise) of an interest (including an interest held by a third party for the benefit of a charter school) in improved or unimproved real property that is necessary to commence or continue the operation of a charter school.

''(2) The construction of new facilities, including predevelopment costs, or the renovation, repair, or alteration of existing facilities, necessary to commence or continue the operation of a charter school.

''(3) The predevelopment costs required to assess sites for purposes of paragraph (1) or (2) and which are necessary to commence or continue the operation of a charter school.

''(f) RESERVE ACCOUNT.—

''(1) USE OF FUNDS.—To assist charter schools in accomplishing the objectives described in subsection (e), an eligible entity receiving a grant under subsection (a) shall, in accordance with State and local law, directly or indirectly, alone or in collaboration with others, deposit the funds received under subsection (a) (other than funds used for administrative costs in accordance with subsection (g)) in a reserve account established and maintained by the eligible entity for this purpose. Amounts deposited in such account shall be used by the eligible entity for one or more of the following purposes:

''(A) Guaranteeing, insuring, and reinsuring bonds, notes, evidences of debt, loans, and interests therein, the proceeds of which are used for an objective described in subsection (e).

''(B) Guaranteeing and insuring leases of personal and real property for an objective described in such subsection.

''(C) Facilitating financing by identifying potential lending sources, encouraging private lending, and other similar activities that directly promote lending to, or for the benefit of, charter schools.

''(D) Facilitating the issuance of bonds by charter schools, or by other public entities for the benefit of charter schools, by providing technical, administrative, and other appropriate assistance (including the recruitment of bond counsel, underwriters, and potential investors and the consolidation of multiple charter school projects within a single bond issue).

''(2) INVESTMENT.—Funds received under this section and deposited in the reserve account established under paragraph (1) shall be invested in obligations issued or guaranteed by the United States or a State, or in other similarly low-risk securities.

''(3) REINVESTMENT OF EARNINGS.—Any earnings on funds received under subsection (a) shall be deposited in the reserve account established under paragraph (1) and used in accordance with this subsection.

''(g) LIMITATION ON ADMINISTRATIVE COSTS.—An eligible entity may use not more than 2.5 percent of the funds received under subsection (a) for the administrative costs of carrying out its responsibilities under this section (excluding subsection (k)).

''(h) AUDITS AND REPORTS.—

''(1) FINANCIAL RECORD MAINTENANCE AND AUDIT.—The financial records of each eligible entity receiving a grant under subsection (a) shall be maintained in accordance with generally accepted accounting principles and shall be subject to an annual audit by an independent public accountant.

''(2) REPORTS.—

''(A) GRANTEE ANNUAL REPORTS.—Each eligible entity receiving a grant under subsection (a) annually shall submit to the Secretary a report of the entity's operations and activities under this section.

''(B) CONTENTS.—Each annual report submitted under subparagraph (A) shall include—

''(i) a copy of the most recent financial statements, and any accompanying opinion on such statements, prepared by the independent public accountant reviewing the financial records of the eligible entity;

''(ii) a copy of any report made on an audit of the financial records of the eligible entity that was conducted under paragraph (1) during the reporting period;

''(iii) an evaluation by the eligible entity of the effectiveness of its use of the Federal funds provided under subsection (a) in leveraging private funds;

''(iv) a listing and description of the charter schools served during the reporting period, including the amount of funds used by each school, the type of project facilitated by the grant, and the type of assistance provided to the charter schools;

''(v) a description of the activities carried out by the eligible entity to assist charter schools in meeting the objectives set forth in subsection (e); and

''(vi) a description of the characteristics of lenders and other financial institutions participating in the activities carried out by the eligible entity under this section (excluding subsection (k)) during the reporting period.

''(C) SECRETARIAL REPORT.—The Secretary shall review the reports submitted under subparagraph (A) and shall provide a comprehensive annual report to Congress on the activities conducted under this section (excluding subsection (k)).

''(i) NO FULL FAITH AND CREDIT FOR GRANTEE OBLIGATION.—No financial obligation of an eligible entity entered into pursuant to this section (such as an obligation under a guarantee, bond, note, evidence of debt, or loan) shall be an obligation of, or guaranteed in any respect by, the United States. The full faith and credit of the United States is not pledged to the payment of funds which may be required to be paid under any obligation made by an eligible entity pursuant to any provision of this section.

''(j) RECOVERY OF FUNDS.—

''(1) IN GENERAL.—The Secretary, in accordance with chapter 37 of title 31, United States Code, shall collect—

''(A) all of the funds in a reserve account established by an eligible entity under subsection (f)(1) if the Secretary determines, not earlier than 2 years after the date on which the eligible entity first received funds under this section (excluding subsection (k)), that the eligible entity has failed to make substantial progress in carrying out the purposes described in subsection (f)(1); or

''(B) all or a portion of the funds in a reserve account established by an eligible entity under subsection (f)(1) if the Secretary determines that the eligible entity has permanently ceased to use all or a portion of the funds in such account to accomplish any purpose described in such subsection.

''(2) EXERCISE OF AUTHORITY.—The Secretary shall not exercise the authority provided in paragraph (1) to collect from any eligible entity any funds that are being properly used to achieve one or more of the purposes described in subsection (f)(1).

''(3) PROCEDURES.—The provisions of sections 451, 452, and 458 of the General Education Provisions Act shall apply to the recovery of funds under paragraph (1).

''(4) CONSTRUCTION.—This subsection shall not be construed to impair or affect the authority of the Secretary to recover funds under part D of the General Education Provisions Act.

''(k) PER-PUPIL FACILITIES AID PROGRAM.—

''(1) DEFINITION OF PER-PUPIL FACILITIES AID PROGRAM.—In this subsection, the term 'per-pupil facilities aid program' means a program in which a State makes payments, on a per-pupil basis, to charter schools to provide the schools with financing—

''(A) that is dedicated solely for funding charter school facilities; or

''(B) a portion of which is dedicated for funding charter school facilities.

''(2) GRANTS.—

''(A) IN GENERAL.—From the amount reserved under section 5102(b)(1) and remaining after the Secretary makes grants under subsection (a), the Secretary shall make grants, on a competitive basis, to States to pay for the Federal share of the cost of establishing or enhancing, and administering, per-pupil facilities aid programs.

''(B) PERIOD.—The Secretary shall award grants under this subsection for periods of not more than 5 years.

''(C) FEDERAL SHARE.—The Federal share of the cost described in subparagraph (A) for a per-pupil facilities aid program shall be not more than—

''(i) 90 percent of the cost, for the first fiscal year for which the program receives assistance under this subsection;

''(ii) 80 percent for the second such year;

''(iii) 60 percent for the third such year;

''(iv) 40 percent for the fourth such year; and

''(v) 20 percent for the fifth such year.

''(D) STATE SHARE.—A State receiving a grant under this subsection may partner with 1 or more organizations, and such organizations may provide not more than 50 percent of the State share of the cost of establishing or enhancing, and administering, the per-pupil facilities aid program.

''(E) MULTIPLE GRANTS.—A State may receive more than 1 grant under this subsection, so long as the amount of such grant funds provided to charter schools increases with each successive grant.

''(3) USE OF FUNDS.—

''(A) IN GENERAL.—A State that receives a grant under this subsection shall use the funds made available through the grant to establish or enhance, and administer, a per-pupil facilities aid program for charter schools in the State of the applicant.

''(B) EVALUATIONS; TECHNICAL ASSISTANCE; DISSEMINATION.—From the amount made available to a State through a grant under this subsection for a fiscal year, the State may reserve not more than 5 percent to carry out evaluations, to provide technical assistance, and to disseminate information.

''(C) SUPPLEMENT, NOT SUPPLANT.—In accordance with the method of determination described in section 1117, funds made available under this subsection shall be used to supplement, and not supplant, State and local public funds expended to provide per-pupil facilities aid programs, operations financing programs, or other programs, for charter schools.

''(4) REQUIREMENTS.—

''(A) VOLUNTARY PARTICIPATION.—No State may be required to participate in a program carried out under this subsection.

''(B) STATE LAW.—

''(i) IN GENERAL.—To be eligible to receive a grant under this subsection, a State shall establish or enhance, and administer, a per-pupil facilities aid program for charter schools in the State, that—

''(I) is specified in State law; and

''(II) provides annual financing, on a per-pupil basis, for charter school facilities.

''(ii) SPECIAL RULE.—A State that is required under State law to provide its charter schools with access to adequate facility space may be eligible to receive a grant under this subsection if the State agrees to use the funds to develop a per-pupil facilities aid program consistent with the requirements of this subsection.

''(5) APPLICATIONS.—To be eligible to receive a grant under this subsection, a State shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require.

''SEC. 5105. NATIONAL ACTIVITIES.

''(a) IN GENERAL.—From the amount reserved under section 5102(b)(2) the Secretary shall use such funds to—

''(1) disseminate technical assistance to eligible State educational agencies in awarding grants under section 5103;

''(2) disseminate best and promising practices regarding charter schools;

''(3) evaluate the impact of the charter school program carried out under this part on all students in charter and traditional public schools and on local communities and the overall strength and performance of their public schools; and

''(4) award grants, on a competitive basis, for the purpose of carrying out the activities described in section 5103(a)(1)(B), to eligible applicants that desire to open a charter school, replicate a high-quality charter school, or expand a high quality charter school in—

''(A) a State that did not apply for a grant under section 5103; or

''(B) a State that did not receive a grant under section 5103.

''(b) REPORT BY THE SECRETARY.—Not later than 6 months after the date of enactment of the Every Child Achieves Act of 2015, the Secretary shall prepare and submit to the Committee on Health, Education, Labor, and Pensions of the Senate, the Committee on Education and the Workforce of the House of Representatives, and the relevant appropriations committees of Congress, and to the public via the Department's website, a report responding to—

''(1) the March 9, 2010, final management information report of the Office of the Inspector General of the Department of Education, which expressed concern about findings of inadequate oversight by local educational agencies and charter school authorizers to ensure Federal funds are properly used and accounted for;

''(2) the September 2012 report of the Office of the Inspector General of the Department of Education entitled ''The Office of Innovation and Improvement's Oversight and Monitoring of the Charter Schools Program's Planning and Implementation Grants Final Audit Report'' finding that none of the 3 States whose charter schools programs that Office investigated adequately monitored the public charter schools that the States funded; and

''(3) describing actions the Department has taken to address the concerns described in such memorandum and final audit report.''.

(2) in section 5106 (20 U.S.C. 7221e), as redesignated by section 5001(7), by adding at the end the following:

''(c) NEW OR SIGNIFICANTLY EXPANDING CHARTER SCHOOLS.—For purposes of implementing the hold harmless protections in sections 1122(c) and 1125A(g)(3) for a newly opened or significantly expanded charter school under subsection (a), a State educational agency shall calculate a hold-harmless base for the prior year that, as applicable, reflects the new or significantly expanded enrollment of the charter school.'';

(3) in section 5108 (20 U.S.C. 7221g), as redesignated by section 5001(7), by inserting ''as quickly as possible and'' before ''to the extent practicable'';

(4) in section 5109 (20 U.S.C. 7221f), as redesignated by section 5001(7), by striking ''authorized public chartering agency shall ensure that implementation of this subpart'' and inserting ''charter school authorizer

shall ensure that implementation of this part''; and

(5) by striking sections 5110 and 5111 (20 U.S.C. 7221i; 7221j), as redesignated by section 5001(7) and inserting the following:

''SEC. 5110. DEFINITIONS.

''(1) CHARTER SCHOOL.—The term 'charter school' means a public school that—

''(A) is afforded autonomy to test innovative educational approaches, consistent with the provisions of this Act, which local educational agencies consider promising;

''(B) complies with the data collection, reporting, auditing, and disclosure provisions of this Act as well as those applicable to other public schools through other Federal, State, and local laws, regulations and policies;

''(C) admits students on the basis of a lottery, if more students apply for admission that can be accommodated;

''(D) in the case of a school that has an affiliated charter school (such as a school that is part of the same network of schools), automatically enrolls students who are enrolled in the immediate prior grade level of the affiliated charter school and, for any additional student openings or student openings created through regular attrition in student enrollment in the affiliated charter school and the enrolling school, admits students on the basis of a lottery as described in subparagraph (C);

''(E) complies with the Age Discrimination Act of 1975 (42 U.S.C. 6101 et seq.), title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq.), title IX of the Education Amendments of 1972 (20 U.S.C. 1681 et seq.), section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794), the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.), section 444 of the General Education Provisions Act (20 U.S.C. 1232g) (commonly referred to as the 'Family Educational Rights and Privacy Act of 1974'), and part B of the Individuals with Disabilities Education Act (20 U.S.C. 1411 et seq.);

''(F) meets all applicable Federal, State, and local health and safety requirements;

''(G) operates in accordance with State law;

''(H) has a written performance contract with a charter school authorizer that includes—

''(i) a description of how student performance will be measured on the basis of—

''(I) State assessments that are required of other public schools; and

''(II) any other assessments that are mutually agreeable to the charter school authorizer and the charter school;

''(ii) a requirement that student academic achievement and growth, for the students enrolled at the school as a whole and for each of the categories of students, as defined in section 1111(b)(3)(A) (except in a case in which the number of students in a group is insufficient to yield statistically reliable information or the results would reveal personally identifiable information about an individual student) will be used as a primary factor in decisions about the renewal or revocation of the charter, in addition to other criteria, as appropriate;

''(iii) the student academic achievement and growth and student retention goals, and, in the case of a high school, graduation rate goals for the students enrolled at the school as a whole and for each of the categories of students, as defined in section 1111(b)(3)(A) (except in a case in which the number of students in a group is insufficient to yield statistically reliable information or the results would reveal personally identifiable information about an individual student), and any other goals to be achieved by the end of the contract period; and

''(iv) the obligations and responsibilities of the charter school and the charter school authorizer;

''(I) does not charge tuition;

''(J) is nonsectarian in its programs, admissions policies, employment practices, and all other operations, and is not affiliated with a sectarian school or religious institution;

''(K) is created by a developer as a public school, or is adapted by a developer from an existing public school, and is operated under public supervision and direction;

''(L) operates in pursuit of a specific set of educational objectives determined by the school's developer and agreed to by the charter school authorizer;

''(M) provides 1 or more programs of elementary education, secondary education, or both, including early childhood education, and may also provide adult education, in accordance with State law; and

''(N) is governed by a separate and independent board that exercises authority over 1 or more schools, including authority in the areas of governance, personnel, budget, schedule, and instructional program.

''(2) CHARTER MANAGEMENT ORGANIZATION.—The term 'charter management organization' means a nonprofit organization that operates or manages multiple charter schools by centralizing or sharing certain functions or resources.

''(3) CHARTER SCHOOL AUTHORIZER.—The term 'charter school authorizer' means a local educational agency or other public entity that has authority pursuant to State law and has been approved by the Secretary to authorize and approve a charter school, and that shall—

''(A) develop and update regularly a districtwide multi-year school plan;

''(B) monitor and assist charter schools in complying with applicable requirements, including data collection and public disclosure requirements and participation in the development of the districtwide multi-year school plan;

''(C) establish criteria and processes that the charter school authorizer will use in monitoring the performance of each charter school authorized by the charter school authorizer, including interventions and any actions leading up to the revocation of a school's charter if the charter school authorizer finds that such a revocation is necessary to protect the public interest;

''(D) review the application and hold meaningful public hearings to gather input from the public and parents on applications to establish a charter school or convert another school to a public charter school;

''(E) provide a statement on the impact of the charter school within the local educational agency; and

''(F) in the case of a State with a cap on the number of public charter schools in the State—

''(i) review and render a decision within 120 days of receipt of the application for a charter school (whether a new school or a conversion); and

''(ii) submit to the State educational agency the charter school authorizer's recommendation regarding approval of charter school applicants, in order to allow the State educational agency to conduct an expedited review to determine if the approval described in clause (i) will violate the cap on the number of public charter schools in operation in the State.

''(4) DEVELOPER.—The term 'developer' means an individual or group of individuals (including a public or private nonprofit organization), which may include teachers, administrators and other school staff, parents, or other members of the local community in which a charter school project will be carried out.

''(5) DISTRICTWIDE MULTI-YEAR SCHOOL PLAN.—The term 'districtwide multi-year school plan' means a plan that—

''(A) is developed and regularly updated, with meaningful public input from across the local educational agency; and

''(B) takes into consideration projected demographic changes, criteria for new school openings or closings, and equitable geographic distribution of schools and students to ensure that all students have access to schools in their communities and a range of specialized programs.

''(6) EDUCATION MANAGEMENT ORGANIZATION.—The term 'education management organization' means a for-profit or nonprofit organization that operates or manages multiple charter schools by centralizing or sharing certain functions or resources.

''(7) ELIGIBLE APPLICANT.—The term 'eligible applicant' means a developer that has—

''(A) applied to a charter school authorizer to operate a charter school; and

''(B) provided adequate and timely notice to that charter school authorizer.

''(8) HIGH-QUALITY CHARTER SCHOOL.—The term 'high-quality charter school' means a charter school that—

''(A) shows evidence of strong academic results, which may include strong student academic growth, as determined by a State;

''(B) has no significant issues in the areas of student safety, financial management, or statutory or regulatory compliance;

''(C) has demonstrated success in significantly increasing student academic achievement, including—

''(i) graduation rates, where applicable, for all students served by the charter school; and

''(ii) graduation rates, where applicable, for each of the categories of students, as defined in section 1111(b)(3)(A), except that such demonstration is not required in a case in which the number of students in a group is insufficient to yield statistically reliable information or the results would reveal personally identifiable information about an individual student;

''(D) has demonstrated community involvement during the development and operation of the school; and

''(E) has had 3 successful consecutive annual audits that have not indicated fiscal difficulties, as determined by typical accounting standards.

''SEC. 5111. TRANSITION ARRANGEMENTS.

''No new Federal grants under this part shall be awarded for a period of one year following the date of enactment of the Every Child Achieves Act of 2015, at which time the definition of eligible State educational agency under this part shall take effect.

''SEC. 5112. CAPS.

''In awarding grants under this part, the Secretary may neither disadvantage nor advantage eligible State educational agency applicants based on whether the State—

''(1) has a cap on the number of charter schools in the State; or

''(2) expresses an intention to adopt such State charter school caps.

''SEC. 5113. AUTHORIZATION OF APPROPRIATIONS.

''There are authorized to be appropriated to carry out this part such sums as may be necessary for fiscal years 2016 and for each of the next 5 succeeding fiscal years.''.

SA 2098. Mr. BROWN submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize

the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

On page 630, between lines 4 and 5, insert the following:

SEC. 5011. FIX AMERICA'S SCHOOLS TODAY.

Title V (20 U.S.C. 7201 et seq.) is amended by adding at the end the following:

"PART J—FIX AMERICA'S SCHOOLS TODAY

"SEC. 5910. SHORT TITLE.

''This part may be cited as the 'Fix America's Schools Today Act of 2015'.

"Subpart 1—Elementary and Secondary Schools

"SEC. 5911. PURPOSE.

''The purpose of this subpart is to provide assistance for the modernization, renovation, and repair of elementary school and secondary school buildings for schools that are served by local educational agencies across the United States, in order to support the achievement of improved educational outcomes in such schools.

"SEC. 5912. AUTHORIZATION OF APPROPRIATIONS; APPROPRIATION OF FUNDS.

''There are authorized to be appropriated, and there are appropriated, $25,000,000,000 to carry out this subpart which shall be available for obligation by the Secretary until September 30, 2016.

"SEC. 5913. ALLOCATION OF FUNDS.

''(a) RESERVATIONS.—From the amount made available to carry out this subpart, the Secretary shall reserve—

''(1) one-half of 1 percent for the Secretary of the Interior to carry out modernization, renovation, and repair activities described in section 5916 in schools operated or funded by the Bureau of Indian Education;

''(2) one-half of 1 percent to make grants to the outlying areas for modernization, renovation, and repair activities described in section 5916; and

''(3) such funds as the Secretary determines are needed—

''(A) to conduct a survey, through the National Center for Education Statistics, of the school construction, modernization, renovation, and repair needs of the public schools of the United States; and

''(B) to encourage the States to coordinate and share information about school facilities standards and best practices.

''(b) STATE ALLOCATION.—From the amount made available to carry out this subpart and not reserved under subsection (a), the Secretary shall allocate funds among the States in proportion to their respective allocations under part A of title I for fiscal year 2015, except that—

''(1) the Secretary shall allocate 40 percent of such funds to the 100 local educational agencies with the largest numbers of children ages 5 to 17 living in poverty, as determined using the most recent data available from the Department of Commerce that are satisfactory to the Secretary, in proportion to such local educational agencies' respective allocations under part A of title I for fiscal year 2015; and

''(2) the allocation to any State shall be reduced by the aggregate amount of the allocations under paragraph (1) to local educational agencies in such State.

''(c) REMAINING ALLOCATION.—

''(1) IN GENERAL.—If a State does not apply for its allocation under subsection (b), applies for less than the full allocation for which the State is eligible, or does not use the allocation in a timely manner, the Secretary may—

''(A) reallocate all or a portion of the allocation to the other States in accordance with subsection (b); or

''(B) use all or a portion of the allocation to make direct allocations to local educational agencies within the State based on their respective allocations under part A of title I for fiscal year 2015 or such other method as the Secretary may determine.

''(2) REALLOCATION OF LOCAL EDUCATIONAL AGENCY FUNDS.—If a local educational agency does not apply for its allocation under subsection (b)(1), applies for less than the full allocation for which the local educational agency is eligible, or does not use the allocation in a timely manner, the Secretary may reallocate all or a portion of such local educational agency's allocation to the State in which such agency is located.

"SEC. 5914. STATE USE OF FUNDS.

''(a) RESERVATION.—Each State that receives a grant under this subpart may reserve not more than 1 percent of the State's allocation under section 5913(b) for the purpose of administering the grant.

''(b) FUNDS TO LOCAL EDUCATIONAL AGENCIES.—

''(1) FORMULA SUBGRANTS.—From the grant funds that are not reserved under subsection (a), a State shall allocate not less than 50 percent to local educational agencies, including charter schools that are local educational agencies, that did not receive funds under section 5913(b)(1) from the Secretary, in accordance with their respective allocations under part A of title I for fiscal year 2015, except that no such local educational agency shall receive less than $10,000.

''(2) ADDITIONAL SUBGRANTS.—The State shall use any funds remaining, after reserving funds under subsection (a) and allocating funds under paragraph (1), for subgrants to local educational agencies that did not receive funds under section 5913(b)(1), including charter schools that are local educational agencies, to support modernization, renovation, and repair projects that the State determines, using objective criteria, are most needed in the State, with priority given to projects in rural local educational agencies.

''(c) REMAINING FUNDS.—If a local educational agency does not apply for an allocation under subsection (b)(1), applies for less than its full allocation, or fails to use the allocation in a timely manner, the State may reallocate any unused portion to other local educational agencies in accordance with subsection (b).

"SEC. 5915. STATE AND LOCAL APPLICATIONS.

''(a) STATE APPLICATION.—A State that desires to receive a grant under this subpart shall submit an application to the Secretary at such time, in such manner, and containing such information and assurances as the Secretary may require, which shall include—

''(1) an identification of the State agency or entity that will administer the program;

''(2) a description of the State's process for determining how the grant funds will be distributed and administered, including—

''(A) how the State will determine the criteria and priorities in making subgrants under section 5914(b)(2);

''(B) any additional criteria the State will use in determining which projects the State will fund under such section;

''(C) a description of how the State will consider—

''(i) the needs of local educational agencies for assistance under this subpart;

''(ii) the impact of potential projects on job creation in the State;

''(iii) the fiscal capacity of local educational agencies applying for assistance;

''(iv) the percentage of children in such local educational agencies who are from low-income families; and

''(v) the potential for leveraging assistance provided by the grant program through matching or other financing mechanisms;

''(D) a description of how the State will ensure that the local educational agencies receiving subgrants under this subpart meet the requirements of this subpart;

''(E) a description of how the State will ensure that the State and the local educational agencies in the State meet the deadlines established in section 5917;

''(F) a description of how the State will give priority to the use of green practices that are certified, verified, or consistent with any applicable provisions of—

''(i) the LEED Green Building Rating System;

''(ii) Energy Star;

''(iii) the CHPS Criteria;

''(iv) Green Globes; or

''(v) an equivalent program adopted by the State or another jurisdiction with authority over the local educational agency; and

''(G) a description of the steps that the State will take to ensure that local educational agencies receiving subgrants will adequately maintain any facilities that are modernized, renovated, or repaired with subgrant funds under this subpart.

''(b) LOCAL APPLICATION.—A local educational agency that is eligible to receive a grant under section 5913(b)(1) and desires to receive such grant shall submit an application to the Secretary at such time, in such manner, and containing such information and assurances as the Secretary may require, which shall include—

''(1) a description of how the local educational agency will meet the deadlines and requirements of this subpart; and

''(2) a description of the steps that the local educational agency will take to adequately maintain any facilities that are modernized, renovated, or repaired with funds under this subpart.

"SEC. 5916. USE OF FUNDS.

''(a) IN GENERAL.—A local educational agency that receives funds under this subpart shall use such funds only for one or both of the following modernization, renovation, and repair activities in facilities that are used for elementary or secondary education or for early learning programs:

''(1) Direct payments for school modernization, renovation, and repair.

''(2) Payment of interest on bonds or payments for other financing instruments that are newly issued for the purpose of financing school modernization, renovation, and repair.

''(b) SUPPLEMENT, NOT SUPPLANT.—Funds made available under this subpart shall be used to supplement, and not supplant, other Federal, State, and local funds that would otherwise be expended to modernize, renovate, or repair eligible school facilities.

''(c) PROHIBITION.—Funds awarded to local educational agencies under this subpart shall not be used for—

''(1) new construction;

''(2) routine janitorial costs; or

''(3) modernization, renovation, and repair of stadiums or other facilities primarily used for athletic contests or exhibitions or other events for which admission is charged to the general public.

"SEC. 5917. ADDITIONAL PROVISIONS.

''(a) FUNDS AVAILABLE FOR OBLIGATION FOR TWO YEARS.—Funds appropriated under section 5912 shall be available for obligation by local educational agencies receiving grants from the Secretary under section 5913(b)(1), by States reserving funds under section 5914(a), and by local educational agencies receiving subgrants under section 5914(b)(1) only during the period that ends 24 months after the date of enactment of the Every Child Achieves Act of 2015.

''(b) FUNDS AVAILABLE FOR OBLIGATION FOR THREE YEARS.—Funds appropriated under section 5912 shall be available for obligation by local educational agencies receiving subgrants under section 5914(b)(2) only during the period that ends 36 months after the date of enactment of the Every Child Achieves Act of 2015.

''(c) NOT CONSIDERED LOCAL EDUCATIONAL AGENCIES.—For purposes of section 5913(b)(1), Hawaii, the District of Columbia, and the Commonwealth of Puerto Rico are not local educational agencies.

''SEC. 5918. REPORTS.

''(a) DIRECT GRANTS TO LEAS.—Each local educational agency that receives a grant under section 5913(b)(1) shall, not later than September 30, 2016, and annually thereafter for each fiscal year in which the local educational agency expends funds received under such section, submit to the Secretary a report that includes—

''(1) a description of the projects for which the grant was, or will be, used; and

''(2) the number of jobs created by the projects funded under such section.

''(b) SUBGRANT TO LEAS THROUGH THE STATE.—Each local educational agency that receives a subgrant from a State under paragraph (1) or (2) of section 5314(b) shall, not later than September 30, 2016, and annually thereafter for each fiscal year in which the local educational agency expends funds received under such section, submit to the State a report that includes—

''(1) a description of the projects for which the subgrant was, or will be, used; and

''(2) the number of jobs created by the projects funded under such section.

''(c) STATE REPORT TO THE SECRETARY.—Each State that receives a report described under subsection (b) shall submit a report to the Secretary containing the information in each report that such State receives in accordance with subsection (b).

''Subpart 2—Community College Modernization

''SEC. 5921. FEDERAL ASSISTANCE FOR COMMUNITY COLLEGE MODERNIZATION.

''(a) IN GENERAL.—

''(1) GRANT PROGRAM.—From the amount made available under subsection (g), the Secretary shall award grants to States to modernize, renovate, or repair existing facilities at community colleges.

''(2) ALLOCATION.—

''(A) RESERVATIONS.—From the amount made available to carry out this subpart for a fiscal year, the Secretary shall reserve—

''(i) not more than 0.25 percent for grants to institutions that are eligible to receive a grant under section 316 of the Higher Education Act of 1965 to provide for modernization, renovation, and repair activities described in this subpart; and

''(ii) not more than 0.25 percent for grants to the outlying areas to provide for modernization, renovation, and repair activities described in this subpart.

''(B) ALLOCATION.—

''(i) IN GENERAL.—Except as provided in clause (ii), from the funds made available to carry out this subpart for a fiscal year, and not reserved under subparagraph (A), the Secretary shall allocate to each State that has an application approved by the Secretary an amount that bears the same relation to such funds as the total number of students in such State who are enrolled in institutions described in section 5931(2)(A) plus the number of students who are estimated to be enrolled in and pursuing a degree or certificate that is not a baccalaureate, master's, professional, or other advanced degree at institutions described in section 5931(2)(B), based on the proportion of degrees or certificates awarded by such institutions that are not baccalaureate, master's, professional, or other advanced degrees, as reported to the Integrated Postsecondary Data System, bears to the estimated total number of such students in all States.

''(ii) MINIMUM ALLOCATION.—No State shall receive an allocation under clause (i) for a fiscal year that is less than $2,500,000.

''(C) REALLOCATION.—Amounts not allocated under this section to a State because the State either did not submit an application under subsection (b), the State submitted an application that the Secretary determined did not meet the requirements of such subsection, or the State cannot demonstrate to the Secretary a sufficient demand for projects to warrant the full allocation of the funds, shall be proportionately reallocated under this paragraph to the other States that have a demonstrated need for, and are receiving, allocations under this section.

''(D) STATE ADMINISTRATION.—A State that receives a grant under this section may use not more than 1 percent of such grant for administration costs.

''(3) SUPPLEMENT, NOT SUPPLANT.—Funds made available under this section shall be used to supplement, and not supplant, other Federal, State, and local funds that would otherwise be expended to modernize, renovate, or repair existing community college facilities.

''(b) APPLICATION.—A State that desires to receive a grant under this section shall submit an application to the Secretary at such time, in such manner, and containing such information and assurances as the Secretary may require. Such application shall include a description of—

''(1) how the funds provided under this section will improve—

''(A) instruction at community colleges in the State, including how faculty and staff will be consulted regarding uses of funds for projects that will improve instruction at community colleges in the State; and

''(B) the ability of such colleges to educate and train students to meet the workforce needs of employers in the State;

''(2) the projected start date of each project; and

''(3) the estimated number of persons who will be employed through each project.

''(c) PROHIBITED USES OF FUNDS.—

''(1) IN GENERAL.—Funds awarded under this section shall not be used for—

''(A) routine janitorial costs;

''(B) construction, modernization, renovation, and repair of stadiums or other facilities primarily used for athletic contests or exhibitions or other events for which admission is charged to the general public; or

''(C) construction, modernization, renovation, and repair of facilities—

''(i) used for sectarian instruction, religious worship, or a school or department of divinity; or

''(ii) in which a substantial portion of the functions of the facilities are subsumed in a religious mission.

''(2) 4-YEAR INSTITUTIONS.—Funds awarded to a 4-year public institution of higher education under this section shall not be used for any facility, service, or program of the institution that is not available to students who are pursuing a degree or certificate that is not a baccalaureate, master's, professional, or other advanced degree.

''(d) GREEN PROJECTS.—In providing assistance to community college projects under this section, the State shall consider the extent to which a community college's project involves activities that are certified, verified, or consistent with the applicable provisions of—

''(1) the LEED Green Building Rating System;

''(2) Energy Star;

''(3) the CHPS Criteria, as applicable;

''(4) Green Globes; or

''(5) an equivalent program adopted by the State or the State higher education agency that includes a verifiable method to demonstrate compliance with such program.

''(e) REPORTS.—Each State that receives a grant under this subpart, shall, not later than September 30, 2016, and annually thereafter for each fiscal year in which the State expends funds received under this subpart, submit to the Secretary a report that includes—

''(1) a description of the projects for which the grant was, or will be, used;

''(2) a description of the amount and nature of the assistance provided to each community college under this subpart; and

''(3) the number of jobs created by the projects funded under this subpart.

''(f) AVAILABILITY OF FUNDS.—

''(1) AUTHORIZATION OF APPROPRIATIONS; APPROPRIATION OF FUNDS.—There are authorized to be appropriated, and there are appropriated, to carry out this section (in addition to any other amounts appropriated to carry out this section and out of any money in the Treasury not otherwise appropriated), $5,000,000,000 for fiscal year 2016.

''(2) FUNDS AVAILABLE FOR OBLIGATION.—Funds appropriated under this subsection shall be available for obligation by community colleges only during the period that ends 36 months after the date of enactment of the Every Child Achieves Act of 2015.

''Subpart 3—General Provisions

''SEC. 5931. DEFINITIONS.

''In this part:

''(1) COMMUNITY COLLEGE.—The term 'community college' means—

''(A) a junior or community college, as that term is defined in section 312(f) of the Higher Education Act of 1965; or

''(B) a 4-year public institution of higher education that awards a significant number of degrees and certificates, as determined by the Secretary, that are not—

''(i) baccalaureate degrees (or an equivalent); or

''(ii) master's, professional, or other advanced degrees.

''(2) CHPS CRITERIA.—The term 'CHPS Criteria' means the green building rating program developed by the Collaborative for High Performance Schools.

''(3) ENERGY STAR.—The term 'Energy Star' means the Energy Star program of the Department of Energy and the Environmental Protection Agency.

''(4) GREEN GLOBES.—The term 'Green Globes' means the Green Building Initiative environmental design and rating system referred to as Green Globes.

''(5) LEED GREEN BUILDING RATING SYSTEM.—The term 'LEED Green Building Rating System' means the United States Green Building Council Leadership in Energy and Environmental Design green building rating standard referred to as the LEED Green Building Rating System.

''(6) MODERNIZATION, RENOVATION, AND REPAIR.—The term 'modernization, renovation and repair' means—

''(A) comprehensive assessments of facilities to identify—

''(i) facility conditions or deficiencies that could adversely affect student and staff health, safety, performance, or productivity or energy, water, or materials efficiency; and

''(ii) needed facility improvements;

''(B) repairing, replacing, or installing roofs (which may be extensive, intensive, or semi-intensive 'green' roofs), electrical wiring, water supply and plumbing systems, sewage systems, storm water runoff systems,

lighting systems (or components of such systems); or building envelope, windows, ceilings, flooring, or doors, including security doors;

''(C) repairing, replacing, or installing heating, ventilation, or air conditioning systems, or components of those systems (including insulation), including by conducting indoor air quality assessments;

''(D) repairing, replacing, or installing an interior or exterior system that may include paint or coatings, wall covering, drywall or plaster, ceiling, baseboards, or floor covering;

''(E) compliance with fire, health, seismic, and safety codes, including professional installation of fire and life safety alarms, and modernizations, renovations, and repairs that ensure that facilities are prepared for such emergencies as acts of terrorism, campus violence, and natural disasters, such as improving building infrastructure to accommodate security measures and installing or upgrading technology to ensure that a school or incident is able to respond to such emergencies;

''(F) making modifications necessary to make educational facilities accessible in compliance with the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.) and section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794), except that such modifications shall not be the primary use of a grant or subgrant;

''(G) abatement, removal, or interim controls of asbestos, polychlorinated biphenyls, mold, mildew, or lead-based hazards, including lead-based paint hazards;

''(H) retrofitting necessary to increase energy efficiency, which may include insulation or reducing heating and cooling costs through thermal coating of school facility roofs;

''(I) measures, such as selection and substitution of products and materials, and implementation of improved maintenance and operational procedures, such as 'green cleaning' programs, to reduce or eliminate potential student or staff exposure to—

''(i) volatile organic compounds;

''(ii) particles such as dust and pollens; or

''(iii) combustion gases;

''(J) modernization, renovation, or repair necessary to reduce the consumption of coal, electricity, land, oil, or water;

''(K) installation or upgrading of educational technology infrastructure;

''(L) installation or upgrading of renewable energy generation and heating systems, including solar, photovoltaic, wind, biomass (including wood pellet and woody biomass), waste-to-energy, solar-thermal, fuel cell, and geothermal systems, and energy audits;

''(M) modernization, renovation, or repair activities related to energy efficiency and renewable energy, including—

''(i) insulation of systems functioning as heating, venting, or air conditioning; and

''(ii) improvements to building infrastructures to accommodate bicycle and pedestrian access;

''(N) required environmental remediation related to facilities modernization, renovation, or repair activities described in subparagraphs (A) through (M);

''(O) ground improvements, storm water management, landscaping and environmental clean-up when necessary;

''(P) other modernization, renovation, or repair to—

''(i) improve teachers' ability to teach and students' ability to learn;

''(ii) ensure the health and safety of students and staff; or

''(iii) improve classroom, laboratory, and vocational facilities in order to enhance the quality of science, technology, engineering, and mathematics instruction; and

''(Q) measures designed to reduce or eliminate human exposure to classroom noise and environmental noise pollution.

''(7) OUTLYING AREA.—The term 'outlying area' means the United States Virgin Islands, Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, and the Republic of Palau.

''(8) STATE.—The term 'State' means each of the 50 States of the United States, the Commonwealth of Puerto Rico, and the District of Columbia.

"SEC. 5932. BUY AMERICAN.

''Section 1605 of division A of the American Recovery and Reinvestment Act of 2009 (Public Law 111–5) shall apply to funds made available under this Act.

"SEC. 5933. COMPLIANCE WITH DAVIS-BACON ACT.

''All laborers and mechanics employed by contractors and subcontractors on projects funded directly by or assisted in whole or in part pursuant to this Act shall be paid wages at rates not less than those prevailing on projects of a character similar in the locality as determined by the Secretary of Labor in accordance with subchapter IV of chapter 31 of part A of title 40, United States Code. With respect to the labor standards specified in this section, the Secretary of Labor shall have the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 (64 Stat. 1267; 5 U.S.C. App.) and section 3145 of title 40, United States Code.

"SEC. 5934. REPORTS.

''(a) REPORT BY THE SECRETARY.—The Secretary shall submit to the appropriations committees and the authorizing committees (as defined in section 103 of the Higher Education Act of 1965) of the House of Representatives and the Senate an annual report regarding the grants made under this Act, including the information described in sections 5918 and 5921(e).

''(b) GAO.—Not later than 2 years after the date of enactment of the Every Child Achieves Act of 2015, the Comptroller General of the United States shall submit to Congress a report evaluating the programs carried out under this part that includes an assessment of the impact and benefits of each school improvement project funded under this part.''.

SA 2099. Mr. BROWN (for himself, Mr. MANCHIN, and Mrs. CAPITO) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

On page 447, between lines 16 and 17, insert the following:

''(X) designating a site resource coordinator at a school or local educational agency to provide a variety of services, such as—

''(i) establishing partnerships within the community to provide resources and support for schools;

''(ii) ensuring all service and community partners are aligned with the academic expectations of a community school in order to improve student success; and

''(iii) strengthening relationships between schools and communities; and

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SA 2100. Mr. BROWN (for himself and Mr. MANCHIN) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

On page 630, between lines 4 and 5, insert the following:

SEC. 5011. FULL-SERVICE COMMUNITY SCHOOLS.

Title V (20 U.S.C. 7201 et seq.) is amended by adding at the end the following:

"PART J—FULL-SERVICE COMMUNITY SCHOOLS

"SECTION 5911. SHORT TITLE.

''This part may be cited as the 'Full-Service Community Schools Act of 2015'.

"SEC. 5912. PURPOSES.

''The purposes of this title are to—

''(1) improve student learning and development by providing supports for students that enable them to graduate college- and career-ready;

''(2) provide support for the planning, implementation, and operation of full-service community schools;

''(3) improve the coordination and integration, accessibility, and effectiveness of services for children and families, particularly for students attending high-poverty schools, including high-poverty rural schools;

''(4) enable educators and school personnel to complement and enrich efforts to improve academic achievement and other results;

''(5) ensure that children have the physical, social, and emotional well-being to come to school ready to engage in the learning process every day;

''(6) promote and enable family and community engagement in the education of children;

''(7) enable more efficient use of Federal, State, local, and private sector resources that serve children and families;

''(8) facilitate the coordination and integration of programs and services operated by community-based organizations, nonprofit organizations, and State, local, and tribal governments;

''(9) engage students as resources to their communities; and

''(10) engage the business community and other community organizations as partners in the development and operation of full-service community schools.

"SEC. 5913. DEFINITION OF FULL-SERVICE COMMUNITY SCHOOL.

''In this part, the term 'full-service community school' means a public elementary school or secondary school that—

''(1) participates in a community-based effort to coordinate and integrate educational, developmental, family, health, and other comprehensive services through community-based organizations and public and private partnerships; and

''(2) provides access to such services to students, families, and the community, such as access during the school year (including before- and after-school hours and weekends), as well as during the summer.

"SEC. 5914. LOCAL PROGRAMS.

''(a) GRANTS.—The Secretary may award grants to eligible entities to assist public elementary schools or secondary schools to function as full-service community schools.

''(b) USE OF FUNDS.—Grants awarded under this section shall be used to—

''(1) coordinate not less than 3 existing qualified services and provide not less than 2 additional qualified services at 2 or more public elementary schools or secondary schools;

''(2) integrate multiple services into a comprehensive, coordinated continuum supported by research-based activities which achieve the performance goals established under subsection (c)(4)(E) to meet the holistic needs of children; and

''(3) if applicable, coordinate and integrate services provided by community-based organizations and government agencies with services provided by specialized instructional support personnel.

''(c) APPLICATION.—To seek a grant under this section, an eligible entity shall submit an application to the Secretary at such time and in such manner as the Secretary may require. The Secretary shall require that each such application include the following:

''(1) A description of the eligible entity.

''(2) A memorandum of understanding among all partner entities that will assist the eligible entity to coordinate and provide qualified services and that describes the roles the partner entities will assume.

''(3) A description of the capacity of the eligible entity to coordinate and provide qualified services at 2 or more full-service community schools.

''(4) A comprehensive plan that includes descriptions of the following:

''(A) The student, family, and school community to be served, including information about demographic characteristics that include major racial and ethnic groups, median family income, percentage of students eligible for free- and reduced-price lunch under the Richard B. Russell National School Lunch Act, and other information.

''(B) A needs assessment that identifies the academic, physical, social, emotional, health, mental health, and other needs of students, families, and community residents.

''(C) A community assets assessment which identifies existing resources, as of the date of the assessment, that could be aligned.

''(D) The most appropriate metric to describe the plan's reach within a community using either—

''(i) the number of families and students to be served, and the frequency of services; or

''(ii) the proportion of families and students to be served, and the frequency of services.

''(E) Yearly measurable performance goals, including an increase in the percentage of families and students targeted for services each year of the program, which are consistent with the following objectives:

''(i) Children are ready for school.

''(ii) Students are engaged and achieving academically.

''(iii) Students are physically, mentally, socially, and emotionally healthy.

''(iv) Schools and neighborhoods are safe and provide a positive climate for learning that is free from bullying or harassment.

''(v) Families are supportive and engaged in their children's education.

''(vi) Students and families are prepared for postsecondary education and 21st century careers.

''(vii) Students are contributing to their communities.

''(F) Performance measures to monitor progress toward attainment of the goals established under subparagraph (E), including a combination of the following, to the extent applicable:

''(i) Multiple objective measures of student achievement, including assessments, classroom grades, and other means of assessing student performance.

''(ii) Attendance (including absences related to illness and truancy) and chronic absenteeism rates.

''(iii) Disciplinary actions against students, including suspensions and expulsions.

''(iv) Access to health care and treatment of illnesses demonstrated to impact academic achievement.

''(v) Performance in making progress toward intervention services goals as established by specialized instructional support personnel.

''(vi) Participation rates by parents and family members in school-sanctioned activities and activities that occur as a result of community and school collaboration, as well as activities intended to support adult education and workforce development.

''(vii) Number and percentage of students and family members provided services under this part.

''(viii) Valid measures of postsecondary education and career readiness.

''(ix) Service-learning and community service participation rates.

''(x) Student satisfaction surveys.

''(G) Qualified services, including existing and additional qualified services, to be coordinated and provided by the eligible entity and its partner entities, including an explanation of—

''(i) why such services have been selected;

''(ii) how such services will improve student academic achievement; and

''(iii) how such services will address performance goals established under subparagraph (E).

''(H) Plans to ensure that each site has full-time coordination of qualified services at each full-service community school, including coordination with the specialized instructional support personnel employed prior to the receipt of the grant.

''(I) Planning, coordination, management, and oversight of qualified services at each school to be served, including the role of the school principal, partner entities, parents, and members of the community.

''(J) Funding sources for qualified services to be coordinated and provided at each school to be served, including whether such funding is derived from a grant under this section or from other Federal, State, local, or private sources.

''(K) Plans for professional development for personnel managing, coordinating, or delivering qualified services at the schools to be served.

''(L) Plans for joint utilization and maintenance of school facilities by the eligible entity and its partner entities.

''(M) How the eligible entity and its partner entities will focus services on schools eligible for a schoolwide program under section 1113(c).

''(N) Plans for periodic evaluation based upon attainment of the performance measures described in subparagraph (F).

''(O) How the qualified services will meet the principles of effectiveness described in subsection (d).

''(5) A plan for sustaining the programs and services outlined in this part.

''(d) PRINCIPLES OF EFFECTIVENESS.—For a program developed pursuant to this section to meet principles of effectiveness, such program shall be based upon—

''(1) an assessment of objective data regarding the need for the establishment of a full-service community school and qualified services at each school to be served and in the community involved;

''(2) an established set of performance measures aimed at ensuring the availability and effectiveness of high-quality services; and

''(3) if appropriate, scientifically based research that provides evidence that the qualified services involved will help students meet State and local student academic achievement standards.

''(e) PRIORITY.—In awarding grants under this section, the Secretary shall give priority to eligible entities that—

''(1)(A) will serve a minimum of 2 or more full-service community schools eligible for a schoolwide program under section 1113(c), as part of a community- or district-wide strategy; or

''(B) include a local educational agency that satisfies the requirements of—

''(i) subparagraph (A) or (B) of section 6211(b)(1); or

''(ii) subparagraphs (A) and (B) of section 6221(b)(1); and

''(2) will be connected to a consortium comprised of a broad representation of stakeholders, or a consortium demonstrating a history of effectiveness.

''(f) GRANT PERIOD.—Each grant awarded under this section shall be for a period of 5 years and may be renewed at the discretion of the Secretary based on the eligible entity's demonstrated effectiveness in meeting the performance goals and measures established under subparagraphs (E) and (F) of subsection (c)(4).

''(g) PLANNING.—The Secretary may authorize an eligible entity to use grant funds under this section for planning purposes in an amount not greater than 10 percent of the total grant amount.

''(h) MINIMUM AMOUNT.—The Secretary may not award a grant to an eligible entity under this section in an amount that is less than $75,000 for each year of the 5-year grant period.

''(i) DEFINITIONS.—In this section:

''(1) ADDITIONAL QUALIFIED SERVICES.—The term 'additional qualified services' means qualified services directly funded under this part.

''(2) ELIGIBLE ENTITY.—The term 'eligible entity' means a consortium of 1 or more local educational agencies and 1 or more community-based organizations, nonprofit organizations, or other public or private entities.

''(3) EXISTING QUALIFIED SERVICES.—The term 'existing qualified services' means qualified services already being financed, as of the time of the application, by Federal, State, local, or private sources, or volunteer activities being supported as of such time by civic, business, faith-based, social, or other similar organizations.

''(4) QUALIFIED SERVICES.—The term 'qualified services' means any of the following:

''(A) Early childhood education.

''(B) Remedial education activities and enrichment activities, including expanded learning time.

''(C) Summer or after-school enrichment and learning experiences.

''(D) Programs under the Head Start Act, including Early Head Start programs.

''(E) Nurse home visitation services.

''(F) Teacher home visiting.

''(G) Programs that promote parental involvement and family literacy.

''(H) Mentoring and other youth development programs, including peer mentoring and conflict mediation.

''(I) Parent leadership development activities.

''(J) Parenting education activities.

''(K) Child care services.

''(L) Community service and service-learning opportunities.

''(M) Developmentally appropriate physical education.

''(N) Programs that provide assistance to students who have been truant, suspended, or expelled.

''(O) Job training, internship opportunities, and career counseling services.

''(P) Nutrition services.

''(Q) Primary health and dental care.

''(R) Mental health counseling services.

''(S) Adult education, including instruction in English as a second language.

''(T) Juvenile crime prevention and rehabilitation programs.

''(U) Specialized instructional support services.

''(V) Homeless prevention services.

''(W) Other services consistent with this part.

''SEC. 5915. STATE PROGRAMS.

''(a) GRANTS.—The Secretary may award grants to State collaboratives to support the development of full-service community school programs in accordance with this section.

''(b) USE OF FUNDS.—Grants awarded under this section shall be used only for the following:

''(1) Developing a State comprehensive results and indicators framework to implement full-service community schools, consistent with performance goals described in section 5914(c)(4)(E).

''(2) Planning, coordinating, and expanding the development of full-service community schools in the State, particularly such schools in high-poverty local educational agencies, including high-poverty rural local educational agencies.

''(3) Providing technical assistance and training for full-service community schools, including professional development for personnel and creation of data collection and evaluation systems.

''(4) Collecting, evaluating, and reporting data about the progress of full-service community schools.

''(5) Evaluating the impact of Federal and State policies and guidelines on the ability of eligible entities (as defined in section 5914(i)) to integrate Federal and State programs at full-service community schools, and taking action to make necessary changes.

''(c) APPLICATION.—To seek a grant under this section, a State collaborative shall submit an application to the Secretary at such time and in such manner as the Secretary may require. The Secretary shall require that each such application include the following:

''(1) A memorandum of understanding among all governmental agencies and nonprofit organizations that will participate as members of the State collaborative.

''(2) A description of the expertise of each member of the State collaborative—

''(A) in coordinating Federal and State programs across multiple agencies;

''(B) in working with and developing the capacity of full-service community schools; and

''(C) in working with high-poverty schools or rural schools and local educational agencies.

''(3) A comprehensive plan describing how the grant will be used to plan, coordinate, and expand the delivery of services at full-service community schools.

''(4) A comprehensive accountability plan that will be used to demonstrate effectiveness, including the measurable performance goals of the program and performance measures to monitor progress and assess services' impact on students and families and academic achievement.

''(5) An explanation of how the State collaborative will work to ensure State policies and guidelines can support the development of full-service community schools, as well as provide technical assistance and training, including professional development, for full-service community schools.

''(6) An explanation of how the State will collect and evaluate information on full-service community schools.

''(d) GRANT PERIOD.—Each grant awarded under this section shall be for a period of 5 years.

''(e) MINIMUM AMOUNT.—The Secretary may not award a grant to a State collaborative under this section in an amount that is less than $500,000 for each year of the 5-year grant period.

''(f) DEFINITIONS.—For purposes of this section:

''(1) STATE.—The term 'State' includes the several States, the District of Columbia, the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands, American Samoa, Guam, the United States Virgin Islands, and any other territory or possession of the United States.

''(2) STATE COLLABORATIVE.—The term 'State collaborative' means a collaborative of a State educational agency and not less than 2 other governmental agencies or nonprofit organizations that provide services to children and families.

''SEC. 5916. ADVISORY COMMITTEE.

''(a) ESTABLISHMENT.—There is hereby established an advisory committee to be known as the 'Full-Service Community Schools Advisory Committee' (in this section referred to as the 'Advisory Committee').

''(b) DUTIES.—Subject to subsection (c), the Advisory Committee shall—

''(1) consult with the Secretary on the development and implementation of programs under this part;

''(2) identify strategies to improve the coordination of Federal programs in support of full-service community schools; and

''(3) issue an annual report to Congress on efforts under this part, including a description of—

''(A) the results of local and national evaluations of such efforts; and

''(B) the scope of services being coordinated under this part.

''(c) CONSULTATION.—In carrying out its duties under this section, the Advisory Committee shall consult annually with eligible entities awarded grants under section 5914, State collaboratives awarded grants under section 5915, and other entities with expertise in operating full-service community schools.

''(d) MEMBERS.—The Advisory Committee shall consist of 5 members as follows:

''(1) The Secretary of Education (or the Secretary's delegate).

''(2) The Attorney General of the United States (or the Attorney General's delegate).

''(3) The Secretary of Agriculture (or the Secretary's delegate).

''(4) The Secretary of Health and Human Services (or the Secretary's delegate).

''(5) The Secretary of Labor (or the Secretary's delegate).

''SEC. 5917. GENERAL PROVISIONS.

''(a) TECHNICAL ASSISTANCE.—The Secretary, directly or through grants, shall provide such technical assistance as may be appropriate to accomplish the purposes of this part.

''(b) EVALUATIONS BY SECRETARY.—The Secretary shall conduct evaluations on the effectiveness of grants under sections 5914 and 5915 in achieving the purposes of this part.

''(c) EVALUATIONS BY GRANTEES.—The Secretary shall require each recipient of a grant under this part—

''(1) to conduct periodic evaluations of the progress achieved with the grant toward achieving the purposes of this part;

''(2) to use such evaluations to refine and improve activities conducted with the grant and the performance measures for such activities; and

''(3) to make the results of such evaluations publicly available, including by providing public notice of such availability.

''(d) CONSTRUCTION CLAUSE.—Nothing in this part shall be construed to alter or otherwise affect the rights, remedies, and procedures afforded school or school district employees under Federal, State, or local laws (including applicable regulations or court orders) or under the terms of collective bargaining agreements, memoranda of understanding, or other agreements between such employees and their employers.

''(e) SUPPLEMENT, NOT SUPPLANT.—Funds made available to a grantee under this part may be used only to supplement, and not supplant, any other Federal, State, or local funds that would otherwise be available to carry out the activities assisted under this part.

''(f) MATCHING FUNDS.—

''(1) IN GENERAL.—The Secretary shall require each recipient of a grant under this part to provide matching funds from non-Federal sources in an amount determined under paragraph (2).

''(2) DETERMINATION OF AMOUNT OF MATCH.—

''(A) SLIDING SCALE.—Subject to subparagraph (B), the Secretary shall determine the amount of matching funds to be required of a grantee under this subsection based on a sliding fee scale that takes into account—

''(i) the relative poverty of the population to be targeted by the grantee; and

''(ii) the ability of the grantee to obtain such matching funds.

''(B) MAXIMUM AMOUNT.—The Secretary may not require any grantee under this part to provide matching funds in an amount that exceeds the amount of the grant award.

''(3) IN-KIND CONTRIBUTIONS.—The Secretary shall permit grantees under this part to match funds in whole or in part with in-kind contributions.

''(4) CONSIDERATION.—Notwithstanding this subsection, the Secretary shall not consider an applicant's ability to match funds when determining which applicants will receive grants under this part.

''(g) SPECIAL RULE.—Entities receiving funds under this part shall comply with all existing Federal statutes that prohibit discrimination.

''SEC. 5918. AUTHORIZATION OF APPROPRIATIONS.

''(a) IN GENERAL.—There are authorized to be appropriated to carry out this part such sums as may be necessary for each of fiscal years 2016 through 2021.

''(b) ALLOCATION.—Of the amounts appropriated to carry out this part for each fiscal year—

''(1) 85 percent shall be for section 5914, and of the funds available for new grants awarded under such section after the date of enactment of the Every Child Achieves Act of 2015, not less than 10 percent of such funds shall be made available for local educational agencies that satisfy the requirements of—

''(A) subparagraph (A) or (B) of section 6211(b)(1); or

''(B) subparagraphs (A) and (B) of section 6221(b)(1);

''(2) 10 percent shall be for section 5915; and

''(3) 5 percent shall be for subsections (a) and (b) of section 5917, of which not less than $500,000 shall be for technical assistance under section 5917(a).''.

SA 2101. Mr. ENZI submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

At the end of the bill, add the following:

SEC. 1020____. PROTECTION OF THE RIGHTS AND PRIVACY OF PARENTS AND STUDENTS.

Section 444 of the General Education Provisions Act (20 U.S.C. 1232g) is amended—

(1) in subsection (a)(4)(A)(ii), by striking ''by an educational agency or institution, or

by a person acting for such agency or institution'' and inserting ''in any format by an educational agency or institution, by a person or third party collecting or maintaining such information through the active intervention, facilitation, or authorization of such agency or institution, or by a person or third party acting for such agency or institution''; and

(2) in subsection (b)—

(A) in paragraph (1)—

(i) by striking subparagraph (A) and inserting the following:

''(A)(i) employees and other school officials, including teachers within the educational institution or local educational agency, who have been determined by such agency or institution to have legitimate educational interests, including the educational interests of the child for whom consent would otherwise be required; or

''(ii) a contractor, or an organization conducting a study under subparagraph (F), if such contractor or organization—

''(I) performs an institutional service of function for which the educational agency or institution would otherwise use employees;

''(II) is under the direct control of the educational agency or institution with respect to the use and maintenance of education records;

''(III) limits internal access to education records to those individuals who are determined to have legitimate educational interests;

''(IV) does not use education records for any other purposes than those explicitly authorized in the contract or agreement;

''(V) does not disclose any personally identifiable information to any other party—

''(aa) without the prior written consent of the parent of the student; or

''(bb) unless required by law or court order, in which case the party shall provide a notice of the required disclosure to the educational agency or institution that provided the information by not later than the date the disclosure is required except when providing notice of the disclosure is expressly prohibited by the law or court order;

''(VI) maintains reasonable administrative, technical, and physical safeguards to protect the security, confidentiality, and integrity of student personally identifiable information in its custody;

''(VII) uses encryption technologies to protect data while in motion or in its custody from unauthorized disclosure using a technology or methodology specified by the Secretary of Health and Human Services in the guidance issued on April 27, 2009 (74 Fed. Reg. 19006) under section 13402(h)(2) of the American Recovery and Reinvestment Act of 2009 (42 U.S.C. 17932(h)(2));

''(VIII) has sufficient administrative and technical procedures to monitor continuously the security of personally identifiable information in the custody of the contractor or organization;

''(IX) conducts a security audit annually and provides the results of that audit to the educational agency or institution from which the contractor, consultant, or other party received education records;

''(X) provides the educational agency or institution with a breach remediation plan acceptable to the educational agency or institution prior to initial receipt of education records;

''(XI) reports all suspected security breaches to the educational agency or institution that provided education records as soon as possible, but not later than 48 hours, after a suspected breach was known or would have been known by exercising reasonable diligence;

''(XII) reports all actual security breaches to the educational agency or institution that provided education records as soon as possible, but no later than 24 hours after an actual breach was known or would have been known by exercising reasonable diligence;

''(XIII) in the event of a security breach or unauthorized disclosure of personally identifiable information, pays all costs and liabilities incurred by the educational agency or institution providing the education record related to the security breach or unauthorized disclosure, including the costs of—

''(aa) responding to inquiries about the security breach or unauthorized disclosure;

''(bb) notifying individuals, including parents of students, whose personally identifiable information was held by the contractor, consultant, or other party about the breach or unauthorized disclosure;

''(cc) mitigating the effects of the breach or unauthorized disclosure for such individuals; and

''(dd) investigating the cause or consequences of the security breach or unauthorized disclosure; and

''(XIV) destroys or returns to the educational agency or institution all personally identifiable information in its custody upon request and at the termination of the contract or agreement;'';

(ii) in subparagraph (C)(i), by inserting ''under the direct control'' after ''authorized representatives''; and

(iii) by striking subparagraph (F) and inserting the following:

''(F) organizations conducting studies for, or on behalf of, educational agencies or institutions for the purpose of developing, validating, or administering predictive tests, administering student aid programs, and improving instruction, if such studies are—

''(i) explicitly approved by the educational agencies or institutions through a written agreement;

''(ii) conducted in such a manner as will not permit the personal identification of students and their parents by persons other than representatives of such organizations and such information will be destroyed when no longer needed for the purpose for which it is conducted; and

''(iii) consistent with subparagraph (A)(ii);'';

(B) in paragraph (3), by inserting ''administered by State or local educational agencies or by an institution'' after ''Federally-supported education program''; and

(C) in paragraph (5), by inserting ''administered by a State or local educational agency or by an institution'' after ''State supported education program''.

SA 2102. Mr. MANCHIN (for himself, Mr. BROWN, and Mrs. CAPITO) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

On page 137, between lines 7 and 8, insert the following:

''(6) COMPREHENSIVE SERVICES.—If health, nutrition, and other social services are not otherwise available to children in a school operating a schoolwide program under this section and such school, if appropriate, has established a collaborative partnership with local service providers and funds are not reasonably available from other public or private sources to provide such services, then the school may use a portion of the funds provided under this subsection to provide such services to economically disadvantaged students, including through—

''(A) the provision of basic medical equipment and services, such as eyeglasses and hearing aids;

''(B) compensation of a coordinator;

''(C) family support and engagement services;

''(D) health care services and integrated student supports to address the physical, mental, and emotional well-being of children; and

''(E) professional development necessary to assist teachers, specialized instructional support personnel, other staff, and parents in identifying and meeting the comprehensive needs of the children in the school.

SA 2103. Mr. MANCHIN (for himself and Mrs. SHAHEEN) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

On page 444, strike line 2 and insert the following:

school; or

''(iii) promote volunteerism and community service;''.

SA 2104. Mr. MANCHIN (for himself and Ms. AYOTTE) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

On page 69, between lines 16 and 17, insert the following:

''(N) how the State educational agency will provide support to local educational agencies for the education of children facing substance abuse in the home, which may include how such agency will provide professional development, training, and technical assistance to local educational agencies, elementary schools, and secondary schools in communities with high rates of substance abuse; and''.

SA 2105. Mr. BENNET submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

On page 181, between lines 18 and 19, insert the following:

(b) COMPARABILITY OF SERVICES.—Section 1117, as redesignated by section 1004(3) and amended by this section, is further amended by striking subsection (c) and inserting the following:

''(c) COMPARABILITY.—

''(1) IN GENERAL.—

''(A) COMPARABILITY.—Beginning for the 2017–2018 school year, a local educational agency may receive funds under this part only if the local educational agency demonstrates to the State educational agency that the combined State and local per-pupil expenditures (including actual personnel and actual non-personnel expenditures) in each school served under this part, in the most recent year for which such data are available, were not less than the average combined

State and local per-pupil expenditures (including actual personnel and actual non-personnel expenditures) for those schools that are not served under this part.

''(B) ALTERNATIVE COMPARABILITY.—If the local educational agency is serving all of the schools under its jurisdiction under this part, the agency shall demonstrate to the State educational agency that the combined State and local per-pupil expenditures (including actual personnel and actual non-personnel expenditures) for each of its higher-poverty schools, in the most recent year for which such data are available, were not less than the average combined State and local per-pupil expenditures (including actual personnel and actual non-personnel expenditures) for its lower-poverty schools.

''(C) BASIS.—A local educational agency may meet the requirements of subparagraphs (A) and (B) on a local educational agency-wide basis or a grade-span by grade-span basis.

''(D) EXCLUSION OF FUNDS.—

''(i) IN GENERAL.—For the purpose of complying with this paragraph, a local educational agency shall exclude any State or local funds expended in any school for—

''(I) excess costs of providing services to English learners;

''(II) excess costs of providing services to children with disabilities;

''(III) capital expenditures; and

''(IV) such other expenditures as the Secretary determines appropriate.

''(ii) CHANGES AFTER THE BEGINNING OF THE SCHOOL YEAR.—A local educational agency need not include unpredictable changes in student enrollment or personnel assignments that occur after the beginning of a school year in determining compliance under this subsection.

''(2) DOCUMENTATION.—A local educational agency shall demonstrate that it is meeting the requirements of paragraph (1) by submitting to the State educational agency for each school served by the local educational agency—

''(A) the State and local per-pupil expenditures (including actual personnel expenditures and actual non-personnel expenditures);

''(B) actual personnel expenditures from State and local sources;

''(C) actual non-personnel expenditures from State and local sources; and

''(D) total expenditures from State and local sources.

''(3) INAPPLICABILITY.—This subsection shall not apply to a local educational agency that does not have more than 1 building for each grade span.

''(4) PROCESS AND PROCEDURES.—

''(A) LOCAL EDUCATIONAL AGENCY RESPONSIBILITIES.—Each local educational agency assisted under this part shall, by October 31, 2018, report to the State educational agency on its compliance with the requirements of this subsection for the preceding school year, including by providing a listing, by school, of actual combined per-pupil State and local personnel and non-personnel expenditures, consistent with paragraph (2).

''(B) STATE EDUCATIONAL AGENCY RESPONSIBILITIES.—Each State educational agency assisted under this part shall ensure that the information under subparagraph (A), including the listings of expenditures by school, is made publicly available by the State or the local educational agency.

''(5) TRANSITION PROVISIONS.—

''(A) SCHOOL YEARS PRECEDING THE 2017–2018 SCHOOL YEAR.—For school years preceding the 2017–2018 school year, a local educational agency may receive funds under this part only if the local educational agency demonstrates to the State educational agency that the local educational agency meets the requirements of this subsection, as in effect on the day before the date of enactment of the Every Child Achieves Act of 2015.

''(B) TRANSITION BETWEEN REQUIREMENTS.—The Secretary shall take such steps as are necessary to provide for the orderly transition between the requirements under this section, as in effect on the day before the date of enactment of the Every Child Achieves Act of 2015, and the new requirements under this section, as amended by such Act.

''(6) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed to require a local educational agency to transfer school personnel in order to comply with this subsection.

''(7) DEFINITIONS.—For the purposes of this subsection:

''(A) HIGHER-POVERTY SCHOOL.—The term 'higher poverty school' means a school that is in the highest 3 quartiles of schools served by a local educational agency, based on the percentage of enrolled students from low-income families.

''(B) LOWER-POVERTY SCHOOL.—The term 'lower poverty school' means a school that is in the lowest quartile of schools served by a local educational agency, based on the percentage of enrolled students from low-income families.''.

SA 2106. Ms. WARREN submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

On page 361, line 3, strike ''school leaders, and'' and insert ''school leaders, specialized instructional support personnel (as appropriate), and''.

On page 362, line 19, insert ''specialized instructional support personnel (as appropriate),'' after ''other school leaders,''.

On page 364, line 20, strike ''and school personnel'' and insert ''school personnel, and specialized instructional support personnel (as appropriate)''.

On page 366, line 5, strike ''and school personnel'' and insert ''specialized instructional support personnel (as appropriate), and school personnel''.

On page 367, line 2, insert ''or specialized instructional support personnel'' after ''librarians''.

SA 2107. Mr. TESTER submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

On page 654, strike lines 7 through 10.

On page 683, lines 16 and 17, strike ''7132, as redesignated by section 7001(2),'' and insert ''7135''.

On page 683, line 18, strike ''**7132**'' and insert ''**7135**''.

SA 2108. Mrs. GILLIBRAND (for herself and Ms. AYOTTE) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

On page 369, strike lines 1 and 2 and insert the following:

''(2) improving student engagement in, and increasing student access to, such subjects, including for students from groups underrepresented in such subjects, such as female students, minority students, English learners, children with disabilities, and economically disadvantaged students;

Beginning on page 374, strike lines 17 through 22 and insert the following:

''(C) how the State's proposed project will ensure increased access for students who are members of groups underrepresented in science, technology, engineering, and mathematics subject fields (which may include female students, minority students, English learners, children with disabilities, and economically disadvantaged students) to high-quality courses in 1 or more of the identified subjects; and

On page 375, strike lines 8 through 12 and insert the following:

''(1) Increasing access for students through grade 12 who are members of groups underrepresented in science, technology, engineering, and mathematics subject fields, such as female students, minority students, English learners, children with disabilities, and economically disadvantaged students, to high-quality courses in the identified subjects.

On page 377, between lines 22 and 23, insert the following:

''(iii) A description of how the eligible subgrantee will use funds provided under this subsection for services and activities to increase access for students who are members of groups underrepresented in science, technology, engineering, and mathematics subject fields, which may include female students, minority students, English learners, children with disabilities, and economically disadvantaged students, to high-quality courses in 1 or more of the State's identified subjects. Such activities and services may include after-school activities or other informal learning opportunities designed to encourage interest and develop skills in 1 or more of such subjects.

On page 381, between lines 4 and 5, insert the following:

''(iv) broaden student access to mentorship, tutoring, and after-school activities or other informal learning opportunities designed to encourage interest and develop skills in 1 or more of the State's identified subjects;

SA 2109. Ms. HIRONO (for herself and Mr. HELLER) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

On page 43, between lines 5 and 6, insert the following:

''(VI) for local educational agencies with not less than 1,000 total Asian and Native Hawaiian/Pacific Islander students, the same race response categories as the decennial census of the population; and

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SA 2110. Mr. DAINES (for himself, Mr. GRASSLEY, Mr. CRUZ, Mr. VITTER, Mr. JOHNSON, Mr. LEE, Mr. LANKFORD, Mr. BLUNT, and Mr. CRAPO) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs.

MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

After part B of title X, insert the following:

PART C—A PLUS ACT

SECTION 10301. SHORT TITLE; PURPOSE; DEFINITIONS.

(a) SHORT TITLE.—This part may be cited as the ''Academic Partnerships Lead Us to Success Act'' or the ''A PLUS Act''.

(b) PURPOSE.—The purposes of this part are as follows:

(1) To give States and local communities added flexibility to determine how to improve academic achievement and implement education reforms.

(2) To reduce the administrative costs and compliance burden of Federal education programs in order to focus Federal resources on improving academic achievement.

(3) To ensure that States and communities are accountable to the public for advancing the academic achievement of all students, especially disadvantaged children.

(c) DEFINITIONS.—

(1) IN GENERAL.—Except as otherwise provided, the terms used in this part have the meanings given the terms in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801 et seq.).

(2) OTHER TERMS.—In this part:

(A) ACCOUNTABILITY.—The term ''accountability'' means that public schools are answerable to parents and other taxpayers for the use of public funds and shall report student progress to parents and taxpayers regularly.

(B) DECLARATION OF INTENT.—The term ''declaration of intent'' means a decision by a State, as determined by State Authorizing Officials or by referendum, to assume full management responsibility for the expenditure of Federal funds for certain eligible programs for the purpose of advancing, on a more comprehensive and effective basis, the educational policy of such State.

(C) STATE.—The term ''State'' has the meaning given such term in section 1122(e) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6332(e)).

(D) STATE AUTHORIZING OFFICIALS.—The term ''State Authorizing Officials'' means the State officials who shall authorize the submission of a declaration of intent, and any amendments thereto, on behalf of the State. Such officials shall include not less than 2 of the following:

(i) The governor of the State.

(ii) The highest elected education official of the State, if any.

(iii) The legislature of the State.

(E) STATE DESIGNATED OFFICER.—The term ''State Designated Officer'' means the person designated by the State Authorizing Officials to submit to the Secretary, on behalf of the State, a declaration of intent, and any amendments thereto, and to function as the point-of-contact for the State for the Secretary and others relating to any responsibilities arising under this part.

SEC. 10302. DECLARATION OF INTENT.

(a) IN GENERAL.—Each State is authorized to submit to the Secretary a declaration of intent permitting the State to receive Federal funds on a consolidated basis to manage the expenditure of such funds to advance the educational policy of the State.

(b) PROGRAMS ELIGIBLE FOR CONSOLIDATION AND PERMISSIBLE USE OF FUNDS.—

(1) SCOPE.—A State may choose to include within the scope of the State's declaration of intent any program for which Congress makes funds available to the State if the program is for a purpose described in the Elementary and Education Secondary Act of 1965 (20 U.S.C. 6301). A State may not include any program funded pursuant to the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.).

(2) USES OF FUNDS.—Funds made available to a State pursuant to a declaration of intent under this part shall be used for any educational purpose permitted by State law of the State submitting a declaration of intent.

(3) REMOVAL OF FISCAL AND ACCOUNTING BARRIERS.—Each State educational agency that operates under a declaration of intent under this part shall modify or eliminate State fiscal and accounting barriers that prevent local educational agencies and schools from easily consolidating funds from other Federal, State, and local sources in order to improve educational opportunities and reduce unnecessary fiscal and accounting requirements.

(c) CONTENTS OF DECLARATION.—Each declaration of intent shall contain—

(1) a list of eligible programs that are subject to the declaration of intent;

(2) an assurance that the submission of the declaration of intent has been authorized by the State Authorizing Officials, specifying the identity of the State Designated Officer;

(3) the duration of the declaration of intent;

(4) an assurance that the State will use fiscal control and fund accounting procedures;

(5) an assurance that the State will meet the requirements of applicable Federal civil rights laws in carrying out the declaration of intent and in consolidating and using the funds under the declaration of intent;

(6) an assurance that in implementing the declaration of intent the State will seek to advance educational opportunities for the disadvantaged;

(7) a description of the plan for maintaining direct accountability to parents and other citizens of the State; and

(8) an assurance that in implementing the declaration of intent, the State will seek to use Federal funds to supplement, rather than supplant, State education funding.

(d) DURATION.—The duration of the declaration of intent shall not exceed 5 years.

(e) REVIEW AND RECOGNITION BY THE SECRETARY.—

(1) IN GENERAL.—The Secretary shall review the declaration of intent received from the State Designated Officer not more than 60 days after the date of receipt of such declaration, and shall recognize such declaration of intent unless the declaration of intent fails to meet the requirements under subsection (c).

(2) RECOGNITION BY OPERATION OF LAW.—If the Secretary fails to take action within the time specified in paragraph (1), the declaration of intent, as submitted, shall be deemed to be approved.

(f) AMENDMENT TO DECLARATION OF INTENT.—

(1) IN GENERAL.—The State Authorizing Officials may direct the State Designated Officer to submit amendments to a declaration of intent that is in effect. Such amendments shall be submitted to the Secretary and considered by the Secretary in accordance with subsection (e).

(2) AMENDMENTS AUTHORIZED.—A declaration of intent that is in effect may be amended to—

(A) expand the scope of such declaration of intent to encompass additional eligible programs;

(B) reduce the scope of such declaration of intent by excluding coverage of a Federal program included in the original declaration of intent;

(C) modify the duration of such declaration of intent; or

(D) achieve such other modifications as the State Authorizing Officials deem appropriate.

(3) EFFECTIVE DATE.—The amendment shall specify an effective date. Such effective date shall provide adequate time to assure full compliance with Federal program requirements relating to an eligible program that has been removed from the coverage of the declaration of intent by the proposed amendment.

(4) TREATMENT OF PROGRAM FUNDS WITHDRAWN FROM DECLARATION OF INTENT.—Beginning on the effective date of an amendment executed under paragraph (2)(B), each program requirement of each program removed from the declaration of intent shall apply to the State's use of funds made available under the program.

SEC. 10303. TRANSPARENCY FOR RESULTS OF PUBLIC EDUCATION.

(a) IN GENERAL.—Each State operating under a declaration of intent under this part shall inform parents and the general public regarding the student achievement assessment system, demonstrating student progress relative to the State's determination of student proficiency, as described in paragraph (2), for the purpose of public accountability to parents and taxpayers.

(b) ACCOUNTABILITY SYSTEM.—The State shall determine and establish an accountability system to ensure accountability under this part.

(c) REPORT ON STUDENT PROGRESS.—Not later than 1 year after the effective date of the declaration of intent, and annually thereafter, a State shall disseminate widely to parents and the general public a report that describes student progress. The report shall include—

(1) student performance data disaggregated in the same manner as data are disaggregated under section 1111(b)(3)(A) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311(b)(3)(A)); and

(2) a description of how the State has used Federal funds to improve academic achievement, reduce achievement disparities between various student groups, and improve educational opportunities for the disadvantaged.

SEC. 10304. ADMINISTRATIVE EXPENSES.

(a) IN GENERAL.—Except as provided in subsection (b), the amount that a State with a declaration of intent may expend for administrative expenses shall be limited to 1 percent of the aggregate amount of Federal funds made available to the State through the eligible programs included within the scope of such declaration of intent.

(b) STATES NOT CONSOLIDATING FUNDS UNDER PART A OF TITLE I.—If the declaration of intent does not include within its scope part A of title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311 et seq.), the amount spent by the State on administrative expenses shall be limited to 3 percent of the aggregate amount of Federal funds made available to the State pursuant to such declaration of intent.

SEC. 10305. EQUITABLE PARTICIPATION OF PRIVATE SCHOOLS.

Each State consolidating and using funds pursuant to a declaration of intent under this part shall provide for the participation of private school children and teachers in the activities assisted under the declaration of intent in the same manner as participation is provided to private school children and teachers under section 9501 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7881).

SA 2111. Mr. MCCAIN (for himself and Mr. REID) submitted an amendment intended to be proposed to amendment

SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

At the end of part B of title X, add the following:

SEC. _____. POSTHUMOUS PARDON.

(a) FINDINGS.—Congress finds the following:

(1) John Arthur ''Jack'' Johnson was a flamboyant, defiant, and controversial figure in the history of the United States who challenged racial biases.

(2) Jack Johnson was born in Galveston, Texas, in 1878 to parents who were former slaves.

(3) Jack Johnson became a professional boxer and traveled throughout the United States, fighting White and African-American heavyweights.

(4) After being denied (on purely racial grounds) the opportunity to fight 2 White champions, in 1908, Jack Johnson was granted an opportunity by an Australian promoter to fight the reigning White title-holder, Tommy Burns.

(5) Jack Johnson defeated Tommy Burns to become the first African-American to hold the title of Heavyweight Champion of the World.

(6) The victory by Jack Johnson over Tommy Burns prompted a search for a White boxer who could beat Jack Johnson, a recruitment effort that was dubbed the search for the ''great white hope''.

(7) In 1910, a White former champion named Jim Jeffries left retirement to fight Jack Johnson in Reno, Nevada.

(8) Jim Jeffries lost to Jack Johnson in what was deemed the ''Battle of the Century''.

(9) The defeat of Jim Jeffries by Jack Johnson led to rioting, aggression against African-Americans, and the racially-motivated murder of African-Americans throughout the United States.

(10) The relationships of Jack Johnson with White women compounded the resentment felt toward him by many Whites.

(11) Between 1901 and 1910, 754 African-Americans were lynched, some simply for being ''too familiar'' with White women.

(12) In 1910, Congress passed the Act of June 25, 1910 (commonly known as the ''White Slave Traffic Act'' or the ''Mann Act'') (18U.S.C. 2421 et seq.), which outlawed the transportation of women in interstate or foreign commerce ''for the purpose of prostitution or debauchery, or for any other immoral purpose''.

(13) In October 1912, Jack Johnson became involved with a White woman whose mother disapproved of their relationship and sought action from the Department of Justice, claiming that Jack Johnson had abducted her daughter.

(14) Jack Johnson was arrested by Federal marshals on October 18, 1912, for transporting the woman across State lines for an ''immoral purpose'' in violation of the Mann Act.

(15) The Mann Act charges against Jack Johnson were dropped when the woman refused to cooperate with Federal authorities, and then married Jack Johnson.

(16) Federal authorities persisted and summoned a White woman named Belle Schreiber, who testified that Jack Johnson had transported her across States lines for the purpose of ''prostitution and debauchery''.

(17) In 1913, Jack Johnson was convicted of violating the Mann Act and sentenced to 1 year and 1 day in Federal prison.

(18) Jack Johnson fled the United States to Canada and various European and South American countries.

(19) Jack Johnson lost the Heavyweight Championship title to Jess Willard in Cuba in 1915.

(20) Jack Johnson returned to the United States in July 1920, surrendered to authorities, and served nearly a year in the Federal penitentiary at Leavenworth, Kansas.

(21) Jack Johnson subsequently fought in boxing matches, but never regained the Heavyweight Championship title.

(22) Jack Johnson served the United States during World War II by encouraging citizens to buy war bonds and participating in exhibition boxing matches to promote the war bond cause.

(23) Jack Johnson died in an automobile accident in 1946.

(24) In 1954, Jack Johnson was inducted into the Boxing Hall of Fame.

(25) Senate Concurrent Resolution 29,111th Congress, agreed to July 29, 2009, expressed the sense of the 111th Congress that Jack Johnson should receive a posthumous pardon for his racially-motivated 1913 conviction.

(b) RECOMMENDATIONS.—It remains the sense of Congress that Jack Johnson should receive a posthumous pardon—

(1) to expunge a racially-motivated abuse of the prosecutorial authority of the Federal Government from the annals of criminal justice in the United States; and

(2) in recognition of the athletic and cultural contributions of Jack Johnson to society.

SA 2112. Mr. BENNET submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

On page 284, between lines 11 and 12, insert the following:

''(C) OPTIONAL USES.—

''(i) IN GENERAL.—The State educational agency for a State that receives an allotment under subsection (b) may use not more than 1 percent of funds available and not reserved under paragraph (1) to establish, expand, or implement 1 or more teacher or principal preparation academies and to provide for a State authorizer, if—

''(I) the State does not have in place legal, statutory, or regulatory barriers to the creation or operation of teacher or principal preparation academies;

''(II) the State enables candidates attending a teacher or principal preparation academy to be eligible for State financial aid to the same extent as participants in other State-approved teacher or principal preparation programs, including alternative certification, licensure, or credential programs;

''(III) the State enables teachers or principals who are teaching or working while on alternative certificates, licenses, or credentials to teach or work in the State while enrolled in a teacher or principal preparation academy; and

''(IV) the State will recognize a certificate of completion (from any teacher or principal preparation academy that is not, or is unaffiliated with, an institution of higher education), as at least the equivalent of a master's degree in education for the purposes of hiring, retention, compensation, and promotion in the State.

''(ii) DEFINITIONS.—In this subparagraph:

''(I) TEACHER OR PRINCIPAL PREPARATION ACADEMY.—The term 'teacher or principal preparation academy' means a public or other nonprofit institution that will prepare teachers or principals, or both, to serve in high need schools and that—

''(aa) enters into an agreement with a State authorizer that specifies the goals expected of the institution, including—

''(AA) a requirement that teacher or principal candidates, or teachers teaching or principals serving on alternative certificates, licenses, or credentials, who are enrolled in the academy receive a significant part of their training through clinical preparation that partners candidates with mentor teachers or principals with a demonstrated track record of success in improving student growth, including (where applicable) children with disabilities, children living in poverty, and English learners; and

''(BB) a requirement that the academy will provide instruction to teacher candidates that links to the clinical preparation experience;

''(CC) the number of teachers or principals the academy will produce and the minimum number and percentage of teachers or principals who will demonstrate success in improving student performance based on multiple measures (including student growth);

''(DD) a requirement that the teacher preparation component of the academy will only award a certificate of completion (or degree, if the academy is, or is affiliated with, an institution of higher education) after the graduate demonstrates a track record of success in improving student performance based on multiple measures (including student growth), either as a student teacher or teacher-of-record on an alternative certificate, license, or credential;

''(EE) a requirement that the principal preparation component of the academy will only award a certificate of completion (or degree, if the academy is, or is affiliated with, an institution of higher education) after the graduate demonstrates a track record of success in improving student performance for some or all of a school's students; and

''(FF) timelines for producing cohorts of graduates and conferring certificates of completion (or degrees, if the academy is, or is affiliated with, an institution of higher education) from the academy;

''(bb) shall not have unnecessary restrictions placed on the methods the academy will use to train teacher or principal candidates (or teachers or principals that are teaching or working while on alternative certificates, licenses, or credentials), including restrictions or requirements—

''(AA) obligating the faculty of the academy to hold advanced degrees, or prohibiting the faculty of the academy from holding advanced degrees;

''(BB) obligating such faculty to conduct academic research;

''(CC) related to the physical infrastructure of the academy;

''(DD) related to the number of course credits required as part of the program of study;

''(EE) related to the undergraduate coursework completed by teachers teaching on alternative certificates, licenses, or credentials, as long as such teachers have successfully passed all relevant State-approved content area examinations; or

''(FF) related to obtaining additional accreditation from a national accrediting body; and

''(cc) limits admission to its program to candidates who demonstrate strong potential to improve student achievement, based on a rigorous selection process that reviews a candidate's prior academic achievement or record of professional accomplishment.

''(II) STATE AUTHORIZER.—The term 'State authorizer' means an entity designated by the Governor of a State to recognize teacher or principal preparation academies within the State that—

''(aa) enters into an agreement with a teacher or principal preparation academy that specifies the goals expected of the academy, as described in subclause (I)(aa);

''(bb) may be a nonprofit organization, State educational agency, or other public entity, or consortium of such entities (including a consortium of States); and

''(cc) does not reauthorize a teacher or principal preparation academy if the academy fails to produce the minimum number or percentage of effective teachers or principals, respectively, identified in the academy's authorizing agreement.

''(iii) SUPPLEMENT, NOT SUPPLANT.—Funds used in accordance with this subparagraph shall be used to supplement, and not supplant, non-Federal funds that would otherwise be used for activities authorized under this subparagraph.''.

SA 2113. Mr. BENNET submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

On page 424, strike lines 5 through 12 and insert the following:

''(1) not more than 5 percent for national activities authorized under section 4109;

On page 452, between lines 4 and 5, insert the following:

''SEC. 4109. NATIONAL ACTIVITIES.

''(a) APRA-ED.—From the funds reserved under section 4103(a)(1) to carry about this section, the Secretary may reserve not more than 40 percent for each fiscal year to carry out the activities of the Advanced Research Projects Agency-Education established under section 221 of the Department of Education Organization Act, as added by part C of title X of the Every Child Achieves Act of 2015.

''(b) NATIONAL ACTIVITIES.—From the funds reserved under section 4103(a)(1) and not further reserved in accordance with subsection (a), the Secretary may carry out national activities directly or through grants, contracts, or agreements with public or private entities or individuals, or other Federal agencies, such as providing technical assistance to States and local educational agencies carrying out activities under this part or conducting a national evaluation.''.

At the end of title X, add the following:

PART C—ADVANCED RESEARCH PROJECTS AGENCY-EDUCATION

SEC. 10301. ADVANCED RESEARCH PROJECTS AGENCY-EDUCATION.

The Department of Education Organization Act (20 U.S.C. 3401 et seq.) is amended by inserting after section 220 the following new section:

''SEC. 221. ADVANCED RESEARCH PROJECTS AGENCY-EDUCATION.

''(a) ESTABLISHMENT.—There shall be in the Department an Advanced Research Projects Agency-Education (referred to in this section as 'ARPA-ED').

''(b) PURPOSES.—ARPA-ED is established under this section for the purposes of pursuing breakthrough research and development in educational technology and providing the effective use of the technology to improve achievement for all students, by—

''(1) identifying and promoting revolutionary advances in fundamental and applied sciences and engineering that could be translated into new learning technologies;

''(2) developing novel learning technologies, and the enabling processes and contexts for effective use of those technologies;

''(3) developing, testing, and evaluating the impact and efficacy of those technologies;

''(4) accelerating transformational technological advances in areas in which the private sector, by itself, is not likely to accelerate such advances because of difficulties in implementation or adoption, or technical and market uncertainty;

''(5) coordinating activities with nongovernmental entities to demonstrate technologies and research applications to facilitate technology transfer; and

''(6) encouraging educational research using new technologies and the data produced by the technologies.

''(c) AUTHORITIES OF SECRETARY.—The Secretary is authorized to—

''(1) appoint a Director, who shall be responsible for carrying out the purposes of ARPA-ED, as described in subsection (b), and such additional functions as the Secretary may prescribe;

''(2) establish processes for the development and execution of projects and the solicitation of entities to carry out the projects in a manner that is—

''(A) tailored to the purposes of ARPA-ED and not constrained by other Department-wide administrative requirements that could detract from achieving program results; and

''(B) designed to heighten transparency, and public- and private-sector involvement, to ensure that investments are made in the most promising areas;

''(3) award grants, contracts, cooperative agreements, and cash prizes, and enter into other transactions (in accordance with such regulations as the Secretary may establish regarding other transactions);

''(4) make appointments of up to 20 scientific, engineering, professional, and other mission-related employees, for periods of up to 4 years (which appointments may not be renewed) without regard to the provisions of title 5, United States Code, governing appointments in the competitive service;

''(5)(A) prescribe the rates of basic pay for the personnel described in paragraph (4) at rates not in excess of the maximum rate of basic pay authorized for senior-level positions under section 5376 of title 5, United States Code, notwithstanding any provision of that title governing the rates of basic pay or classification of employees in the executive branch, but those personnel shall not receive any payment for service (such as an award, premium payment, incentive payment or bonus, allowance, or other similar payment) under any other provision of that title; and

''(B) pay any employee appointed pursuant to paragraph (4) payments in addition to that basic pay, except that the total amount of those payments for any calendar year shall not exceed the lesser of—

''(i) $25,000; or

''(ii) the difference between the employee's annual rate of basic pay under paragraph (4) and the annual rate for level I of the Executive Schedule under section 5312 of title 5, United States Code, based on the rates in effect at the end of the applicable calendar year (or, if the employee separated during that year, on the date of separation);

''(6) obtain independent, periodic, rigorous evaluations, as appropriate, of—

''(A) the effectiveness of the processes ARPA-ED is using to achieve its purposes; and

''(B) the effectiveness of individual projects assisted by ARPA-ED, using evidence standards developed in consultation with the Institute of Education Sciences, and the suitability of ongoing projects assisted by ARPA-ED for further investment or increased scale; and

''(7) disseminate, through the comprehensive centers established under section 203 of the Educational Technical Assistance Act of 2002 (20 U.S.C. 9602), the regional educational laboratories system established under section 174 of the Education Sciences Reform Act of 2002 (20 U.S.C. 9564), or such other means as the Secretary determines to be appropriate, information on effective practices and technologies developed with ARPA-ED support.

''(d) EVALUATION FUNDS.—The Secretary may use funds made available for ARPA-ED to pay the cost of the evaluations under subsection (c)(6).

''(e) FEDERAL ADVISORY COMMITTEE ACT.—Notwithstanding any other provision of law, any advisory committee convened by the Secretary to provide advice with respect to this section shall be exempt from the requirements of the Federal Advisory Committee Act (5 U.S.C. App.) and the definition of 'employee' in section 2105 of title 5, United States Code, shall not be considered to include any appointee to such a committee.

''(f) NONDUPLICATION.—To the maximum extent practicable, the Secretary shall ensure that grants, contracts, cooperative agreements, cash prizes, or other assistance or arrangements awarded or entered into pursuant to this section that are designed to carry out the purposes of ARPA-ED do not duplicate activities under programs carried out under Federal law other than this section by the Department or other Federal agencies.''.

SA 2114. Mr. BENNET submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

At the end of title X, add the following:

PART C—PROVIDING PROGRAMS THROUGH SCHOOLS

SEC. 10301. PROVIDING PROGRAMS THROUGH SCHOOLS.

(a) PURPOSE.—The purpose of this section is to provide flexibility to allow services related to health, education, workforce training, and other social issues affecting the well-being of children and their families to be co-located in public elementary and secondary schools, if the school so chooses.

(b) DEFINITIONS.—In this section:

(1) APPLICABLE SECRETARY.—The term ''applicable Secretary'' means the Secretary of Health and Human Services, the Secretary of Labor, the Secretary of Education, or another head of an agency, as the case may be, who has administrative responsibility over a program, activity, or service authorized under a covered HELP program.

(2) COVERED HELP PROGRAM.—The term ''covered HELP program'' means the following:

(A) A program, activity, or service authorized under—

(i) the Abandoned Infants Assistance Act of 1988 (42 U.S.C. 670 note);

(ii) the Act of August 16, 1937 (commonly known as the ''National Apprenticeship Act''; 50 Stat. 664, chapter 663; 29 U.S.C. 50 et seq.);

(iii) the Assistive Technology Act of 1998 (29 U.S.C. 3001 et seq.);

(iv) the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2301 et seq.);

(v) the Child Abuse Prevention and Treatment Act (42 U.S.C. 5101 et seq.);

(vi) the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858);

(vii) the Children's Health Act of 2000 (Public Law 106–310; 114 Stat. 1101);

(viii) the Christopher and Dana Reeve Paralysis Act (42 U.S.C. 284o et seq.);

(ix) the Community Services Block Grant Act (42 U.S.C. 9901 et seq.);

(x) the Developmental Disabilities Assistance and Bill of Rights Act of 2000 (42 U.S.C. 15001 et seq.);

(xi) the Domestic Volunteer Service Act of 1973 (42 U.S.C. 4950 et seq.);

(xii) the Education Sciences Reform Act of 2002 (20 U.S.C. 9501 et seq.);

(xiii) the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.);

(xiv) the Higher Education Act of 1965 (20 U.S.C. 1001 et seq.);

(xv) the Head Start Act (42 U.S.C. 9831 et seq.);

(xvi) the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.);

(xvii) the Low Income Home Energy Assistance Act of 1981 (42 U.S.C. 8261 et seq.);

(xviii) the National and Community Service Act of 1990 (42 U.S.C. 12501 et seq.);

(xix) the Older Americans Act of 1965 (42 U.S.C. 3001 et seq.);

(xx) the Public Health Service Act (42 U.S.C. 201 et seq.);

(xxi) the Runaway and Homeless Youth Act (42 U.S.C. 5701 et seq.);

(xxii) the Rehabilitation Act of 1973 (29 U.S.C. 701 et seq.);

(xxiii) section 212 of the Second Chance Act (Public Law 110–199);

(xxiv) the Special Olympics Sport and Empowerment Act of 2004 (42 U.S.C. 15001 note);

(xxv) section 1404A of the Victims of Crime Act of 1984 (42 U.S.C. 10603a);

(xxvi) the Wagner-Peyser Act (29 U.S.C. 49 et seq.); and

(xxvii) the Workforce Innovation and Opportunity Act (29 U.S.C. 3101); or

(B) a program, activity, or service designated by an applicable Secretary under subsection (d).

(3) ESEA DEFINITIONS.—The terms ''elementary school'', ''local educational agency'', and ''secondary school'' have the meanings given the terms in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

(c) OFFERING PROGRAMS IN SCHOOLS.—An applicable Secretary who has administrative responsibility under Federal law for any covered HELP program shall allow funds for the covered HELP program to be used to provide the authorized program, activities, or services at a public elementary school or secondary school, notwithstanding any provision of the law authorizing the covered HELP program or any other provision of law, if—

(1) the Secretary determines that such use—

(A) furthers the purpose of the covered HELP program;

(B) serves the population designated to be served by the covered HELP program, as determined by the Secretary; and

(C) is beneficial to the children served by the school and the families of such students; and

(2) the school at which the program, activities, or services will be offered—

(A) believes that the program is beneficial to the children served by the school and the families of such students and would not endanger the safety of the students; and

(B) provides the Secretary with an assurance demonstrating that the requirement of subparagraph (A) is met and that the school has consulted with the local educational agency serving the school regarding the provision of the program, activities, or services.

(d) USE IN OTHER PROGRAMS.—An applicable Secretary may designate a program under such Secretary's authority to be included as a covered HELP program if—

(1) the applicable Secretary—

(A) determines that expanding the program, or the activities or services offered through the program, to be offered through schools would benefit the population to be served by the program and be consistent with the purposes of this Act; and

(B) determines, in consultation with the Secretary of Education, that providing such program, activities, or services at a public elementary school or secondary school would benefit the students attending the school and the families of such students; and

(2) the applicable Secretary notifies Congress of the Secretary's determination not less than 60 days before the applicable Secretary carries out subsection (b) with respect to the program.

SA 2115. Mr. BENNET submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

At the end of part B of title X, insert the following:

SEC. _____. COMPTROLLER GENERAL STUDY ON INCREASING EFFECTIVENESS OF EXISTING SERVICES AND PROGRAMS INTENDED TO BENEFIT CHILDREN.

Not later than 2 years after the date of the enactment of this Act, the Comptroller General shall provide to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Education and the Workforce of the House of Representatives a report that includes—

(1) a description and assessment of the existing federally funded services and programs across all agencies that have a purpose or are intended to benefit or serve children, including—

(A) the purposes, goals, and organizational and administrative structure of such services and programs at the Federal, State, and local level; and

(B) methods of delivery and implementation; and

(2) recommendations to increase the effectiveness, coordination, and integration of such services and programs, across agencies and levels of government, in order to leverage existing resources and better and more comprehensively serve children.

SA 2116. Mr. BENNET submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

After section 3005, insert the following:

SEC. 3006. REPORT ON IDENTIFICATION OF ENGLISH LEARNERS IN EARLY CHILDHOOD.

Not later than 1 year after the date of enactment of this Act, the Secretary of Education, in collaboration with the Secretary of Health and Human Services and the National Academy of Sciences, shall provide a written report to the authorizing committees containing information about—

(1) how federally funded early childhood education programs identify students as English learners; and

(2) the extent to which the transition between early childhood education and elementary school can be strengthened for English learners, including recommendations for improving the quality and delivery of early childhood education programs in order to help early childhood English learners achieve a level of English language proficiency such that those children can be transitioned from English learner programs and services.

SA 2117. Mr. BENNET submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

On page 111, between lines 24 and 25, insert the following:

''(2) TESTING TRANSPARENCY.—

''(A) IN GENERAL.—Subject to subparagraph (B), each local educational agency that receives funds under this part shall make widely available through public means, including by posting in a clear, concise, and easily accessible manner on the local educational agency's website and, to the extent practicable, on the website of each school served by the local educational agency, for each grade served by the local educational agency or school, information on each assessment required by the State to comply with section 1111, other assessments required by the State, and assessments required districtwide by the local educational agency, including—

''(i) the subject matter assessed;

''(ii) the purpose for which the assessment is designed and used;

''(iii) the source of the requirement for the assessment;

''(iv) the amount of time students will spend taking the assessment, and the schedule and calendar for the assessment; and

''(v) the time and format for disseminating results.

''(B) LEA THAT DOES NOT OPERATE A WEBSITE.—In the case of a local educational agency that does not operate a website, such local educational agency shall determine how to make the information described in subparagraph (A) widely available, such as through distribution of that information to the media, through public agencies, or directly to parents.

SA 2118. Mr. KAINE (for himself, Mr. PORTMAN, and Ms. BALDWIN) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

On page 56, strike lines 9 through 12 and insert the following:

''(aa) student readiness to enter postsecondary education or the workforce without the need for postsecondary remediation, which may include—

''(AA) measures that integrate preparation for postsecondary education and the workforce, including performance in coursework sequences that integrate rigorous academics, work-based learning, and career and technical education;

''(BB) measures of a high-quality and accelerated academic program as determined

appropriate by the State, which may include the percentage of students who participate in a State-approved career and technical program of study as described in section 122(c)(1)(A) of the Carl D. Perkins Career and Technical Education Act of 2006 and measures of technical skill attainment and placement described in section 113(b) of such Act and reported by the State in a manner consistent with section 113(c) of such Act, or other substantially similar measures;

''(CC) student performance on assessments aligned with the expectations for first-year postsecondary education success;

''(DD) student performance on admissions tests for postsecondary education;

''(EE) student performance on assessments of career readiness and acquisition of industry-recognized credentials that meet the quality criteria established by the State under section 123(a) of the Workforce Innovation and Opportunity Act (29 U.S. C. 3102);

''(FF) student enrollment rates in postsecondary education;

''(GG) measures of student remediation in postsecondary education; and

''(HH) measures of student credit accumulation in postsecondary education;

On page 57, line 14, strike ''; and'' and insert '', which may include participation and performance in Advanced Placement, International Baccalaureate, dual enrollment, and early college high school programs; and''.

SA 2119. Mr. GARDNER (for himself, Mr. CARPER, Mr. COONS, and Mrs. FEINSTEIN) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

On page 19, line 22, insert ''public charter school representatives (if applicable),'' before ''specialized''.

On page 95, line 12, insert ''public charter school representatives (if applicable),'' after ''leaders,''.

SA 2120. Ms. WARREN (for herself and Mr. GARDNER) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

On page 75, strike line 1 and all that follows through line 4 on page 76 and insert the following:

''(iii) TECHNICAL ASSISTANCE.—Upon request by a State or local educational agency, the Secretary shall provide technical assistance to States and local educational agencies in collecting, cross-tabulating, or disaggregating data in order to meet the requirements of this paragraph.

''(C) MINIMUM REQUIREMENTS.—Each State report card required under this subsection shall include the following information:

''(i) A clear and concise description of the State's accountability system under subsection (b)(3), including the goals for all students and for each of the categories of students, as defined in subsection (b)(3)(A), the indicators used in the accountability system to evaluate school performance described in subsection (b)(3)(B), and the weights of the indicators used in the accountability system to evaluate school performance.

''(ii) Information on student achievement on the academic assessments described in subsection (b)(2) at each level of achievement, as determined by the State under subsection (b)(1), for all students and disaggregated and cross-tabulated in accordance with the following:

''(I) Such information shall be disaggregated by each category of students described in subsection (b)(2)(B)(xi), homeless status, and status as a child in foster care and, within each category of students described in subsection (b)(2)(B)(xi), cross-tabulated by—

''(aa) each major racial and ethnic group, gender, English proficiency, and children with or without disabilities; and

''(bb) any other category of students that the State chooses to include.

''(II) The disaggregation or cross-tabulation for a category described in sub clause (I) shall not be required in a case in which the number of students in the category is insufficient to yield statistically reliable information or the results of such disaggregation or cross-tabulation would reveal personally identifiable information about an individual student.

''(iii) For all students and disaggregated by each category of students described in subsection (b)(2)(B)(xi), the percentage of students assessed and not assessed.

''(iv)(I) For all students, and disaggregated and cross-tabulated in accordance with subclauses (II) and (III)—

''(aa) information on the performance on the other academic indicator under subsection (b)(3)(B)(ii)(II)(aa) used by the State in the State accountability system; and

''(bb) high school graduation rates, including 4-year adjusted cohort graduation rates and, at the State's discretion, extended-year adjusted cohort graduation rates.

''(II) The information described in sub clause (I) shall be disaggregated by each of the categories of students, as defined in subsection (b)(3)(A), and, within each such disaggregation category, cross-tabulated by—

''(aa) each major racial and ethnic group, gender, English proficiency, and children with or without disabilities; and

''(bb) any other category of students that the State chooses to include.

''(III) The disaggregation or cross-tabulation for a category described in sub clause (II) shall not be required in a case in which the number of students in the category is insufficient to yield statistically reliable information or the results of such disaggregation or cross-tabulation would reveal personally identifiable information about an individual student.

On page 89, between lines 5 and 6, insert the following:

''(5) CROSS-TABULATION PROVISIONS.—

''(A) CROSS-TABULATION DATA NOT USED FOR ACCOUNTABILITY.—Nothing in this subsection shall be construed to require groups of students obtained by cross-tabulating data under this subsection to be considered categories of students under subsection (b)(3)(A) for purposes of the State accountability system under subsection (b)(3) or section 1114.

''(B) CROSS-TABULATED DATA IMPLEMENTATION.—Information obtained by cross-tabulating data under this subsection shall be widely accessible to the public in accordance with paragraph (1)(B)(i)(III) and, upon request, by any additional public means that the State determines.

SA 2121. Mr. HELLER (for himself and Mr. MANCHIN) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

On page 800, between lines 17 and 18, insert the following:

SEC. 9115A. CONSULTATION WITH THE GOVERNOR.

Subpart 2 of part F of title IX (20 U.S. C. 7901 et se.), as amended by sections 4001(3), 9114, and 9115, and redesignated by section 9106(1), is further amended by adding at the end the following:

''SEC. 9540. CONSULTATION WITH THE GOVERNOR.

''(a) IN GENERAL.—A State educational agency shall consult in a timely and meaningful manner with the Governor, or appropriate officials from the Governor's office, in the development of State plans under titles I and II and section 9302.

''(b) TIMING.—The consultation described in subsection (a) shall include meetings of officials from the State educational agency and the Governor's office and shall occur—

''(1) during the development of such plan; and

''(2) prior to submission of the plan to the Secretary.

''(c) JOINT SIGNATURE AUTHORITY.—A Governor shall have 30 days prior to the State educational agency submitting the State plan under title I or II or section 9302 to the Secretary to sign such plan. If the Governor has not signed the plan within 30 days of delivery by the State educational agency to the Governor, the State educational agency shall submit the plan to the Secretary without such signature.''.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the Committee on Agriculture, Nutrition, and Forestry be authorized to meet during the session of the Senate on July 7, 2015, at 3 p.m., in room SR–328A of the Russell Senate Office Building, to conduct a hearing entitled ''Highly Pathogenic Avian Influenza: The Impact on the U.S. Poultry Sector and Protecting U.S. Poultry Flocks.''

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ARMED SERVICES

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on July 7, 2015, at 9:30 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on July 7, 2015, at 1:30 p.m., in room SR–253 of the Russell Senate Office Building to conduct a hearing entitled ''Technologies Transforming Transportation: Is the Government Keeping Up?''

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on July 7, 2015, at 10 a.m., in room SD–366 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor and Pensions be authorized to meet during the session of the Senate on July 7, 2015, at 2 p.m., in room SD–430 of the Dirksen Senate Office Building, to conduct a hearing entitled ''Small Business Health Care Challenges and Opportunities.''

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on July 7, 2015, at 10 a.m. to conduct a hearing entitled ''The 2014 Humanitarian Crisis at Our Border: A Review of the Government's Response to Unaccompanied Minors One Year Later.''

The PRESIDING OFFICER. Without objection, it is so ordered.

SELECT COMMITTEE ON INTELLIGENCE

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on July 7, 2015, at 3 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

PRIVILEGES OF THE FLOOR

Mrs. MURRAY. Mr. President, with that, I ask unanimous consent that Leslie Clithero, a detailee from the U.S. Department of Education; Shruti Shah, a detailee from the U.S. Department of Labor; and Okey Enyia, a fellow in my Health, Education, Labor and Pensions Committee office, be granted floor privileges for the remainder of this Congress.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ALEXANDER. Mr. President, I ask unanimous consent that Stephen Townsend, a fellow in my office, be granted floor privileges for the consideration of this bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

NOTICE: REGISTRATION OF MASS MAILINGS

The filing date for the 2015 second quarter Mass Mailing report is Monday, July 27, 2015. An electronic option is now available on Webster that will allow forms to be submitted via a fillable pdf document. If your office did no mass mailings during this period, please submit a form that states ''none.''

Mass mailing registrations, or negative reports can be submitted electronically or delivered to the Senate Office of Public Records, 232 Hart Building, Washington, D.C. 20510–7116.

The Senate Office of Public Records will be open from 9:00 a.m. to 6:00 p.m. For further information, please contact the Senate Office of Public Records at (202) 224–0322.

DEPARTMENT OF THE INTERIOR TRIBAL SELF-GOVERNANCE ACT OF 2015

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 102, S. 286.

The PRESIDING OFFICER. The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (S. 286) to amend the Indian Self-Determination and Education Assistance Act to provide further self-governance by Indian tribes, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. MCCONNELL. I ask unanimous consent that amendment No. 1471 be agreed to, the bill, as amended, be read a third time and passed, and the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment (No. 1471) in the nature of a substitute was agreed to.

(The amendment is printed in the RECORD of June 2, 2015, under ''Text of Amendments.'')

The bill (S. 286), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed.

ORDERS FOR WEDNESDAY, JULY 8, 2015

Mr. MCCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m., Wednesday, July 8; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; that following leader remarks, the Senate resume consideration of S. 1177; and, finally, that the Senate recess from 12:30 p.m. until 2:15 p.m. to allow for the weekly conference meetings.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. MCCONNELL. Senators should expect votes in the morning in relation to the Every Child Achieves bill prior to the noon hour recess.

ORDER FOR ADJOURNMENT

Mr. MCCONNELL. If there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order, following the remarks of Senator COTTON.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MCCONNELL. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. COTTON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

NUCLEAR NEGOTIATIONS WITH IRAN

Mr. COTTON. Mr. President, today, on July 7, we have seen yet another extension of the nuclear negotiations with Iran—a terrorist-sponsoring, anti-American, outlaw regime with the blood of hundreds of Americans on its hands, from Lebanon, to Iraq, to Afghanistan. This extension is yet another folly. Yet the President and the Secretary of State act as if it is cost free. These extensions are not cost free.

First, Iran repeatedly violates the interim agreements—for example, by enriching uranium beyond specified limits or exporting more oil than allowed.

Second, we have repeatedly taught Iran a very dangerous lesson, which is that the window for diplomacy never ends with this President and the United States. They can get extension after extension after extension, and we will grant concession after concession after concession.

Just 3 months ago, Iran reneged on its commitments to send its uranium stockpiles overseas and to close its underground fortified military bunker. Now, again, they have taken that lesson and introduced a new demand into these negotiations. They are now demanding that the West lift its arms embargo on conventional arms to Iran at a time when Iran is destabilizing the entire Middle East and that we lift sanctions on their ballistic missile program, which was explicitly ruled off the negotiating table at the beginning of these negotiations.

Well, here is my proposal: If Iran wants to introduce new terms to the debate at this late hour, the U.S. Government should leave the table. We should break off the negotiations, and we should say to Iran: If you want to introduce new terms, you will release American hostages within 24 hours. Bob Levinson, Amir Hekmati, Saeed Abedini, and Jason Rezaian will be released within 24 hours or the negotiations are over, we will reimpose sanctions, the U.S. Congress will impose new sanctions.

It is a disgrace that we are letting Iran add new terms to the negotiations at this late hour when four Americans are still held hostage by the Government of Iran.

Mr. President, I yield the floor.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

The PRESIDING OFFICER. The Senate stands adjourned until 10 a.m. tomorrow morning.

Thereupon, the Senate, at 6:54 p.m., adjourned until Wednesday, July 8, 2015, at 10 a.m.

CONFIRMATION

Executive nomination confirmed by the Senate July 7, 2015:

THE JUDICIARY

KARA FARNANDEZ STOLL, OF VIRGINIA, TO BE UNITED STATES CIRCUIT JUDGE FOR THE FEDERAL CIRCUIT.

EXTENSIONS OF REMARKS

HONORING THE CARNEGIE LIBRARY IN HOBART, INDIANA, THE HOBART HISTORICAL SOCIETY, AND THE HOBART GARDEN CLUB

HON. PETER J. VISCLOSKY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 7, 2015

Mr. VISCLOSKY. Mr. Speaker, it is with great pleasure that I stand before you today to recognize the centennial anniversary of the Carnegie Library in Hobart, Indiana, the 50th anniversary of the Hobart Historical Society, and the 85th anniversary of the Hobart Garden Club. In honor of these momentous occasions, the Hobart Historical Society hosted a centennial celebration on Wednesday, July 1, 2015. During the celebration, a dedication ceremony took place for the Blue Star Memorial Garden, which was planted in honor of the men and women who have served or are currently serving in our nation's armed forces.

The Carnegie Library was erected in 1915 with the aid of philanthropist and businessman Andrew Carnegie. Over the course of 46 years, Carnegie built 1,689 libraries across the United States, 164 of which were constructed in Indiana. The Hobart location remained a library until 1968, at which time it became a museum, serving as a hub for the Hobart Historical Society's preservation efforts. In 1982, the library-turned-museum was registered as a National Historic Landmark.

The Hobart Historical Society, which was originally established 50 years ago, continues to educate, promote, and preserve the past for future generations. Not only does the society preserve the Carnegie Library and educate citizens about the rich history of the area, it also assists members of the community with genealogical research and planning events. Throughout the years, the historical society has given countless tours of the museum, continually engaging all members of the community.

For 85 years, the Hobart Garden Club has actively educated and engaged Northwest Indiana residents who have an interest in gardening, landscape design, horticultural improvement, and youth education. The club is known for their efforts to protect and conserve the natural resources of Northwest Indiana. For their remarkable efforts to promote environmental responsibility and education among members of the community, young and old, the Hobart Garden Club is worthy of the highest praise.

Mr. Speaker, I ask you and my other distinguished colleagues to join me in honoring the Hobart Historical Society on its 50th anniversary and the Hobart Garden Club on its 85th anniversary, and in congratulating the members of the community on the centennial anniversary of the Carnegie Library. The passionate dedication and service of the members of these organizations is to be commended, and Northwest Indiana is both grateful and proud to have had their support for so many years.

RECOGNIZING PARTICIPANTS IN THE SUNY BUFFALO STATE CHALLENGE

HON. BRIAN HIGGINS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 7, 2015

Mr. HIGGINS. Mr. Speaker, I stand before you today to recognize and acknowledge, my alma mater, SUNY Buffalo State. On June 29th, the university hosted the 5th annual Buffalo State Challenge awards luncheon, in Assembly Hall of the Campbell Student Union. The Buffalo State Challenge program serves high school students from public schools in Buffalo, throughout their four years of high school. This college prep initiative inspires success through the process of goal setting, to effect higher academic achievement and ultimately graduation from high school. This year's luncheon recognized the success of Buffalo State Challenge participants past and present.

At its height, the Buffalo State Challenge served more than 125 high school students, most of them from McKinley High School, in my hometown of Buffalo, NY. The program challenges students to graduate from high school with an 85 or higher average. Those who do so, with requisite SAT scores, are awarded a scholarship for four consecutive years of enrollment at the college. Participants from McKinley's class of 2015 represent the second consecutive graduating cohort since the program's inception in 2010. This year's awards luncheon also recognized the successes of previous participants in a feature titled "Where are they now?" This segment highlighted the successful outcomes of students who have entered college and the world of work since graduating from high school. Many parents, grandparents, aunts, uncles, and siblings were in attendance to celebrate this year's honorees.

The luncheon also included the presence of special guests such as the President of SUNY Buffalo State, Dr. Katherine S. Conway-Turner and Vice President of Student Affairs, Dr. Hal D. Payne. Additionally key representatives from campus offices such as: Enrollment Management, Admissions, the Alumni Affairs Office, the Dean of Students, the Upward Bound Program, the Student Support Services Program, and Government Relations.

As the Representative of the 26th Congressional District, I am proud to recognize the ongoing contributions of SUNY Buffalo State in cultivating a brighter future for high school students, through the continued success of the Buffalo State Challenge program. Please help me in congratulating this year's award recipients: Odalys Oritz, Ali Alshuaibi, Johnny Jackson, Destiny Simmons, Crystal Lewis McClary, Kyra King, Tionna Colbert, Tymon Turner, Kayla Cheney, Asia Lindsey, Jonathan Waller, Alaysia McKinnis, Tarlisa Bolden, Emery Campfield, Jordy Richiez, Ahmed Abdo and Carlton Bess. To all of these outstanding students: congratulations on your successful participation in the Buffalo State Challenge Program and best wishes for success as you continue to pursue your educational, professional and personal goals.

IN RECOGNITION OF THE 70TH ANNIVERSARY OF BILL AND BARBARA KEITH

HON. WILLIAM R. KEATING

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 7, 2015

Mr. KEATING. Mr. Speaker, I rise today in recognition of Bill and Barbara Keith, who celebrate their 70th wedding anniversary on June 29th.

When Bill and Barbara were married in 1945, Bill had just returned from World War II. Barbara describes their two year courtship as a simple one that started when Bill was on leave from the Navy in 1943. They would go bowling, go to see a movie, or go out for dinner. For two years, they continued to write to each other until Bill was discharged in March of 1945. They were married in Scituate and lived in Boston until 1952 when the couple moved to Bill's childhood home in Marshfield.

Bill and Barbara soon began to grow their family. Bill—hard-working, dedicated, and quiet—held four jobs in order to support the family. This included being head custodian for over 20 years at Martinson Elementary School as well as custodian at Ventress Library and Trinity Episcopal Church. He was also a machinist at the Hingham Naval Ammunition Depot. Barbara became known in the community as the person to call if a child needed a place to stay during a family emergency. She started Steeple Preschool at Trinity Episcopal Church in Marshfield Hills with one of her friends. Over the years, Bill and Barbara's family has grown to include six children, two foster children, twenty grandchildren, eighteen great-grandchildren and five great-great-grandchildren.

Mr. Speaker, I am proud to honor Bill and Barbara Keith on this joyous occasion. I ask that my colleagues join me in wishing them and their family many more years of happiness.

CELEBRATING THE GOLDEN ANNIVERSARY OF MR. AND MRS. JIM AND BETTY HELD'S OWNERSHIP OF THE STONE HILL WINERY COMPANY

HON. BLAINE LUETKEMEYER

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 7, 2015

Mr. LUETKEMEYER. Mr. Speaker, I rise today to ask my colleagues to join me in celebrating the Golden Anniversary of Mr. and Mrs. Jim and Betty Held's ownership of the Stone Hill Winery Company. Stone Hill Winery continues to be one of Missouri's most preeminent businesses, and has received numerous accolades throughout the Helds' 50 years of ownership. Today, the winery farms seven vineyards and purchases grapes from five independent growers in the state; thus, producing more than 250,000 gallons of Missouri grown wine and contributing over $7 million to the state's economy each year.

The story of the Stone Hill Wine Company begins in 1847, when it was founded by Mr. Michael Poeschel. The winery quickly grew in popularity and size, and soon became the second largest winery in the United States. In the 1880's, Stone Hill's thriving business allowed Missouri to become the leading wine producing state in the nation. On December 28, 1901 an ornately decorated bottle of Stone Hill Wine Company ''Pearl of Missouri'' Extra Dry Champagne was used to christen the first USS *Missouri,* Battleship (BB–11).

Unfortunately, prohibition would soon take a hit on the state's wine production and Stone Hill; killing the thriving industry in Missouri. This despair would not last long. In 1961, after returning home from his service in the Navy, Jim Held planted a four acre vineyard of catawba grapes near Hermann, Missouri. Only four years later, Jim was asked by the then current owner of Stone Hill to reopen a winery on the property, and on July 5, 1965, the Held's officially reopened the Stone Hill Winery.

Since its reopening, the winery has restored the wine industry in Missouri. In 1969, Stone Hill Winery was placed on the National Register of Historic Places. Several years later, the Held's traveled to Washington, D.C. in 1982 to receive the award for Missouri's Small Business of the Year, presented by President Ronald Reagan. The awards did not end there, as the Held's received Hall of Fame recognition from the Missouri Division of Tourism and the Pioneer Award from the Missouri Grape and Wine Program. Additionally, the winery has been awarded the Missouri's Governor's Cup on nine occasions for producing the best wine in Missouri and has received three C.V. Riley Awards for the Best Missouri Norton, the official state grape of Missouri. In 2014, in honor of his accomplishments and revival of the Missouri Wine Industry, Jim was conferred an Honorary Doctor of Laws Degree from the University of Missouri, Columbia.

The Helds have come a long way since first reopening the Stone Hill Winery with only $1,500 to their name. Jim and Betty's hard work and dedication have not only afforded enjoyment for Missourians, but provided jobs across the state. Their award-winning winery has proven to be a staple to Missouri, and its wines continue to be enjoyed by individuals across the United States.

I ask you to join me in congratulating Mr. and Mrs. Held for the accomplishments throughout the years and celebrating their 50th Anniversary as owners of the Stone Hill Winery.

RECOGNIZING ELAINE WALDROP'S 25 YEARS OF SERVICE WITH THE DEPARTMENT OF VETERANS AFFAIRS

HON. THOMAS J. ROONEY

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 7, 2015

Mr. ROONEY of Florida. Mr. Speaker, I would like to take this opportunity to recognize Ms. Elaine Waldrop, a dedicated professional with the Department of Veterans Affairs' Congressional Liaison Service on the occasion of her retirement. Elaine has been an exemplary public servant who has demonstrated the highest standards of professionalism on a daily basis. She has served for more than 25 years and her career in public service has been a testament to the importance of unselfish devotion. As Elaine embarks on a new chapter in life, it is my hope that she may recall with a deep sense of pride and accomplishment the outstanding contributions she has made to the Department of Veterans Affairs, the United States House of Representatives and the people of the United States of America. I would like to send her my best wishes for continued success in her future endeavors, and may her life be filled with health and happiness.

RECOGNIZING ANDREW C. WIKTOROWICZ

HON. JULIA BROWNLEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 7, 2015

Ms. BROWNLEY of California. Mr. Speaker, today I rise to recognize Andrew C. Wiktorowicz, an outstanding leader and representative of the California Committee for the Employer Support of the Guard and Reserve (ESGR). During Mr. Wiktorowicz's two terms as Chairman of California's ESGR, his extensive expertise and unwavering leadership forwarded the organization's mission of promoting supportive work environments for servicemembers through outreach, recognition, and educational opportunities.

Mr. Wiktorowicz's exceptional leadership was instrumental in combining the Northern and Southern California committees into a single California Committee for the ESGR. Mr. Wiktorowicz managed a seamless transition and successfully integrated both regions to create the largest ESGR Committee in the United States. Under Mr. Wiktorowicz's direction, the California ESGR served an estimated 63,000 members of the National Guard Reserves and additionally supported over 600 military and employer events annually. Additionally, Mr. Wiktorowicz developed and implemented the highly effective Employment Initiative Program supporting over 5,000 Citizen Warriors and resulting in over 500 successful hires.

During Mr. Wiktorowicz's tenure, over 14,000 employers signed the ESGR Statement of Support and over 5,000 supervisors received the Employer Support Patriot Award. His selfless dedication to the committee and service members distinguished the ESGR as the premier military and employer volunteer establishment in the State of California. Mr. Wiktorowicz's efforts have been recognized nationally because of his strong Ombudsman Program, which effectively supports all California Guard and Reservists.

Mr. Wiktorowicz has been an amazing asset to both Ventura County and the State of California. Through his efforts on behalf of servicemembers and the working community, he has created an organization that for many is the backbone of their tenure in the California Guard and Reserves.

For these reasons, I would like to graciously thank Mr. Wiktorowicz for his steadfast commitment and dedication as the Chairman of the State of California's Employer Support of the Guard and Reserve. Mr. Wiktorowicz's work with the ESGR will continue to positively shape the experience for future generations of the California Guard and Reserves.

HONORING NEWLY NATURALIZED AMERICAN CITIZENS

HON. PETER J. VISCLOSKY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 7, 2015

Mr. VISCLOSKY. Mr. Speaker, it is with great pleasure and sincerity that I take this time to congratulate the individuals who took their oath of citizenship on July 4, 2015. In true patriotic fashion, on the day of our great Nation's celebration of independence, a naturalization ceremony took place, welcoming new citizens of the United States of America. This memorable occasion, coordinated by the League of Women Voters of the Calumet Area and presided over by Magistrate Judge Andrew Rodovich, was held at The Pavilion at Wolf Lake in Hammond, Indiana.

America is a country founded by immigrants. From its beginning, settlers have come from countries around the world to the United States in search of better lives for their families. The oath ceremony was a shining example of what is so great about the United States of America—that people from all over the world can come together and unite as members of a free, democratic nation. These individuals realize that nowhere else in the world offers a better opportunity for success than here in America.

On July 4, 2015, the following people, representing many nations throughout the world, took their oaths of citizenship in Hammond, Indiana: Guillermina Cornejo Campos, Emmanuel Thierry Mentor, Ruth Elizabeth Gallegos Pecina, Beatrice Nyambura Macharia, Geoffrey Macharia Gakuya, Javeed Ali Khan, Vika Priscilia Boentaram, Mateusz Dembowski, Srinivasa Rao Ayinampudi, Jacquiline Zumazuma, Viviana Pacheco, Fatma Dafallah Widaatllah, Dorothy Wanjiru Njiru, Emilia Robles de Navarro, Erlinda Dimaala Miranda, Juan Andres Bermudez Aguirre, Karen Yanin Hernandez, Jose Abonce Belmonte, Fayzeh Mahmoud Altaweel, Priya Phani Ayinampudi, Maria Beatriz Becerra, Aaditya Ganapathy

Chandramouli, Arlieta Bongcaras Dahlstrom, Gabriela Olimpia Dordea, Maria Yolanda Eulloqui, Sumoh Fomba, Negin Hosseini Goodrich, Daniela Guilhon de Alcantara Avellar, Wendy Hurtado-Krzewski, Abdelrazeq Odeh Issa, Tamam Yousef Khater, Biljana Krleski, Joaquin Martinez, Leoncio Larry Villavicencio Miranda, Sara L Mondragon, Jazmin Montoya, Cristina Navarrete, Aureliano Navarro, Tosin Precious Ogunfowokan, Mariceli Paz, Karla Nohemi Ramos, Xiao Bin Shao, Lama Sharif, Sook Hee Suh, Dong Yo Suh, Lily Jiyun Suh, Maria Rosario Tirado, Ekaterina Alexeevna Vostrikova, Carmen Ramona Wilber, Victor Zepeda.

Though each individual has sought to become a citizen of the United States for his or her own reasons, be it for education, occupation, or to offer their loved ones better lives, each is inspired by the fact that the United States of America is, as Abraham Lincoln described it, a country ". . . of the people, by the people, and for the people." They realize that the United States is truly a free nation. By seeking American citizenship, they have made the decision that they want to live in a place where, as guaranteed by the First Amendment of the Bill of Rights, they can practice religion as they choose, speak their minds without fear of punishment, and assemble in peaceful protest should they choose to do so.

Mr. Speaker, I respectfully ask you and my other distinguished colleagues to join me in congratulating these individuals, who became citizens of the United States of America on July 4, 2015, the day of our Nation's independence. They, too, are American citizens, and they, too, are guaranteed the inalienable rights to life, liberty, and the pursuit of happiness. We, as a free and democratic nation, congratulate them and welcome them.

HONORING MR. BILL CONSIDINE, THE LONG-SERVING PRESIDENT AND CEO OF AKRON CHILDREN'S HOSPITAL

HON. TIM RYAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 7, 2015

Mr. RYAN of Ohio. Mr. Speaker, today, I am very grateful for the opportunity to recognize the life work of Bill Considine, the long-serving President and CEO of Akron Children's Hospital.

Bill is celebrating thirty-five years as President of Akron Children's—making him the longest serving President of any children's hospital in the country and among the longest serving Presidents of any hospital in the nation. Under his leadership, Akron Children's Hospital has grown from an urban children's hospital into a pediatric health system that serves twenty-seven counties in Ohio. It is consistently ranked among the top children's hospitals in the country and that success is without question the result of Bill's vision, commitment, and leadership.

Bill graduated from Archbishop Hoban High School in Akron. He received his undergraduate degree from the University of Akron and a master's degree in health science administration from The Ohio State University. In 1979, Bill assumed the role as president of Akron Children's Hospital reaffirming his devotion to his community. Under his leadership, Akron Children's has expanded the scope of children's healthcare services and is now the largest pediatric healthcare provider in northern Ohio serving more than 800,000 children each year. Today, the scope of pediatric healthcare services offered by Akron Children's Hospital are exceptional, including advanced cardiac care, intensive neonatal care, behavioral health, and even Ohio's first pediatric sports medicine center. Bill has been consistently recognized by numerous organizations for his visionary leadership at Akron Children's Hospital. Two special awards include his 2009 induction into the Northeast Ohio Business Hall of Fame and the 2011 Bert A. Polsky Humanitarian Award for his years of dedication to humanitarian causes in the greater Akron community.

Bill is a true public servant and a visionary leader. Our community is a better place to call home due to his years of service and commitment to helping children and their families. With sincerest gratitude, I honor Bill Considine for his selfless dedication to Akron Children's Hospital as well as his humanitarian efforts throughout Ohio. Mr. Speaker, I ask all of my colleagues to join me in extending a heartfelt thank you to an inspiring leader, Bill Considine.

RECOGNIZING THE HEROISM OF BEN ZION COLB

HON. STEVE ISRAEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 7, 2015

Mr. ISRAEL. Mr. Speaker, I rise today to remember a true hero, Ben Zion Colb, and to thank him for his heroic efforts and great sacrifice in saving Jews in Poland during World War II. Ben Zion Colb went to great lengths to save his fellow Jews from extermination by the Nazis.

Ben Zion's brave endeavor began when he sent a courier to escort his then-fiancée, Clara Lieber, from Poland to Slovakia, where the deportation of Jews had been temporarily halted. After succeeding in bringing Clara to safety, he realized he could use the same method he used to smuggle Clara across the border to help other Jews escape from Poland. With the help of his friend Rabbi Michael Weissmandl and a network of couriers, he succeeded in bringing most likely over one thousand Jews across the border. Ben Zion largely focused on the rescue of children, who came to be known as "Ben Zion's Kinder." After the war, Ben Zion and Clara eventually made their way to New York, where they raised three children. Ben Zion passed away in 1973, but his inspiring legacy still lives on.

I was fascinated to learn of the many documents that still exist, which detail the history of Ben Zion Colb's heroism. There are hand-written and typed papers with names of people who were rescued. Sometimes these papers include dates of birth, where these individuals were from, where they crossed the border and in some cases the actual day they crossed. I hope these documents will continue to assist in locating those individuals who were rescued by Ben Zion Colb and help bring together families and their diverse histories.

I want to properly recognize Ben Zion Colb's sacrifices and truly heroic efforts and to remind my colleagues that individuals such as Ben Zion serve as a reminder as to how one person can make a difference in the lives of many. Ben Zion Colb took it upon himself to save as many lives as possible during a time of great need and it is important that we strive to live by his example.

RECOGNIZING LOUIS "MILKMAN" PATTERSON FOR HIS OUTSTANDING COMMITMENT TO THE BUFFALO COMMUNITY

HON. BRIAN HIGGINS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 7, 2015

Mr. HIGGINS. Mr. Speaker, I stand before you today to recognize and honor Mr. Louis Patterson for his engagement with the Buffalo community. Mr. Patterson has been a committed, well-loved and respected community member for over 50 years.

Born in Birmingham Alabama in 1945, Mr. Patterson moved to the Buffalo area in 1960 where he has remained ever since. Before retiring in 2013, Mr. Patterson worked for Upstate Dairy for 36 years where he would earn his affectionate nickname, "Milkman."

A constant presence in the Buffalo swing dance community, Mr. Patterson was and is admired by many as both a great man and a great dancer. He brings joy to those around him not only through his own dancing but also through his ardent support of other dancers and organizations in the community. He is a man who lives up to the adage that one should give more than one receives in its fullest sense.

Mr. Speaker, thank you for allowing me a few moments to honor and recognize Mr. Patterson. I ask that my colleagues join me in congratulating Mr. Patterson on an accomplished history of community engagement, and to commend him for the exemplary work he has done to enrich the communities of Western New York.

IS ACADEMIC FREEDOM THREATENED BY CHINA'S INFLUENCE ON U.S. UNIVERSITIES?

HON. CHRISTOPHER H. SMITH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 7, 2015

Mr. SMITH of New Jersey. Mr. Speaker, I recently held a hearing that was the second in a series probing the question of whether maintaining access to China's lucrative education market undermines the very values that make American universities great, including academic freedom. The hearing was timely for three reasons: the growing number of satellite or branch campuses started by U.S. universities in China; the record numbers of Chinese students enrolling in U.S. universities and colleges in China each year, bringing with them nearly $10 million a year in tuition and other spending; and the recent efforts by the Communist Party of China to regain ideological control over universities and academic research.

Official Chinese government decrees prohibit teaching and research in seven areas—

the so-called ''seven taboos:'' universal values; press freedom; civil society; citizens' rights; criticism of the Party's past; neoliberal economics; and independence of the judiciary.

All of the ''seven taboos'' are criticized as ''Western ideals.''

These taboos raise the question: Are U.S. colleges and universities compromising their images as bastions of free inquiry and academic freedom in exchange for China's education dollars?

Some may defend any concessions made as the cost of doing business in an authoritarian state such as China.

Maybe a university decides that it won't offer a class on human rights in China, maybe they won't invite a prominent dissident as a fellow or visiting lecturer, maybe they won't protest when a professor is denied a visa because his or her work is critical of a dictator. Maybe such compromises are rationalized as necessary to not offend a major donor or for the ''greater good'' of maintaining access.

If U.S. universities are only offering Chinese students and faculty a different name on their diploma or paycheck, is it worth the costs and compromises?

Perry Link, the eminent China scholar, argued during our first hearing, that the slow drip of self-censorship is the most pernicious threat to academic freedom and undermines both the recognized brands of major universities and their credibility.

Self-censorship may be the reason NYU terminated the fellowship of world class human rights activist and hero, Chen Guangcheng. As the NYU faculty said in their letter to the Board of Trustees, the circumstances surrounding the launch of NYU satellite campus in Shanghai and the ending of Chen's residence created a ''public perception, accurate or otherwise, that NYU made commitments in order to operate in China.'' Did NYU make any such commitments?

Let the record show that we invited NYU's President and faculty sixteen times to testify before this committee, without success. We are very pleased that Jeffery Lehman, the Vice-Chancellor of NYU-Shanghai campus, joined us at our recent hearing.

On a personal note, I spent time with Chen when he first came to the United States. Though NYU offered him important sanctuary, he was treated very rudely at times, particularly when it was clear that he would not isolate himself on campus. NYU officials and others worked to cordon off access to Chen and to keep him away from Chinese dissidents and there was a belief, reported by Reuters and the Wall Street Journal, that Chen was too involved with anti-abortion activists, Republicans, and others.

We may never know if NYU experienced ''persistent and direct pressure from China'' to oust Chen from his NYU fellowship or whether they sought to isolate him in order to keep Chen's story out of the 2012 Presidential elections as Prof. Jerry Cohen has said in an interview at the time. Certainly there is some interest here as Hillary Clinton spent a whole chapter in her book detailing the events of Chen's escape and exile in the United States.

Or maybe there wasn't any pressure at all, just self-censorship to keep in Beijing's good graces during the final stages of opening the NYU-Shanghai campus.

We are not here to exclusively focus on the sad divorce of Chen Guangcheng and NYU. But his ousting raises the question: Is it possible to accept lucrative subsidies from the Chinese government, or other dictatorships for that matter, operate campuses on their territory and still preserve academic freedom and the other values that make Americans great?

The agreements they sign with the host government are often kept secret and real information about them can be hard to obtain.

Foreign educational partnerships are important endeavors—for students, collaborative research, cultural understanding, and maybe even for the host country in some sense. The U.S. model of higher education is the world's best. American faculty, fellowships, and exchange programs are effective global ambassadors. We must all seek to maintain that integrity. It is in the interests of the U.S. to do so, particularly when it comes to China.

Nevertheless, if U.S. colleges and universities are outsourcing academic control, faculty and student oversight, or curriculum to a foreign government can they really be ''islands of freedom'' in the midst of authoritarian states or dictatorships? Are they places where all students and faculty can enjoy the fundamental freedoms denied them in their own country?

The questions we asked are not abstract. The Chinese government and Communist Party are waging a persistent, intense and escalating campaign to suppress dissent, purge rivals from within the Party, and regain ideological control over the arts, media, and the universities.

This campaign is broader and more extensive than any other in the past twenty years. Targets include human rights defenders, the press, social media and the Internet, civil rights lawyers, Tibetans and Uyghurs, religious groups, NGOs, intellectuals and their students, and government officials, particularly those allied with former Chinese leader Jiang Zemin.

Chinese universities have been targeted as well, the recently issued Communist Party directive ''Document 30,'' reinforces earlier warnings to purge ''Western-inspired notions of media independence, human rights, and criticism of Mao [Zedong].

In a recent speech reported by the New York Times, President Xi urged university leaders to ''keep a tight grip on . . . ideological work in higher education . . . never allow singing to a tune contrary to the party center, never allowing eating the Communist Party's food and then smashing the Communist Party's cooking pots.

Will anyone at NYU or Ft. Hays St or Johns Hopkins or Duke for that matter—be allowed to smash any cooking pots?

It's a serious question, because if your campuses are subsidized by the Chinese government, if your joint-educational partnerships are ''majority-owned'' by the Chinese government, aren't you eating the Communist Party's food and then subject to its rules, just like any Chinese university?

There are nine U.S. educational partnerships operating in China. New York University-Shanghai opened its doors to students in September 2013. Three other similar ventures have started since 2013: a Duke University campus in Kunshan, Jiangsu Province; a University of California-Berkeley School of Engineering research facility in the Pudong District of Shanghai; and a Kean University campus in Wenzhou in Zhejiang Province. In addition, since 2006, Fort Hays State University in Kansas, has partnered with Zhengzhou University/SIAS International School, a U.S.-based educational non-governmental organization, to provide degrees for thousands of Chinese students.

China's National Plan for Medium and Long-term Education Reform and Development (2010–2020), issued in July 2010, provided Chinese partners with a strong incentive to enter into such ventures. The plan exhorted Chinese universities to become ''world-class,'' in part by establishing ''international academic cooperation organizations'' and setting up research and development bases with ''high quality educational and scientific research institutions from overseas.'' Among the attractions for U.S. universities entering into such ventures are generous funding from the Chinese government, typically covering all campus construction costs and some or all operating costs; revenue from full fee-paying Chinese students on China-based campuses, who may later become wealthy alumni donors; the potential for a higher profile in China translating into the recruitment of more full fee-paying Chinese students to home campuses in the United States; opportunities for new global research collaborations with Chinese scholars and universities; and, opportunities for American students to study abroad.

I have also initiated a GAO study to review the agreements of both satellite campuses in China and of Confucius Institutes in the U.S. I know some agreements are public, others are not. In fact, some schools made their agreements public after our last hearing. We are looking for complete transparency and will be asking all universities and colleges to make their agreements with the Chinese government public.

We need to know if universities and colleges who are starting satellite programs in China—can be islands of freedom in China or in other parts of the world. We need to know what pressures are being placed on them to compromise fundamental freedoms, and what compromises, if any, were made to gain a small slice of the China educational market.

These are important questions. Can they be handled by the universities, their faculties, and trustees themselves or if there is something the U.S. Congress and or State Department can do to ensure academic freedom, and other fundamental freedoms are protected.

IN RECOGNITION OF JUNE AS NATIONAL SCOLIOSIS AWARENESS MONTH

HON. WILLIAM R. KEATING

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 7, 2015

Mr. KEATING. Mr. Speaker, I rise today in recognition of National Scoliosis Awareness Month and to reaffirm our commitment to fighting a potentially debilitating medical condition that affects over 7 million Americans and 160,000 Bay State residents.

Each June, National Scoliosis Awareness Month brings together the diverse members of the scoliosis community—from physicians, patients, and families to private businesses committed to raising awareness about this spinal condition. To date, the cause of scoliosis remains unknown but quick diagnosis and early detection allows physicians to monitor the condition and, if necessary, begin treatment before serious complications, including chronic

back pain and impacted heart and lung function would begin.

Approximately one out of every six children diagnosed with scoliosis requires continued treatment, and, in extreme cases, surgery. It is of paramount importance that early detection resources are available to local schools and physicians to ensure that children and their families are both screened and educated about the condition.

Further, while up to three percent of the American population is estimated to have scoliosis, the number of family and friends who are impacted by this condition numbers many millions more. With early detection and proper treatment, patients can live a healthy and active life. National Scoliosis Awareness Month promotes public awareness for this condition—elevating the visibility of scoliosis and empowering individuals whose lives have been touched by this condition.

Mr. Speaker, please join me in recognizing June as National Scoliosis Awareness Month by thanking organizations such as the National Scoliosis Foundation and the Scoliosis Research Society, as well as their many supporters, for their tireless efforts in raising awareness of scoliosis and promoting critical research on this condition.

CELEBRATING CAPE VERDEAN INDEPENDENCE DAY

HON. DAVID N. CICILLINE

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 7, 2015

Mr. CICILLINE. Mr. Speaker, I rise today to recognize the 40th anniversary of independence for the Republic of Cape Verde, or Cabo Verde, which was celebrated on Sunday, July 5th.

Uninhabited until its discovery by the Portuguese in the 15th century, Cape Verde grew into a thriving center of commerce by the time it achieved independence in 1975.

Today, the Republic of Cape Verde is a model democracy and friend to the United States.

My home state of Rhode Island is home to one of the largest Cape Verdean-American populations in the United States—with nearly 20,000 men, women, and children calling Rhode Island home today.

It is a privilege to serve on their behalf and represent their interests before Congress today.

I have also been fortunate to host Cape Verdean Prime Minister Jose Maria Neves for official visits to Rhode Island's First Congressional District and to discuss the work we can do together to strengthen the Cape Verdean community living in Rhode Island today.

I extend my best wishes to the people of Cape Verde for a joyous celebration of the 40th anniversary of their independence this month.

IN RECOGNITION OF NATIONAL SUNGLASSES DAY

HON. MICHAEL C. BURGESS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 7, 2015

Mr. BURGESS. Mr. Speaker, I rise today to recognize National Sunglasses Day and to honor the sunglass manufacturers and suppliers throughout my Dallas Congressional District, the State of Texas and around the country. Texas and the Dallas area are home to a variety of optical industry leaders including 24 optical laboratories that manufacture prescription sun wear, 3 lens manufacturers that supply UV filtering lenses, and 6 sun wear frame suppliers. As a physician, I commend the sunglass industry and their trade association The Vision Council (TVC) for ongoing outreach campaigns to educate consumers regarding the damaging effects of ultraviolet (UV) rays to the eye and healthy vision.

In the case of eye protection, what you don't know can hurt you. When it comes to the human eye and the sun's rays, it's what we can't see that matters most. UV radiation that reaches the earth's surface, made up of two types of invisible rays, UVA and UVB, endangers an unprotected eye. The effects of long-term exposure can include cataracts, macular degeneration, abnormal growths on the eye's surface and even cancer of the eye. While everyone should shield their eyes from UV rays, certain risk factors like age and eye color increase an individual's vulnerability to UV related eye disorders. Where you live and travel can also make a big difference in the level of UV exposure. Since UV damage can't be reversed, prevention through protection is key.

Later this summer, sunglass manufacturers and distributors from my home district in Texas and The Vision Council (TVC) will be convening a Capitol Hill briefing on the topic of UV danger and protecting your eye health. I encourage my colleagues to attend and applaud the sunglass community and The Vision Council for their leadership in promoting healthy vision.

116TH BIRTHDAY OF MS. SUSANNAH MUSHATT JONES

HON. HAKEEM S. JEFFRIES

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 7, 2015

Mr. JEFFRIES. Mr. Speaker, I rise today in celebration of the 116th birthday of Ms. Susannah Mushatt Jones, who is affectionately called Miss Susie. Confirmed by Guinness World Records as the world's oldest living person, she is a beloved member of the Brooklyn community I am proud to represent in Congress. In recognition of her birthday, Miss Susie will be honored on July 7, 2015 at the Vandalia Senior Center in Brooklyn, NY. We revel not just the years since her birth, but the history she has witnessed in three separate centuries. From experiencing segregation in the South to being a first-hand witness of the Civil Rights movement in New York, we commemorate her birthday with awe and inspiration.

Miss Susie was born into a large, loving family on July 6, 1899 in Lowndes County, Alabama as the third of eleven children. In 1923 she moved to New York as part of the Great Migration of African Americans from the rural South to cities in the North, Midwest, and West. Miss Susie dedicated her professional pursuits to children, first as a school teacher and then as a childcare provider. At one point, she moved to Hollywood to work for a family in the film industry. During her time on the west coast, she enjoyed socializing with movie stars and attending movie premieres. She fondly remembers meeting Ronald Reagan, Clark Gable, and Cary Grant.

Family has always surrounded Miss Susie: she takes great delight in being an aunt to over 100 nieces and nephews. Throughout her life, she has brightened many lives with her positive attitude and infectious laugh. She resides in Vandalia Houses and was an active member of the Vandalia Houses Senior Center tenant patrol through her 100th birthday. Miss Susie credits her healthy lifestyle free of smoking and drinking for her longevity.

Mr. Speaker, I ask that you and my other distinguished colleagues join me in celebrating Ms. Susannah Mushatt Jones on her 116th birthday.

IN RECOGNITION OF THE 40TH ANNIVERSARY OF CABO VERDE'S INDEPENDENCE

HON. WILLIAM R. KEATING

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 7, 2015

Mr. KEATING. Mr. Speaker, I rise today in proud recognition of the historic 40th Anniversary of Cabo Verdean independence.

The history of Cabo Verde is as intricate and vibrant as the people themselves. First founded by the adventuresome European explorers of the fifteenth century, Cabo Verde became a critical trading post on the route from the coasts of Africa and bustling Mediterranean ports to the newly discovered lands across the Atlantic. The diverse residents of Cabo Verde lived under Portuguese rule until the establishment of a transitional government and first election of a National Assembly in 1975. To date, July 5 remains celebrated by the residents of Cabo Verde and their growing diaspora overseas as a day of independence.

I have the privilege of representing communities in Southeastern Massachusetts that boast strong ties to Cabo Verde and hosts the highest concentration of Cabo Verdean-Americans in the United States. The Cities of New Bedford and Fall River, in addition to Brockton and Boston, are some of the largest communities of Cabo Verdean descent in the country.

The Cabo Verdean community has played an integral role in molding the rich culture of Massachusetts as we know it today. This influence dates back to the height of the whaling industry in the 18th century, during which time Cabo Verdeans were universally respected for their skills as seamen and whale hunters—recognized across the world as honest, hard workers. They continue to uphold that reputation in Massachusetts, where many Cabo Verdean-Americans continue to work in the historic fishing and cranberry industries.

Today, the scenic archipelago of Cabo Verde enjoys political stability, democratic rule and substantial economic growth.

Mr. Speaker, I ask you to join me in honoring the 40th anniversary of Cabo Verde's independence and in recognizing the country's irreplaceable role in the international community.

DEPARTMENT OF THE INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2016

SPEECH OF

HON. JOHN KLINE

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 25, 2015

The House in Committee of the Whole House on the state of the Union had under consideration the bill (H.R. 2822) making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2016, and for other purposes:

Mr. KLINE. Mr. Chair, I rise today because I believe every child in every school should receive an excellent education.

It is a goal that I have worked toward as Chairman of the Education and the Workforce Committee, and one I know many in this House share. I would like to especially thank the Committee Chairmen ROGERS and CALVERT, and Ranking Members LOWEY and MCCOLLUM, for working with me to address the challenges facing Native American students.

Earlier this year I visited the Bug-O-Nay-Ge-Shig School of the Leech Lake Band of Ojibwe in Minnesota. At the school, thin metal walls are all that separate students from harsh winters and blankets hang over the doors in a desperate attempt to keep out the cold air. When winds reach a certain strength at the ''Bug School,'' students are forced to evacuate the building—often in below-zero temperatures. On many cold and windy winter days, Bug School students keep their winter jackets on all day, to save time during evacuation.

Mr. Chair, this is unacceptable. These children deserve much better. It's incumbent on the Administration and this Congress to get to the bottom of this.

The Education and the Workforce Committee recently held hearings to examine the deplorable conditions affecting Native American schools—an issue that in recent months has received national attention thanks to the investigative work of the Star Tribune.

Mr. Chair, the federal government promised to provide Native American students a quality education in a manner that preserves their heritage, and we are failing to keep that promise.

Accordingly, I sent a letter to my colleagues on the House Committee on Appropriations this year requesting an increase of nearly $60 million more than last year's budget for Bureau of Indian Education schools.

I am pleased the Department of Interior appropriations bill, through the hard work of the Chairmen and Ranking Members, reflects my request and recognizes that we cannot continue to fail meeting our commitment.

While additional resources are certainly important, they are only part of what is needed in a long-term solution. We still must work together in a bipartisan manner to untangle the maze of bureaucracy that continues to plague BIE schools and students.

Mr. Chair, these unique, vulnerable children have waited long enough for the federal government to live up to its promises and I urge my colleagues to support this bill which is an important step toward our goal of providing an excellent education for all our children.

TRIBUTE TO OARD-ROSS DRUG

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 7, 2015

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize Oard-Ross Drug of Council Bluffs, Iowa. Oard-Ross Drug has been operating at the same corner location since 1907. Mr. Joe Beraldi, the drug store's owner and pharmacist, has himself worked at the store for 75 years. Mr. Beraldi continues to enjoy working with the customers and does not enjoy golf, which, he explains, are the two main reasons he has no plans for retirement yet.

Mr. Beraldi was born and raised in Council Bluffs and began working at the store at age 14 while attending high school. He said he made deliveries on his bike for 10 cents an hour during that time. Today, Mr. Beraldi serves second and third generation customers at the drug store. This multi-generational customer loyalty is a testament to the great service provided by Mr. Beraldi and his staff. Currently, Mr. Beraldi works part-time at the store and has no intention of retiring. His son, Tony, also a pharmacist, has worked at Oard-Ross Drug for 29 years and now manages the store.

I commend Mr. Joe Beraldi, his son, Tony, and the staff at Oard-Ross Drug for their many years of dedicated service to Council Bluffs. I urge my colleagues in the House to join me in congratulating Oard-Ross Drug for this extraordinary occasion. I wish them all the best moving forward.

COMMEMORATING 46TH ANNIVERSARY OF THE APOLLO 11 MOON LANDING

HON. SHEILA JACKSON LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 7, 2015

Ms. JACKSON LEE. Mr. Speaker, forty six years ago, on July 20, 1969, millions of Americans and other people around the world, sat glued to their televisions and radios to witness a human being walk on the surface of the moon, one of the signal events in world history.

This astounding technological achievement could not have come at a better time because in July 1969, the United States was in need of a unifying event following the assassinations of President John F. Kennedy, Rev. Dr. Martin Luther King, Jr., and Senator Robert Kennedy, and Malcolm X, and social divisions resulting from America's involvement in the Vietnam War, a war that cost the nation dearly in blood and treasure.

In 1969, the world was still caught in the grip of the Cold War, divided by ideology, separated into opposing blocs of countries aligned with either the Soviet Union or the United States.

Today the world stands connected in a variety of ways unimaginable 46 years ago.

The step onto the surface of the moon by Neil Armstrong, left more than a mere foot print in the moon sand, it spurred a technological revolution that has resulted in many of the devices that help shape our lives today.

On September 29, 1962 at Rice University in Houston, Texas, President John F. Kennedy inspired the nation to accept the challenge of sending a man to the moon and bringing him safely home before the end of the decade.

President Kennedy said, ''We choose to go to the moon in this decade and do the other things, not because they are easy, but because they are hard, because that goal will serve to organize and measure the best of our energies and skills, because that challenge is one that we are willing to accept, one we are unwilling to postpone, and one which we intend to win, and the others, too.''

In July 1969, through the combined determination and efforts of the American people, the United States made good on President Kennedy's prediction.

From the inspiration of a young President who challenged us to set our sights on the moon, scientists developed new materials, engineers manufactured innovative equipment, and factory workers assembled cutting edge transport crafts.

Together, Americans proved that by working together, toward a common purpose, there is nothing beyond our reach.

And let us not forget the crew of American heroes, who made President's Kennedy's promise a reality for the world, and whose courage and daring embodied the virtues and ideals of the American spirit: astronauts Neil Armstrong, Edwin ''Buzz'' Eugene Aldrin Jr., and Michael Collins.

The words spoken by Neil Armstrong when he stepped off Eagle 1 onto the surface of the moon perfectly captured the significance of that moment in human history: ''This is one small step for a man, one giant leap for mankind.''

This giant step forward in world history reflected the ground breaking research, development, inventions, and discoveries of thousands of Americans who successfully opened a new path in frontier of space exploration.

IN RECOGNITION OF DR. GILBERT ''GIL'' ERNEST ADAMI

HON. MICHAEL C. BURGESS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 7, 2015

Mr. BURGESS. Mr. Speaker, I rise today to posthumously honor Dr. Gilbert Ernest Adami, who passed away on June 24, 2015 at the age of 92, leaving behind a proud legacy.

Dr. Adami was born September 2, 1922 in Winters, Texas to Ernest and Emma Adami. Even as a child, he knew his calling in life was to heal others. He graduated from Winters High School at age 16, and attended the University of Texas. At age 19, he was admitted to Tulane University School of Medicine, obtaining his medical degree at age 22. Dr. Adami entered the United States Navy in 1945

and after completing a residency in Los Angeles General Hospital, served at the Long Beach Naval Base in the V12 training program. He left California to complete a surgical residency at the Veterans Administration Hospital in McKinney, Texas. While performing surgery there, he met a surgical nurse, Lillian, who became the love of his life.

In 1951, Dr. Adami and Lillian married and moved to Denton, Texas, where he opened his surgical practice. Dr. Adami joined eight other physicians and developed Westgate Medical Center, which later became Denton Regional Medical Center, furthering his goal of expanding emergency services in Denton. In addition to managing his medical practice for over 50 years, Dr. Adami, with his wife's help, developed real estate, operated a ranch, and engaged in other entrepreneurial pursuits.

Dr. Adami attended Immaculate Conception Catholic Church and was a Charter Member of the local Chapter of the Knights of Columbus. He was also a great tennis player, pilot, and loved being outdoors, especially with fellow hunters, sons, son-in-laws, and grandsons.

In 1998, the Denton County Medical Society awarded Dr. Adami the prestigious Gold-Headed Cane Award, honoring him as an outstanding physician who demonstrated the highest qualities of excellence, service, and selflessness in contributions to his family, the art and science of medicine, and to the community. He will be missed greatly. It was an honor and a privilege to represent Dr. Gilbert Ernest Adami in the U.S. House of Representatives and I extend my condolences to his family, friends, and the patients, nurses, doctors, and medical professionals who loved and respected him.

COMMENDING THE SUPREME COURT'S RULING IN TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS V. THE INCLUSIVE COMMUNITIES PROJECT

HON. LOIS FRANKEL

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 7, 2015

Ms. FRANKEL of Florida. Mr. Speaker, I rise today to commend the Supreme Court's ruling last month in Texas Department of Housing and Community Affairs v. The Inclusive Communities Project. The Justices ruled 5–4 that federal housing law allows people to challenge lending rules, zoning laws, and other housing practices that have a harmful impact on minority groups, even if there is no proof that companies or government agencies intended to discriminate.

Justice Anthony Kennedy wrote, ''Much progress remains to be made in our nation's continuing struggle against racial isolation.'' He continued, ''The Court acknowledges the Fair Housing Act's continuing role in moving the nation toward a more integrated society.''

Housing is one of the backbones of the American economy and for many is integral to the American dream. No person should be shut out because of the color of their skin.

HONORING THE PUBLIC SERVICE OF MR. HAROLD DRINKWATER

HON. CHELLIE PINGREE

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 7, 2015

Ms. PINGREE. Mr. Speaker, I would like to recognize a dedicated public servant and committed firefighter.

On August 6, 1955, Harold Drinkwater joined the Camden Fire Department, just after returning from the Korean War. His leadership and bravery served as inspirations to every member of the department, and he was soon promoted to Assistant Fire Chief. Nearly sixty years later, Harold continues to serve the Department.

I know that the Fire Department is deeply grateful for Harold's heroism and commitment to his community. When the Department received its most recent engine, Camden's firefighters chose to honor Harold by placing his name on the truck. This summer, the Department plans to recognize him at their annual family picnic.

I wish Harold the best as he continues to serve the Town of Camden, and I thank him wholeheartedly for his many years of service to his town and to our nation.

RECOGNIZING THE LIFE AND WORK OF ANNE GAYLOR

HON. MARK POCAN

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 7, 2015

Mr. POCAN. Mr. Speaker, I rise today to recognize a constituent who dedicated her life's work to advancing principles of justice and fairness in her community, her state, and her country.

Anne Nicol Gaylor began her life in a small town near Tomah, Wisconsin. After graduating high school at age 16 and earning a degree from University of Wisconsin-Madison, she became a businesswoman and editor at Middleton Times Tribune where she successfully transformed the publication into an award-winning weekly. Anne notably founded the Women's Medical Fund which has raised and donated nearly $3 million to low-income women who lack access to healthcare services. Throughout her career, Anne remained involved with the Women's Medical Fund and was a tireless advocate for women's rights.

In 1976, Anne founded the Freedom from Religion Foundation, the nation's leading defender in the fight to protect and preserve the separation of church and state. This organization grew from a small group of committed individuals discussing the advancement of civil liberties into a major national organization with more than 23,000 members.

Throughout her retirement, she remained active in the Women's Medical Fund, dedicating her time to providing direct service to those in need. Thanks to her tireless leadership, Anne received a number of prestigious awards and recognitions, including the Humanist Heroine Award from the American Humanist Association, Wisconsin National Organization for Women's Feminist of the Year Award, and NARAL's Tiller Award. These outstanding achievements and recognitions are a testimony to Anne's resilient spirit and tireless advocacy on behalf of the issues closest to her heart.

Anne's commitment to community and work as an activist, feminist, and free-thinker have been invaluable to Wisconsin.

Mr. Speaker, it is with great honor that I recognize Ms. Anne Nicol Gaylor today.

HONORING THE SERVICE OF EULESS POLICE OFFICER MIKE DUFF

HON. KENNY MARCHANT

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 7, 2015

Mr. MARCHANT. Mr. Speaker, I am honored to recognize retiring Corporal Mike Duff for his 31 years of public service as a Euless Police Officer for the City of Euless, Texas.

Mike Duff joined the Euless Police Department in 1983 where he was hired as a patrol officer. After serving four years in that capacity, Mike was transferred to the Criminal Investigation Division (CID). Mike's hard work in the CID was acknowledged in 1990 by the department when he was promoted to Corporal. In addition to his primary roles in the department, Mike has also served as a member of the Euless Tactical Team.

Throughout his career, Mike Duff has been a training officer with the Euless Police Department; furthermore, he has been assigned to local and federal drug task force agencies because of his outstanding police training and abilities.

As a committed law enforcer, Mike Duff has sought training and certification throughout his years of service. His achievements include Basic Police Certification in 1983, Intermediate Police Certification in 1987, Advanced Police Certification in 1993, and Masters Police Certification in 2004. Furthermore, Mike received his Police Officer Firearms Instructor Certificate in 2005 and his Field Training Officer Certification in 2004. He has received over 2,000 hours of in-service training during his 31-year career as a police officer.

Mike Duff's extensive experience and training in criminal investigation has been recognized on many occasions as a result of his contributions to the police department and community. He has received over 35 police commendations in which he was recognized for his professionalism and service to the community. Moreover, Mike has been nominated six times for Officer of the Year and was also selected for the Certificate of Merit in 2012, the Distinguished Service Award in 2006, and the Blackie Sustaire Award in 1996.

Outside the field of law enforcement, Mike Duff recently earned his associate degree in General Studies from Columbia College in 2014. He is married to his wife, Andrea, and they have one daughter named Lyndsey.

Mr. Speaker, on behalf of the 24th Congressional District of Texas, I ask all my distinguished colleagues to join me in thanking Mike Duff for his years of public service as a Euless Police Officer.

IN RECOGNITION OF THE SESQUICENTENNIAL OF THE SECOND BAPTIST CHURCH OF ANN ARBOR

HON. DEBBIE DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 7, 2015

Mrs. DINGELL. Mr. Speaker, I rise today to recognize the Second Baptist Church of Ann Arbor for its sesquicentennial anniversary. Second Baptist has stood since 1865 as a symbol of the African American community of Ann Arbor. As this country has gone through a transformative journey to live up to its creed of "All men are created equal" for the past century and a half, the Second Baptist Church of Ann Arbor has been on a journey to perfect itself.

Second Baptist's journey began when it was chartered in 1865. The original congregation was led by Rev. Lewis and met in a small frame cottage overlooking the Huron River. They would later move into a new building in the heart of the segregated black residential community of the city in 1890. As Second Baptist grew, so did Ann Arbor's African American community. In the late 1910's and early 20's, the "Great Migrations" led to a large growth in the African American population in Washtenaw County. In the late 20's and 30's programs were inaugurated to help community members get through the Great Depression. In 1966 Rev. Emmett L. Green was chosen to lead Second Baptist through a new Civil Rights Era. Rev. Green was committed to Martin Luther King's inspired Social Gospel civil rights activism during his tenure as pastor.

Second Baptist is currently led by Rev. Dr. Stephen Daniels, who aims to help Second Baptist continue its tradition of building a church with Christ and His Gospel as its foundation. On its 150th year, Second Baptist pauses to reflect, to renew and to embrace the limitless possibilities that God has scripted for the coming seasons.

Mr. Speaker, I ask my colleagues to join me today to honor The Second Baptist Church of Ann Arbor for its sesquicentennial anniversary and its dedication to enriching the lives of the surrounding community.

H.R. 160, THE PROTECT MEDICAL INNOVATION ACT OF 2015

HON. PATRICK MURPHY

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 7, 2015

Mr. MURPHY of Florida. Mr. Speaker, I support passage of H.R. 160, the Protect Medical Innovation Act of 2015.

While I strongly believe the bill should be paid for before becoming law, this bill is a great first step of furthering the promise of the Affordable Care Act, a law that will cover 32 million lives when fully implemented.

The Affordable Care Act has created jobs, lowered costs, and significantly expanded coverage, as it was designed to do. It did away with bans on preexisting conditions, allowed young adults to stay on their parents' plan, eliminated annual and lifetime limits, and is closing the Part D prescription drug donut hole. As the law continues to improve the lives and health security of the American people, I will look for ways to improve the law. No law is perfect. That is why I support the Protect Medical Innovation Act and have cosponsored other pieces of legislation designed to keep consumers from feeling the hit of unintended consequences. Congress should look for ways to create jobs, lower costs further, and encourage states to accept Medicaid expansion, which will cover an additional 800,000 working Floridians.

I am hopeful that with a strong vote in the House of Representatives, H.R. 160 will soon arrive at the President's desk, fully offset, to be signed into law.

HONORING MAJOR STEPHEN REICH AND THE HOME OF THE BRAVE QUILT PROJECT

HON. ELIZABETH H. ESTY

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 7, 2015

Ms. ESTY. Mr. Speaker, I rise today to honor the life of Major Stephen Reich and to recognize the compassionate work of the Home of the Brave Quilt Project.

Today, we recognize the history and importance of quilting in our society as a symbol of Americana. Quilting can tell stories through fabric and stitches when words fail. For hundreds of years, quilting has been used not only as a means of communication, but also as a sign of respect for fellow community members. In keeping with this tradition, the Home of the Brave Quilt Project has taken on the task of honoring our brave men, women, and families touched by war through the gift of a quilt.

Susan and Raymond Reich from Washington Depot, Connecticut, lost their son, Stephen, on June 28, 2005. Stephen graduated from the United States Military Academy in 1993. While studying at the Academy, he pitched for the baseball team. Two years into his military career, the Baltimore Orioles drafted the southpaw, and he played for their minor league affiliate team before the Army recalled him to finish his term. Choosing to answer the call of military service and relinquishing his pro baseball career, he returned to fight for our great country. Stephen was killed along with seven other Night Stalkers during a rescue operation to save a Navy SEAL team in Afghanistan; he was on his fourth tour of duty.

Shortly after Stephen died, his mother and father received a quilt in his honor. As a quilter by profession, Susan understood the significance of this act. Receiving the quilt helped her family heal and it provided them with comfort, knowing that others were thinking of them during their difficult time.

When Don Beld founded the Home of the Brave Quilt Project in July of 2004, his goal was to give families comfort in the best way he knew how. Since Don did not serve during the Vietnam War like many of his peers, he knew in his heart that he needed to serve America's families in some way. With this idea in mind, Don embarked on a project that would expand to 59 states and territories, honoring those who have died from injuries while on active duty in Iraq or Afghanistan. Each quilt is based on patterns originally designed by the United States Sanitary Commission during the Civil War era. To date, the Home of the Brave Quilt Project has delivered over 6,000 quilts to more than 5,000 families. They serve as a reminder that bravery will always be revered.

On Sunday, June 28, the Reich family marked the tenth anniversary of Stephen's death. I hope that the quilt they received continues to provide comfort and reminds their family that we, as a nation, hold them in our hearts.

THE CIVIL RIGHTS ACT OF 1964

HON. SHEILA JACKSON LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 7, 2015

Ms. JACKSON LEE. Mr. Speaker, I rise in strong support of the 51st anniversary of the Civil Rights Act of 1964, one of the consequential governmental actions since the issuance of the Emancipation Proclamation.

On July 2, 1964, President Lyndon B. Johnson signed the act that would profoundly change our country and brought about the greatest reduction in economic and social inequality among Americans in history.

Mr. Speaker, today it is difficult to imagine there once was a time in our country when blacks and whites could not eat together in public restaurants, use the same public restrooms, stay at the same hotels, or attend the same schools.

It is hard to believe today that just 51 years ago, discrimination on the ground of race was a legal and socially accepted practice.

The Civil Rights Act of 1964 changed that.

The Civil Rights Act outlawed discrimination and segregation in employment, public accommodations, and education on the ground of race, gender, religion or national origin.

This act became the soil from which our country flourished; opportunities were bred and dreams were born.

This change did not happen overnight or by accident.

It took hard work and courage and an unwavering faith that America could live up to the true meaning of its creed.

With American leaders embodying faith and courage the Civil Rights Act signifies battles fought over many years that our champions finally won.

Leaders like the Rev. Dr. Martin Luther King, Jr., Whitney Young, Rosa Parks, and John Lewis are just a few of the many noble champions who took a stand for freedom and risked their lives to make real the promise of America for all Americans.

Today, 51 years later, we continue to preserve the rights and freedoms that so many fought for and could only dream of before the Civil Rights Act.

On the evening of June 11, 1963, President John F. Kennedy addressed the nation and uttered these words that would echo in history: "It ought to be possible for every American to enjoy the privileges of being American without regard to his race or his color. But this is not the case. We are confronted primarily with a moral issue. It is as old as the Scriptures and is as clear as the American Constitution. The

heart of the question is whether all Americans are to be afforded equal rights and equal opportunities, whether we are going to treat our fellow Americans as we want to be treated. One hundred years of delay have passed since President Lincoln freed the slaves, yet their heirs, their grandsons, are not fully free. They are not yet freed from the bonds of injustice. They are not yet freed from social and economic oppression. And this Nation, for all its hopes and all its boasts, will not be fully free until all its citizens are free. Now the time has come for this Nation to fulfill its promise.''

And a better country, we have become.

Although we have come a long way, we must not become complacent on the issues of civil rights.

Our nation is a growing melting pot, and we must continue to make sure American citizens, regardless of their religion, race, or gender, are granted the right to freedom and equality.

This nation prides itself on the abundance of individual freedom.

Through the Civil Rights Act of 1964, we have nurtured a land where every American citizen is born free, and with the opportunity to chase their own American dream.

Mr. Speaker, before signing the Civil Rights Act of 1964, President Lyndon Baines Johnson addressed the nation on the significance of the bill he was about to sign: ''We believe that all men are created equal. Yet many are denied equal treatment. We believe that all men have certain unalienable rights. Yet many Americans do not enjoy those rights. We believe that all men are entitled to the blessings of liberty. Yet millions are being deprived of those blessings—not because of their own failures, but because of the color of their skin. The reasons are deeply imbedded in history and tradition and the nature of man. We can understand—without rancor or hatred—how this all happened. But it cannot continue. Our Constitution, the foundation of our Republic, forbids it. The principles of our freedom forbid it. Morality forbids it. And the law I will sign tonight forbids it.''

Our fight for civil rights is not over.

Victories such as the Supreme Court decision on marriage equality do not overshadow the fact that those who identify as LGBT can get married on Monday, be fired by Friday, and be kicked out of their apartment by Sunday.

The fight is not over.

Mr. Speaker, we still have members of minority communities being killed based on the color of their skin and not the content of their character.

Our fight is not over.

Symbols of hate hang on government buildings in the form of a flag that inspires deplorable actions, leaving 9 dead after a church Bible study.

America's fight for civil rights is not over.

The Civil Rights Act of 1964 sought to fulfill the promise of the fourteenth amendment that ''no state shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any state deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.''

Fifty-one years ago we as a nation moved forward to accept that all American citizens have the same inalienable rights regardless of religion, race, or gender.

The language of the 14th Amendment and the Civil Rights Act of 1964 guarantees protection for all citizens' rights and it is our job as representatives of the people to make sure we continue to defend those rights.

Mr. Speaker, I am proud to acknowledge the progress we have made since the Civil Right Act of 1964 and I pledge to continue fighting for all Americans so that we may keep the promises written in law by our founding fathers.

IN RECOGNITION OF JAMES W. (BILL) CURTIS

HON. MIKE ROGERS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 7, 2015

Mr. ROGERS of Alabama. Mr. Speaker, I ask for the House's attention today to recognize the retirement of James W. (Bill) Curtis from the East Alabama Regional Planning and Development Commission.

Mr. Curtis has served as the Executive Director of the Commission since November 1980. He has over 44 years of professional experience in the planning field and has worked for state, regional and local agencies.

Previously, he was the Principal Planner with the Jefferson County Office of Planning and Community Development in Birmingham, Alabama. Mr. Curtis also served as Planning Director for the South Central Alabama Development Commission in Montgomery, Alabama, and worked as a Planner for the states of Tennessee and South Carolina.

Mr. Curtis holds a Master of City Planning degree from Georgia Institute of Technology and a Bachelor of Science degree from the University of Georgia. He holds charter membership in the American Planning Association and the American Institute of Certified Planners, and has served as the President of the Alabama Chapter of the American Planning Association and President of the Alabama Association of Regional Councils.

In 1995, Mr. Curtis was named ''Planner of the Year'' by the Alabama Chapter of the American Planning Association, and in 2003, was named to the College of Fellows of the American Institute of Certified Planners.

Mr. Speaker, please join me in recognizing Mr. Curtis and congratulating him on his retirement.

HONORING THE MARRIAGE OF MR. AND MRS. BRYCE KAPPER

HON. ROBERT J. DOLD

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 7, 2015

Mr. DOLD. Mr. Speaker, I rise today to recognize the marriage of Mr. Bryce Kapper and his wife, Brittany, née Mueller. Mr. and Mrs. Kapper were united in marriage Saturday June 27, 2015 at the First Congregational United Church of Christ in their hometown of Decatur, Illinois. The ceremony was officiated by the Reverend Dave Taylor and was followed by a reception at the Decatur Conference Center and Hotel. The bride is the daughter of Mr. and Mrs. Craig Mueller. The groom is the son of Mr. and Mrs. Kevin Kapper, better known by one of the attendees as ''Mama and Papa Kapper.''

Miss Tiffany Laramee served as Maid of Honor. Bridesmaids included Miss Rachael Clark, Miss Brittany Maxedon and Mrs. Becky Brewster. Mr. Scott Lietzow served as Best Man. Groomsmen included Mr. Kyle Kapper, brother of the groom; Mr. Clint Mueller, brother of the bride; and Mr. Rick Barry.

The new Mr. and Mrs. Kapper are a wonderful match and their love for each other is evident to all they meet. I wish them all the best in this new and exciting chapter of their lives together.

TRIBUTE TO DR. STEVEN BASCOM

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 7, 2015

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to honor Dr. Steven Bascom, the recipient of the Patient Care Partner Award from the Iowa Pharmacy Association.

Dr. Bascom was presented with this award during the IPA Annual Meeting banquet on June 12, 2015. The IPA Patient Care Partner Award annually recognizes a physician or other health care provider in an Iowa community who works collaboratively with pharmacists to optimize the care of their patients. Dr. Bascom was nominated by DeeAnn Wedemeyer-Oleson, Director of Pharmacy at Guthrie County Hospital. He was instrumental in the adoption of the Admission Home Medication orders collaborative drug therapy management protocol used at GCH.

I applaud and congratulate Dr. Bascom for receiving this award. I am proud to represent him and his fellow doctors and pharmacists in Guthrie County in the United States Congress. I know that my colleagues in the House join me in congratulating Dr. Bascom and wishing him nothing but continued success in the future.

CONGRATULATIONS SKIP MARANEY

HON. JOE WILSON

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 7, 2015

Mr. WILSON of South Carolina. Mr. Speaker, during the 54th Annual Roll Call Congressional Baseball Game for Charity on June 11th, there was recognition of Skip Maraney as this year's Hall of Fame Inductee.

Skip was properly recognized as a living legend institution of Capitol Hill. The following tribute was published in the game program.

ROLL CALL'S THE MAN WHO PIONEERED ROLL CALL'S SPORTS COVERAGE

(By David Meyers)

If Roll Call founder Sid Yudain was the Abner Doubleday of congressional baseball, Skip Maraney was his Shirley Povich.

Maraney spent most of the 1960's writing about congressional sports—baseball, obviously, but also basketball, softball, bowling, and bridge—for Roll Call. In fact, he was Roll Call's first, and seemingly only, sports columnist. For his dedication to the paper, the

community and the game, Maraney is the 2015 inductee into the Roll Call Congressional Baseball Hall of Fame.

Maraney was working for the Clerk of the House in 1963, when he suggested to Yudain that someone should write about all the sports teams featuring congressional staff (baseball was just getting going then). ''He said, 'Ok, write it,' '' Maraney recalls about the birth of Skip-along, which eventually expanded into an ''around the Hill'' beat and laid the groundwork for Roll Call's current coverage of life in and around the Capitol.

From his perch, Maraney watched the game rise from the ashes after Speaker Sam Rayburn, D–Texas, shut it down in 1958. In 1961, members of Congress took part in a home-run contest and the next year the event became an actual game, played prior to a Washington Senators home contest.

''Sid had the idea of turning it into a party. The game had hot dogs, cheerleaders,'' Maraney says. ''Buses took everyone to the Stadium.''

Not only was Maraney providing pre- and post-game coverage, he was also calling the game. During those years, he got to see some of the greats of congressional baseball history: Indiana Democratic Sen. Birch Bayh (''He was sensational!''); former major league pitcher Wilmer ''Vinegar Bend'' Mizell, R–N.C.; Massachusetts GOP Rep. Silvio Conte (''He batted with a cigar and came out on crutches one year. And hit a double.'').

As the 1970s began, Maraney left the Clerk's office and gave up the sports beat for a job with the National Star Route Mail Contractors Association, where he remains as executive director. While he obviously enjoys his job, there are some things he had to leave behind. As Roll Call's sports and community columnist, ''I got invited to everything.''

HONORING JAMES PONCE

HON. LOIS FRANKEL

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 7, 2015

Ms. FRANKEL of Florida. Mr. Speaker, I rise to celebrate James Augustine Ponce of St. Augustine, Florida who turns 98 on July 19, 2015.

A native of St. Augustine, Florida, James Ponce was born on July 19, 1917. His relatives descended from the family of Juan Ponce de Leon.

Ponce grew up in the downtown area of St. Augustine, where his father owned R. Ponce Funeral Home. As a young boy he recalls his father burying American Tycoon, Henry Flagler, and other prominent figures of the community. In addition, Ponce has stated that his days at St. Joseph Academy afforded him the opportunity to learn about how Florida became a U.S. territory.

This early exposure to America's Oldest City cemented his passion for the rich history that Florida boasts. Since that introduction as a child, Ponce has dedicated his life to preserving and sharing the histories of St. Augustine, the Breakers, and Palm Beach. Ponce also proudly served his country in the Navy during World War II and the Marines during the Korean War. Since the 1950s, he has called Palm Beach County home. During his time at the Breakers Hotel and Resort, Ponce worked at the front desk and eventually retired as an assistant manager. As of now, he conducts weekly walking tours of the Breakers. Ponce is the official historian of the Palm Beach Chamber of Commerce and has also served as the President of the Historical Society of Palm Beach.

Throughout his career and retirement, Ponce has been recognized for his vast historical knowledge. In 1996 the Palm Beach Town Council named him ''Palm Beach's only two-legged, historical landmark.'' He is the recipient of the Providencia Award from the Palm Beach Country Convention and Visitors Bureau, which recognizes an individual or agency that contributes to the prosperity of the tourism industry in the county.

James Ponce is an exceptional man, and one whom I am proud to represent in Florida's 22nd District. I know I join with his family and friends in celebrating this wonderful occasion. I wish him good health and continued success in the coming years.

IN HONOR OF THE COMO HIGH SCHOOL, 1914–1971, 10TH ALL SCHOOL REUNION CELEBRATION

HON. MARC A. VEASEY

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 7, 2015

Mr. VEASEY. Mr. Speaker, I rise today to honor Como High School's 10th All School Reunion Celebration on July 2–5, 2015. This celebration is a milestone for the Como community as it recognizes its history and the impact Como High School had on its students.

From its inception, the Como community's location left its primarily black residents walled in with a physical barrier separating Como from the surrounding neighborhoods. This physical separation prompted its residents to meet the needs of the community through their own initiatives. In the fall of 1914, Como residents felt an urgent need for a formal school to educate the black youth of the community. During its first year, Como Elementary School housed 11 students and employed one teacher by the name of Ms. Lucinda Baker.

Unfortunately, after two years the school was closed due to low enrollment and did not reopen for its second term until 1917. The school was ultimately reestablished the following year in 1918, where Mrs. Pearl Walker Connor served as the head teacher.

After World War I, the Como community began to grow rapidly. As more people moved into the community there was a greater need for a bigger and better school building. Under the leadership of Mr. R. N Riddles, the county superintendent, a building with two rooms was built on the southeast corners of Faron and Bonnell Streets.

During the time of expansion, Mrs. Gertrude Wilkerson-Starners was appointed head teacher with Mrs. Geneva Carrington serving as her assistant. Later Mrs. Jessie Raliegh and Mrs. A. Greenwood joined the staff and Mrs. M. L. Patterson came to the school as a teacher in 1931.

The men of the community initially supplied coal for heating and kept the grounds clean; but as the school began to grow, the need for custodial personnel became necessary. In 1933, Mr. John Atkins was hired as the first full time custodian.

Although no formal record exists, it is clear that the need for a high school naturally grew as the community had more students to educate. Additional teachers were added in 1935, and the school moved to occupy Libbey, Goodman, Horne and Hollaran Streets. In 1935, Mr. J Martin Jacquet was hired as principal and served the institution for ten years with Mr. Oscar M. Williams succeeding him in 1946. The current building was erected in 1950 during Williams' tenure as principal. Mr. Wilbur H. Byrd served as Como High School's last principal from 1967 until the school's closure in 1971.

Como Elementary School and Como High School grew from humble beginnings to a 33 room ultra-modern structure that housed an industrial arts room, a gymnasium, a 500 person auditorium; a chemistry lab, homemaking laboratories, a library, men's and women's lounges, and a group of offices for the administrative staff.

Between 1914 and 1965, Como Elementary and Como High School's prestige increased as their academic excellence was recognized by the Southern Association of Colleges and Secondary Schools.

In 1971, the sudden shift to integrate schools forced Como High School to close despite its growth. Although school integration caused the original Como High School to close, Como Elementary School and Como Montessori Magnet School carry on its legacy of community, unity and pride.

After Como High School's closure the first annual school reunion was held in July 1983. Its subsequent reunions proved that the fond memories of the Como spirit remain in the hearts of former students and staff members forever.

HONORING THE RAVENSBRUCK ARCHIVE PROJECT

HON. TED LIEU

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 7, 2015

Mr. TED LIEU of California. Mr. Speaker, I rise today to honor the Ravensbruck Archive Project.

The Ravensbruck Concentration camp was the Nazi's largest and central internment camp for women and children during the Holocaust. Between 1939 and 1945, over 130,000 prisoners passed through Ravensbruck and its satellite camps.

The Ravensbruck Archive is an international archive that provides a critical link to the history of the Holocaust. Many of the documents in the Archive have been hidden for the past 70 years, but now because of the Ravensbruck Archive Project, the material will be translated, digitized, and shared with the world via the web and a world traveling exhibit. The Ravensbruck Archive Project will preserve and make accessible this important piece of history for generations to come.

The Ravensbruck Archive is housed at Lund University in Sweden. The Archive includes more than 500 handwritten interviews with Ravensbruck survivors, taken at the time of their liberation in 1946. The Archive contains prisoners' notebooks, diaries, letters, poems, recipes, photographs, drawings, and official Nazi documents from the concentration camp such as lists of prisoners, block books, and transcripts of protocols and original documents

from the Ravensbruck trial in Hamburg in 1946–1947.

Our community owes the Ravensbruck Archive Project and all those involved a debt of gratitude for their tireless hard work and dedication. I would especially like to commend my constituent, Robert Resnick, for his leadership in this Project. Mr. Resnick is the Chair of this important restoration endeavor.

I ask my colleagues to join me in recognizing the Ravensbruck Archive Project.

TRIBUTE TO THE ANKENY HIGH SCHOOL GIRLS SOCCER TEAM

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 7, 2015

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and congratulate the Ankeny High School Girls Soccer Team for winning for the Iowa Girls 2A State Soccer Tournament.

I would like to congratulate each member of the Team:

Players: Mariah Anderson, Adrienne Beardsley, Morgan Bennett, Caroline Buelt, Molly Close, Lisa Dauterive, Jordan Enga, Ali Gibson, Kayla Heitz, Megan Henderson, Lizzy Humpall, Kelsey Laughman, Maddie Leever, Alexis Legg, Hannah McCann, Claire Netten, Aylssa Parker, Emily Schuhmacher, Jena Stevens, Tana Stevens, Kelsey Yarrow, and Taylor Young;

Coaches: Lacey Woolf Chelsea Cline, Kristen Boyer, and Ashlee May; and

Managers: Sahara Adamson, Allie Roode, and Malorie Strong.

Mr. Speaker, the example set by these students and their coaches demonstrates the rewards of hard work, dedication, and perseverance. I am honored to represent them in the United States Congress. I know all of my colleagues in the House join me in congratulating these young ladies and the rest of the team for competing in this rigorous competition and wishing them all continued success.

CONGRATULATING JIM TUDOR ON HIS RETIREMENT

HON. TOM PRICE

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 7, 2015

Mr. TOM PRICE of Georgia. Mr. Speaker, today I would like to speak in honor of a good friend and policy advocate, Jim Tudor. Having known Jim for years, including back in my time in the Georgia State Senate, I know personally his hard work ethic and keen insight on public affairs.

Jim graduated from the University of Cincinnati in 1972 and spent two years in the Army. Having worked for Georgia Association of Convenience Stores since January 1987, Jim has been recognized by James Magazine as one of the Top Ten Lobbyist or trade organizations for the last three years and has received various Pigeon Awards from the Pigeon Community. Jim is highly active in the community, including his church, the Covington Rotary, the Georgia Youth Assembly and the YMCA.

Mr. Speaker, Jim recently announced his retirement after 29 years of work at the Georgia Association of Convenience Stores. After having done such wonderful work for so long, I am sure it will be a distinct, but well-deserved, change of pace. Though the Association will miss him, I know how excited his wife Sarah, his four children, and five grandchildren must be. Jim looks forward to roaming the countryside with Sarah in their retro-style 2015 Mellow Yellow Winnebago. On behalf of the Sixth District of Georgia, I congratulate Jim and thank him for all he has done enriching our community.

CONGRATULATING THE UNITED STATES WOMEN'S NATIONAL TEAM ON WINNING 2015 FIFA WORLD CUP

HON. SHEILA JACKSON LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 7, 2015

Ms. JACKSON LEE. Mr. Speaker, I rise today to congratulate the United States Women's National Team for their victory at the 2015 FIFA World Cup, their third championship, and first since the legendary 1999 championship team.

The teamwork, individual skills of the players, and sportsmanship displayed by these great athletes shined through as they moved through their bracket and then the knockround and finally the epic championship game where they defeated the valiant and talented Japan National Team 5–2 in the highest scoring championship game in the history of the World Cup.

One nation. One team. Twenty three women. Twenty three girls who grew up to become role models for women and girls everywhere and captured the hearts of all Americans.

I would like to congratulate each and every one of these tremendous women for their dedication to the sport and to each other.

It is a matter of special pride to me and the constituents of the 18th Congressional District that three members of the remarkable Women's National Team come from Houston's local club, the Houston Dash: Meghan Klingenberg; Morgan Brian; and the tournament's top player and winner of the Golden Ball Award, Carli Lloyd.

As these women return to Houston this week, I know my constituents will be there cheering as hard as ever for their favorite players.

Meghan, Morgan, and Carli are an inspiration for the young women in my district—a district full of girls with the potential to succeed in sports, academics, and anything they set their minds to achieve.

The incredible victory of the 2015 Women's National Team is further proof that making the necessary investments to provide equal academic, athletic, and economic opportunities to girls and women yield substantial tangible and intangible dividends to our nation.

Mr. Speaker, women and girls are the biggest untapped resource in the world; in too many places they have been denied access to education, fair pay, and opportunities for so long—but that is changing.

After a weekend of celebration, I think it is safe to say that when women succeed, America succeeds.

And you know what? America can succeed much more.

Now, more than ever, I applaud the provisions like Title IX which have made it possible for girls to take part in sports and school activities.

However, there is more work to be done.

But today is a day to celebrate and salute the remarkable women athletes of the victorious 2015 National Women's Team which will live on in history as one of America's greatest team and in the achievements to come of girls and boys who were inspired by their devotion to their sport, their team, and to each other.

When girls succeed, women succeed. And when women succeed, America succeeds.

THANKING ALLEN KING FOR HIS SERVICE TO THE HOUSE OF REPRESENTATIVES

HON. STENY H. HOYER

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 7, 2015

Mr. HOYER. Mr. Speaker, I rise to thank Allen King, a resident of Maryland's Fifth Congressional District, for his service to this House. He retired on June 30, 2015, after more than thirty years in various positions with the Office of the Chief Administrative Officer.

For the past twelve years, Allen has served as the Supervisor for the Central Receiving and Warehousing, Logistics, and Support Department. He began his career with the House with the Labor Department and Property Supply under the Clerk's office, and for many years he worked directly under Cosmo Quattrone and Tom Van Dyke in the Furnishings Department. Following a reorganization of the CAO, the Department was renamed Logistics and Support, where Allen worked with former Deputy CAO Walt Edwards and former Chief Logistics Officer Jerry Bennett.

Some of his most memorable experiences during his time working for the CAO include contributing to the setup for the Congressional Iran-Contra hearings in 1987 as well as the 2001 anthrax scare, when the House of Representatives had to convene in a temporary location. Allen and his team, along with other CAO staff, set up an alternate House chamber as well as temporary offices and provisions for Members and staff off campus.

One of Allen's favorite moments on the job occurred in 1981 when he witnessed a marching band performing through the halls of the Cannon House Office Building, in town for the Inauguration of President Ronald Reagan. Allen was also on hand to witness the lying-in-state of President Reagan's casket in the Capitol Rotunda years later.

In retirement, Allen intends to enjoy more fishing and visits with old friends and co-workers. I congratulate him on his years of service, and I wish him and his family all the best as Allen begins a new chapter in his life. I ask my colleagues to join me in thanking Allen King for his distinguished service, contributions, and commitment to this House and to our country.

HONORING PRO PHARMACY IN SOUTH SAINT PAUL

HON. BETTY McCOLLUM

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 7, 2015

Ms. McCOLLUM. Mr. Speaker, today I rise to recognize the owner of PRO Pharmacy in South Saint Paul, Minnesota, Greg Schouweiler, along with his staff and customers, as this independent local business closes after decades of serving residents in my hometown and the surrounding community.

In 1923, Gericke's Pharmacy was established, providing health care to local residents. In November 1975, Greg Schouweiler purchased this neighborhood drugstore at Marie and Fifth Avenue and continued to meet health care needs for families in South St. Paul for generations.

Under Greg's ownership, for nearly 40 years, PRO Pharmacy truly grew into an important community resource, providing high-quality patient care and exceptional, friendly and dependable customer service to individuals and families. For the past five years, PRO Pharmacy was the only pharmacy in South Saint Paul, the sole independent pharmacy in the nearby area, and the sole pharmacy delivering prescriptions to patients in South Saint Paul, West Saint Paul, and Inver Grove Heights. PRO Pharmacy delivered between 400–500 prescriptions per day to Minnesota seniors and people with disabilities free of charge. This was an invaluable service for these customers and ensured that they received their prescriptions in a timely manner. During the past several years, it was an honor to work with PRO Pharmacy on behalf of Medicare beneficiaries to help them to continue to be able to get their prescriptions filled from their trusted neighborhood drugstore—PRO Pharmacy.

On June 15, 2015, PRO Pharmacy closed for the last time. The courteous, high quality service they have provided for many years will be missed. Therefore, Mr. Speaker, it is a privilege to rise to honor PRO Pharmacy in South Saint Paul, Minnesota after nearly four decades of putting customers first and serving the community.

IN MEMORY OF MARY LOU DeVIVO

HON. JOE COURTNEY

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 7, 2015

Mr. COURTNEY. Mr. Speaker, today I rise with deep sadness to remember my friend and a pillar of the Windham region, Mary Lou DeVivo, who passed away last week. Mary Lou was an incredible woman, abound with endless energy and optimism and an unwavering commitment to the Windham community.

Mary Lou was the owner and President of the Willimantic Waste Paper Company, a local business her late beloved husband James ran with her for many years. After James's death in 1996, Mary Lou took the helm and grew the company further into a regional cornerstone, providing employment to many local residents and needed services to area businesses and households.

Mary Lou worked for many years as a preschool and kindergarten teacher and believed fervently in the power of education to combat poverty. She graduated in 1960 from Willimantic State Teachers College with a degree in Education, and she later earned a degree in Religion from Holy Apostles College in Cromwell. Among her many accomplishments, Mary Lou will be remembered for launching the Windham Reads Program and serving as an unrelenting advocate for improving Windham Schools.

She was well known for her deep and wide commitment to local community organizations, including the Covenant Soup Kitchen, the Windham Library Board, Willimantic Co-Op, Willimantic Irish Club, Connecticut Eastern Railroad Museum, the Victorian Neighborhood Association, Windham Garden Club, and the Board for Saint Mary Saint Joseph School, among others. She was uniquely attuned to the needs of her community, and she never hesitated to get involved when her contributions would make a difference.

She was a woman of deep faith, and was heavily involved in St. Joseph's Parish in Windham, where she once served as Director of Religious Studies. She was a generous patron of that church, as well as St. Mary's and Sagrado Corazon De Jesus. Above all, Mary Lou will be remembered as an outgoing, friendly, feisty and strong-willed member of our community, and I will deeply miss her friendship. Windham will feel this loss greatly.

My heart goes out to her family and friends, especially her children Tom, Tim, Bridget, John, and Gina and her 14 grandchildren. I ask that my colleagues please rise to remember Mary Lou, a remarkable woman who will be missed profoundly by all who knew her.

TRIBUTE TO CORUM'S FLOWERS

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 7, 2015

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize Corum's Flowers of Council Bluffs, Iowa, for over 100 years in business. Corum's Flowers has been "making special moments since 1910," a slogan written on a chalkboard in the storefront. Pam and Wayne Cyboron are the owners of Corum's Flowers. Pam is a second-generation florist, and her family business traces its roots back more than a century in Council Bluffs.

Pam remembers driving a delivery van for her parents when she was a student in high school. Today Pam and Wayne enjoy the support of over 15,000 customers, and the business has a reputation of great service. Pam said, "word-of-mouth is a big thing in this town." Corum's Flowers serves second and third generations of Council Bluffs families, the support of the community and their customer loyalty a testament to the great service they provide.

I commend Corum's Flowers and their staff for over 100 years of dedicated service to Council Bluffs and southwest Iowa. I urge my colleagues in the House to join me in congratulating Corum's Flowers for this extraordinary occasion. I wish them and all of their employees best wishes moving forward.

IN RECOGNITION OF JIM HARDY

HON. JACKIE SPEIER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 7, 2015

Ms. SPEIER. Mr. Speaker and members, I rise today to honor the departing City Manager of Foster City, Jim Hardy. He's had an extraordinary 34 years with the city, the last 21 years as City Manager. Jim leaves a legacy that is profound having joined the city just 10 years after it was incorporated. He is only the second City Manager ever hired by Foster City, following in the footsteps of his esteemed predecessor, Rick Wykoff.

It is not quite fair to say that Foster City sits on San Francisco Bay. It's more correct to say that our beautiful bay envelops Foster City, and offers its residents a lifestyle that is, as Jim Hardy says, paradise. Boating, fishing, parks second-to-none, and excellent schools that compare to any in this nation—this is Foster City. Jim Hardy's role in stabilizing and growing this community was pivotal.

The finances of the city and its predecessor agency were shaky for many years. Jim joined the city's staff as stability arrived, but the city and its councils have always made a strong balance sheet a top priority. As Jim has often noted, the city has wonderful public improvements but they are also on the bay, and they deteriorate rapidly. The roads need more care than most and the extensive pumping systems that fill and moderate Foster City's lagoons are expensive to maintain. The community rightfully deserves a first class police department, and all of these expenses have to be managed aggressively. Jim is the classic "man with the green eyeshade" who realizes that a community of sustained good living cannot exist unless the city's finances remain strong. As a consequence of his financial and community leadership, transformative public and private improvements have been accomplished during his years as City Manager.

The Vintage Park Overcrossing was completed in 1992. A corporation yard project was finished in 1993. A lift station for water control purposes was finished in 1996. Upon entering Foster City, one is struck by its beautiful new library and civic center complex, completed in 1999 and 2003, respectively. The Leo J. Ryan Amphitheater was completed in 2004, a water main extension in 2006, a teen center in 2010, and the widening of two major roads in 2013. The Foster Square development was finished this year. These are just a few of the many physical manifestations of Jim's leadership.

However, the most important and enduring legacy of Jim is the way in which he created a cohesive team amongst city staff. Employees are encouraged to accept responsibility but to work as a team to meet the public's needs. As we know, public service can sometimes entail resolving contentious issues. Jim's decent, non-controversial approach to problem solving was a steady voice during many staff and council meetings.

Jim is not the only leader in the Hardy family. His wife, Luisa, is also retiring from her career and the two of them will be able to spend more time with their four adult children, all employed in challenging positions, and with the Hardy-family grandchildren. The airlines are going to be seeing a lot of Jim and Luisa as they make their way back and forth between

Utah and the Bay Area over these next few years.

Mr. Speaker and members, one of the highest compliments that we can pay to anyone leaving public life is to say that they served with honor. Jim Hardy did so. He was honest and fair in his dealings with the public, patient with his councils and dutiful towards their directions, mindful of his employees and their needs and conscious of setting the highest personal standard of propriety. There are no statues erected or brilliant orchestral compositions written to commemorate the ending of a distinguished career in local government. However, there are fond memories. Jim leaves thousands of these as he exits public service. These fond memories are themselves a type of ode to a life well led, and as enduring as any statue that we might erect. Now is the time to say thank you to Jim Hardy, a man called father, grandfather, leader and friend.

HONORING BARBARA HARRIS

HON. LOIS FRANKEL

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 7, 2015

Ms. FRANKEL of Florida. Mr. Speaker, I rise today to celebrate Barbara Ann Poland Harris of West Palm Beach, Florida, who turned 84 years old on June 29th, 2015.

Barbara, who was born in Steubenville, Ohio, is a lifelong educator, member of the Alpha Xi Delta sorority, and loving mother of two sons. Barbara moved to Florida in 1954 to teach and coach basketball at St. Patrick's Catholic School in Miami Beach. She went on to teach at Watkin B. Duncan Middle School in 1965, where she taught until her retirement in 1995. While teaching at the middle school, Barbara was named teacher of the month, had a yearbook dedication in her name, and was a tennis coach and avid sports supporter. After her retirement Barbara traveled extensively across Europe and Asia.

I am proud to represent Barbara in Florida's 22nd District. I join with her friends and family in celebrating her birthday. I wish her good health and continued success in the coming years.

COMMEMORATING THE 50TH ANNIVERSARY OF THE PASSAGE OF THE ''OLDER AMERICANS ACT'' OF 1965

HON. SHEILA JACKSON LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 7, 2015

Ms. JACKSON LEE. Mr. Speaker, I rise today to commemorate the 50th anniversary of the passage of the Older Americans Act of 1965.

Passed by the historic 89th Congress, the ''Older Americans Act'' was signed into law by President Lyndon Johnson on July 14, 1965 in response to the growing national consensus that the level of community social services available for older Americans was simply inadequate.

The original legislation established the authority for grants to states for community planning and other social services.

These services included funding for vital research and development of projects, and personnel training to assist our aging citizens.

This legislation authorized the creation of a wide array of programs through a national network of 56 state agencies that specialize in aging.

The legislation also led to the creation of 629 area agencies on aging, nearly 20,000 service providers, 244 Tribal organizations, and 2 Native Hawaiian organizations representing 400 Tribes throughout our country.

The Older Americans Act also assisted in the creation of community service employment for low-income elder Americans.

These community services included implementation of job training for our aging community; along with focusing on the protection of the rights of vulnerable Americans.

Every year, an estimated 2.1 million older Americans are victims of elder abuse, neglect, or exploitation.

In 2013 alone, over 4.2 million elder Americans were below the poverty level.

Today, an estimated 65.7 million Americans, or nearly 30 percent of the general population, provide care for an older adult, or someone living with illness or disability.

The Older Americans Act has led to the creation of vital programs such as the National Meals on Wheels of America, which provide meals to our ever growing elderly community.

According to the United States Census Bureau, 9 percent of the residents of my congressional district, which is centered in Houston, Texas, are over the age of 65.

These older citizens in the city of Houston utilize services provided by the Harris County Area Agency on Aging Family Caregiver Support Network.

Without the passage of significant legislation such as the ''Older Americans Act'' of 1965, older American citizens throughout our country would never know of the positive impact that a professional caregiver can provide them.

Older women are more than likely to be living alone at the age of 75, and a caregiver will provide them the necessary assistance to live a healthy life in their own home.

The issues facing our seniors grow every day with the increasing pace of the world around us.

The services that the Older Americans Act generated have assisted countless elder Americans in the half century since the law was enacted.

Mr. Speaker, I am proud to commemorate the 50th anniversary of the passage of the ''Older Americans Act'' of 1965 and to recognize its remarkable contributions to the quality of life enjoyed by older Americans and in making our country a better and sweeter place to live.

OUR UNCONSCIONABLE NATIONAL DEBT

HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 7, 2015

Mr. COFFMAN. Mr. Speaker, on January 20, 2009, the day President Obama took office, the national debt was $10,626,877,048,913.08.

Today, it is $18,151,981,262,337.43. We've added $7,525,104,213,424.35 to our debt in 6 years. This is over $7.5 trillion in debt our nation, our economy, and our children could have avoided with a balanced budget amendment.

PERSONAL EXPLANATION

HON. BOB GOODLATTE

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 7, 2015

Mr. GOODLATTE. Mr. Speaker, it recently has come to my attention that the last vote I intended to cast during the vote series on May 12, 2015, was not recorded. I would have recorded my vote as Yes on H.R. 2146, the Defending Public Safety Employees Retirement Act.

REMEMBERING THE LIFE OF MORRIE SANCHEZ

HON. LUCILLE ROYBAL-ALLARD

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 7, 2015

Ms. ROYBAL-ALLARD. Mr. Speaker, I rise to remember Morrie Sanchez, a longtime Angeleno, onetime union organizer, avid dancer, and family friend. Morrie passed away quietly on June 16, 2015, in Monrovia, California, at the age of 97.

Born on June 25, 1917, in Jerome, Arizona, to Victoria Balderamos and Angel Gonzalez, Morrie was from an old California family whose roots in the state predated the Mexican Revolution and its becoming part of the United States. She had two sisters, Vera and Margarita.

Her grandfather, Zeferino Balderamos, was born in San Luis Obispo in the early 1800s, and her grandmother, Modesta Rodriguez, was from Sonora, Mexico.

When Morrie moved to Los Angeles, California, she lived and raised her three eldest daughters—Dolores, Rose Marie, and Carol—in the city's downtown core, in an area known as Bunker Hill. She later moved to Pico-Union, where she raised her youngest daughter, Sylvia.

Morrie was a stalwart of the International Ladies Garment Workers Union (ILGWU), serving as a union organizer, as a shop steward, and multiple terms as local chapter president between 1950 and the late 1980s.

A longtime community activist, Morrie worked diligently in many political campaigns. These included the first election of my father, former Congressman Edward R. Roybal, to his earlier position as the first Latino in the 20th century to be elected to the Los Angeles City Council.

For many years, she volunteered with the City of Hope and White Memorial Hospital, and with many other local nonprofit groups.

Morrie did not let retirement slow her down a bit. Instead, she used her ''free time'' to support senior citizen causes, and could often be seen dancing the afternoon away at one of the many local senior centers, including the International Institute in Boyle Heights, the Highland Park Senior Center, and Salazar Park in East Los Angeles.

In 1990, the International Institute named her "Mother of the Year." Morrie was the matriarch of six generations living in Southern California at the time of her death.

The Roybal family is fortunate to have known Morrie Sanchez as a supporter and friend.

She is survived by daughters Dolores Sanchez, Rose Marie Barron, Carol Limon, and Sylvia Sanchez; sons-in-law Jonathan Sanchez and Gilbert Limon; 17 grandchildren; 41 great-grandchildren; 29 great-great-grandchildren; and one great-great-great grandchild. She was laid to rest on June 25, 2015, at Calvary Cemetery in East Los Angeles.

TRIBUTE TO GORDON AND PATRICIA SCHOENING

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 7, 2015

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and honor Gordon and Patricia Schoening of Glenwood, Iowa, on the very special occasion of their 70th wedding anniversary.

Gordon and Patricia's lifelong commitment to each other, their children Suzanne, Bruce, and Jodi, their seven grandchildren, and their six great-grandchildren embodies true Iowa values. I applaud this devoted couple on their 70th year together and I wish them many more years of happiness. I know my colleagues in the House will join me in congratulating them on this momentous occasion. I wish them and their family all the best moving forward.

IN RECOGNITION OF THE LIFE OF AUBREY WILLIAM ''BILL'' FRENCH

HON. DEBBIE DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 7, 2015

Mrs. DINGELL. Mr. Speaker, I rise today to recognize the life and contributions of Mr. Aubrey William "Bill" French for his commitment to the betterment of Ypsilanti, MI, and service to his community. Bill French's passion for business stimulated the local economy and instilled a confidence in other entrepreneurs to invest in Washtenaw County.

Mr. French's business career started in 1972 when he and his wife, Sandee French, opened Aubree's Pizzeria in Depot Town. The business became the foundation for Depot Town and it has been a special establishment in Washtenaw County since 1972. Aubree's continues to operate after 43 years, and it has grown to include 8 separate locations.

Mr. French was known as a passionate restaurant owner who worked hard to develop a strong rapport with his staff. He helped his team develop a strong work ethic, and supported their academic and professional goals. His skills as a mentor not only developed a restaurant; he built a family.

In addition to being a restaurant owner, Mr. French was the first president of the Depot Downtown Development Authority, and served on the Ypsilanti Economic Development Corporation. For his service to his community, Mr. French received many awards throughout his life, such as the Small Business Person of the Year Award in 1994, and the Distinguished Service Award from the Ypsilanti Area Chamber of Commerce.

Mr. Speaker, I ask my colleagues to join me today to honor the memory of Mr. Aubrey William "Bill" French for his dedication to business, the City of Ypsilanti, and Washtenaw County.

RECOGNIZING BILL PRESS

HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 7, 2015

Ms. NORTON. Mr. Speaker, I rise today to ask my colleagues to join me in recognizing Bill Press for his outstanding contributions to political commentary in the District of Columbia and across the country, and in congratulating him on the occasion of his 10th anniversary as host of the nationally syndicated The Bill Press Show, heard on the radio and seen on FreeSpeech TV. With offices located right here in Ward 6 of the nation's capital, Bill Press has remained consistent in informing Americans about our congressional legislation for statehood and voting rights, and D.C.'s fight to achieve equal citizenship.

Ten years ago, The Bill Press Show began as a nationally syndicated talk radio program. Today, the program is seen and heard nationally on radio, television, and on the internet. For more than four decades, Bill has made himself a go-to, reliable political pundit on radio and on television. Bill has covered both the Democratic and Republican national conventions in his time as host of The Bill Press Show and regularly covers the White House. As a former co-host of MSNBC's Buchanan and Press, CNN's Crossfire and The Spin Room, Bill Press built a national reputation for thought-provoking and humorous insights on American politics.

Bill Press is also the author of five books and writes a nationally syndicated newspaper column, distributed by Tribune Media Services. He is also a featured columnist for The Hill newspaper in Washington, D.C.

During Bill's storied career, he has received numerous awards for his work, including four Emmys and a Golden Mike Award. In 1992, the Associated Press named him Best Commentator of the Year.

Bill Press got experience many commentators lack when he chaired the California Democratic Party from 1993 to 1996 and served as chief of staff to California State Senator Peter Behr (R). He also served as director of the California Office of Planning and Research under Governor Jerry Brown.

Mr. Speaker, I ask my colleagues to join me commending Bill Press and his entire team at The Bill Press Show, including his Executive Producer, Peter Ogburn, and his business partner, Paul Woodhull for their 10 years of outstanding service to the field of political commentary and their continued commitment to providing information and analysis to the American people.

HONORING THE GREAT SALT BAY COMMUNITY SCHOOL IN DAMARISCOTTA, MAINE

HON. CHELLIE PINGREE

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 7, 2015

Ms. PINGREE. Mr. Speaker, I'm proud to be from a state with a lasting tradition of supporting arts education. From Winslow Homer to Andrew Wyeth, Maine artists have long been recognized for their extraordinary talent. This is in no small part due to the emphasis that Maine schools have put on arts education. I'm so grateful for the many educators who have made teaching our youth about the arts a priority.

This year, the Great Salt Bay Community School in Damariscotta, Maine won the National Association of Music Merchants Foundation's SupportMusic Merit Award for the exceptional quality of its music program. They have led our state in arts education, and I am confident that their program serves as an inspiration to schools across the country that are looking to better educate their students about the arts.

Winning the SupportMusic Merit Award is a prestigious honor, and the entire Damariscotta community should be proud. This achievement belongs to the administration, teachers, students, families, and town as a whole. I am so proud to have this excellent school in my district. This award is a testament to its teachers' dedication and commitment to their students as well as to the tremendous talent that is required to motivate and properly educate students about music.

It gives me great pleasure to offer the Great Salt Bay Community School—along with its teachers, staff and students—my sincerest congratulations on this prestigious award, and my best wishes for the years to come.

COMMEMORATING THE PASSAGE OF THE PRESIDENTIAL SUCCESSION ACT OF 1947

HON. SHEILA JACKSON LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 7, 2015

Ms. JACKSON LEE. Mr. Speaker, I rise today to commemorate the passage of the "Presidential Succession Act of 1947."

Passed by the 80th Congress, the "Presidential Succession Act" was signed into law by President Harry S Truman on July 18, 1947, in response to the sudden death of Franklin Delano Roosevelt, the 32nd President of the United States.

The death of President Roosevelt was felt throughout the country, because FDR had held the office for over twelve years and seen the country through the Great Depression, the surprise attack by Japan on Pearl Harbor, and World War II.

When President Roosevelt died, Vice President Harry Truman was immediately sworn in as President; the position of Vice President remained vacant for the duration of the term, from April 1945 to January 1949.

President Truman prevailed upon the Congress to pass legislation that would correct the

issue of a vacant Constitutional position within the Executive Branch.

The Presidential Succession Act established the line of succession to the office of President of the United States in the event that neither a President nor Vice President is able to discharge the powers and duties of the office.

The Presidential Succession Act places the Speaker of the House first and the President pro tempore second in the line of constitutional succession for our Chief Executive after the Vice President of the United States.

By creating this clear line of Constitutional succession for the Office of the President, Congress provided a mechanism to maintain continuity of executive branch operation through horrific national tragedies, like the one occurring on November 22, 1963 in Dallas, Texas, when President John F. Kennedy was assassinated, elevating at that moment Vice President Lyndon Johnson to the Office of the Presidency.

Another moment in our nation's history that exemplifies the wisdom of the Presidential Succession Act is the attempted assassination on March 30, 1981, of our 40th President, Ronald Reagan.

The aftermath of this attempted assassination of a sitting U.S. President was eased by the well-known defined transition of duties set forth in the Presidential Succession Act.

Mr. Speaker, I am proud to commemorate the "Presidential Succession Act" of 1947 as an example of Congressional foresight in protecting the continuity of the Office of the Presidency during a national crisis.

TRIBUTE TO THE MEDICAL UNIVERSITY OF SOUTH CAROLINA AND THE SOUTH CAROLINA EDUCATIONAL TELEVISION NETWORK

HON. JAMES E. CLYBURN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 7, 2015

Mr. CLYBURN. Mr. Speaker, I rise today to offer my congratulations to the Medical University of South Carolina (MUSC) and South Carolina Educational Television (SCETV) for garnering a coveted bronze prize at the annual "Telly Awards" for their partnership documentary, "Zip Code." The Telly Awards honor the finest in film, video production, and web commercials for outstanding local, regional and cable television commercials and programs.

I applaud MUSC and SCETV on their efforts to present a program to South Carolina viewers offering viewpoints of doctors and community leaders that seek to change the way people think about health care. More specifically, this program focuses on a variety of health topics, from the food we eat to the water we drink to the air we breathe—all of which affect our daily lives and play a huge role in our health. According to statistics from the Centers for Disease Control, in South Carolina alone there are approximately one million people who lack access to healthy food. That's 20 percent of the state's population.

Through MUSC's Public Information and Community Outreach group, the "Zip Code" production paired two outstanding organizations who presented an in-depth look at the many causes of health disparities in our nation today. As stated in the program, "Health starts where we live, learn, work and play. In fact, some experts say the lifespan of a child is determined more by his or her zip code than their genetic code." "Zip Code" seeks to answer, "Why is there such a divide in the health of the American people?"

I would also like to personally thank my good friend David Rivers, the Director of the Public Information and Community Outreach department at MUSC, for his leadership in this project. His commitment and creativity have led to instructive and productive innovations.

Mr. Speaker, I ask that you and my colleagues join me in congratulating these two outstanding organizations on their efforts to bring attention to the important topic of the state of health in South Carolina.

HONORING UNITED STATES NAVY CAPTAIN ANDREW K.M. ROSA

HON. ROBERT J. DOLD

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 7, 2015

Mr. DOLD. Mr. Speaker, I rise today to recognize the career and contributions of United States Navy Captain Andrew Rosa. I know I am not alone in my appreciation of Captain Rosa's service and dedication.

Throughout his career, Captain Rosa served in a variety of positions both here in the United States and overseas. As Mission Commander of Task Group 53.8—a Fifth Fleet antiterrorism-force protection task group—he was mobilized and deployed to the Persian Gulf in support of Operations Southern Watch and Enduring Freedom. His bravery and contributions to our nation's fight against terrorism are truly admirable.

Captain Rosa leaves a lasting legacy through his leadership and unwavering commitment to the protection of this country's ideals both at home and abroad. Mr. Speaker, it is my honor to express my gratitude to Captain Andrew Rosa for his thirty-four years of exemplary service.

IN RECOGNITION OF DR. WILLIAM L. DEAN

HON. MIKE ROGERS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 7, 2015

Mr. ROGERS of Alabama. Mr. Speaker, I ask for the House's attention today to recognize Dr. William L. Dean who will become Pastor Emeritus at First Baptist Church of Sylacauga in Sylacauga, Alabama.

Dr. Dean served as the senior pastor at First Baptist Church of Sylacauga from October 1972 until December 1994—pastoring this church longer than any other minister.

The event honoring Dr. Dean will take place at the First Baptist Church on Sunday, August 23, 2015 at 11:00 a.m.

Mr. Speaker, please join me in recognizing Dr. Dean and thanking him for his unwavering service and devotion to First Baptist Church Sylacauga.

TRIBUTE TO JOHN AND SUE VAN FOSSON

HON. DAVID YOUNG

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 7, 2015

Mr. YOUNG of Iowa. Mr. Speaker, I rise today to recognize and honor John and Sue Van Fosson of Clarinda, Iowa, on the very special occasion of their 60th wedding anniversary. John and Sue were married on June 24, 1955 in College Springs, Iowa.

John and Sue's lifelong commitment to each other, their children, Teresa, Julie, Robin, Bruce, and Betsy, as well as their grandchildren and great-grandchildren truly embodies our Iowa values. I applaud this devoted couple on their 60th year together and I wish them many more. I know my colleagues in the House will join me in congratulating them on this momentous occasion. I wish them and their family all the best moving forward.

HONORING THE LIFE OF FLORIDA'S BELOVED, SENATOR DURELL "DOC" PEADEN, JR.

HON. JEFF MILLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 7, 2015

Mr. MILLER of Florida. Mr. Speaker, I rise to recognize the life and legacy of Northwest Florida's beloved Senator Durell "Doc" Peaden, Jr. Doc was a great friend and committed public servant who had an enormous impact on the lives of both his constituents in Northwest Florida and the state as a whole. His passing is mourned throughout the great State of Florida.

A proud Northwest Floridian, Doc was born August 24, 1945, in DeFuniak Springs. After obtaining his undergraduate degree from Tulane University, Doc went on to medical school, gaining his MD in 1973. He immediately returned to his home in Northwest Florida, and, as he often liked to say, he was a "country doctor" for decades, working tirelessly to care for the patients in and around his home in Okaloosa County. While practicing medicine, Doc also obtained his law degree.

In 1994, Doc Peaden began his distinguished career as an elected official when he won a seat in the Florida House of Representatives serving the people of the 5th District. Using his immense experience as a doctor, Doc quickly established himself as a leader in the state on health care issues, and during his time in the House, he helped lead efforts to expand medical education in the state by establishing a medical school at Florida State University. Having had the opportunity to serve with Doc in the Florida House, I know firsthand how hard he worked to ensure that the medical needs of our state were met.

After serving in the Florida House of Representatives, Doc continued his tremendous service to Northwest Florida in the Florida State Senate, where he served from 2000–2010. His tenure included a position as Chairman of the Health and Human Services Appropriations Committee, and he successfully championed many important health care related bills through the Florida Legislature, including legislation requiring greater reporting from physicians.

As a physician and a legislator, Doc was deeply committed to advancing the important issue of medical education to the forefront, and both during and after his time in the Legislature, he championed the construction of new medical schools around the state. He deeply understood how vital it is to ensure that rural Floridians have their medical needs met in their own community, and after leaving the Senate, he was instrumental in bringing a new dental school to DeFuniak Springs.

To some, Doc Peaden will be remembered as a caring physician, always going above and beyond the call to serve the needs of his patients; to others, he will be remembered as an exceptional elected official and champion of health care; to his friends and family, he will forever be remembered as a loving husband and father. His immense contributions to our community and our state will never be forgotten.

On behalf of the United States Congress, I am privileged to recognize the life of Senator Durell ''Doc'' Peaden, Jr. My wife Vicki and I extend our heartfelt prayers and condolences to his wife, Nancy; his children Durell III (Trey), Tyler, and Taylen; and the entire Peaden family.

HONORING MR. JOHN MOERLINS

HON. LEE M. ZELDIN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 7, 2015

Mr. ZELDIN. Mr. Speaker, I rise today to honor Mr. John Moerlins. It takes a special type of person to lead a life of serving his or her community; Mr. Moerlins was that type of person.

Mr. Moerlins selflessly served our great country during his early years in the United States Army and continued to serve his local community of Sound Beach, New York, through his work in federal and local agencies, and many local organizations. After serving in the Army, Mr. Moerlins came home to Long Island where he worked eighteen years as a letter carrier for the Glendale Post Office of the United States Postal Service and was a long-time member of the National Association of Letter Carriers. He later became Treasurer of the National Association of Retired Federal Employees.

Mr. Moerlins continued his life of service on a more local level as a valued resident of the Sound Beach Community on Long Island. He was a long-time member of the Sound Beach Civic Association, the Mt. Sinai Senior Citizens Club, and the Board of the Sound Beach Property Owners. He served as an usher in the St. Louis de Montfort R.C. Church, served on the Miller Place Board of Education, and was also extremely instrumental in the completion of many local projects. As a Veteran of the United States Armed Forces, it is fitting that Mr. Moerlins helped to secure funding to create the Sound Beach Veterans Memorial. Additionally, Mr. Moerlins was actively involved in the design of the children's park and the installation of the bus shelter in front of the post office in Sound Beach.

Mr. Moerlins passed away on December 15, 2011. In addition to serving his community, Mr. Moerlins was also a loving husband, father, and grandfather who is dearly missed by his family and friends. It is my hope that many will follow in the footsteps of Mr. Moerlins and give back to their country and community as graciously as he did. People like Mr. Moerlins help make our world a much better place.

Today, I thank John for his years of dedication and service to our country and community.

COMMEMORATING THE LIFE OF CARL D. ''CHUBBY'' PROFFITT, JR.

HON. ROBERT HURT

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 7, 2015

Mr. HURT of Virginia. Mr. Speaker, I submit these remarks to commemorate the life of Carl D. ''Chubby'' Proffitt, Jr. of Charlottesville, Virginia, who passed away June 30, 2015 at age 96.

Mr. Proffitt began serving in the U.S. Army National Guard during the Great Depression to support his family. He was called to duty during Pearl Harbor and as a member of the Army's 29th Infantry Division, led his platoon on D-Day. Mr. Proffitt successfully guided thirty men in his landing craft safely on the beach through rounds of machine gun and artillery fire.

For his valor and service, he received three Purple Hearts, a Distinguished Service Cross, a Silver Star, two Bronze Stars, and numerous other awards. In 2013, I was honored to see Mr. Proffitt receive the French Legion of Honor for his service during World War II and participate in a ceremony honoring Mr. Proffitt in Charlottesville at the American Legion. He fondly remembered those he served with who did not return home and credited God for his safe return.

Mr. Proffitt was a tremendous family man—a husband of 64 years to wife Ollie, a father, grandfather, and great-grandfather. As a witness to such pivotal moments in our nation's history, he was honored to speak with student groups and those researching World War II. He was selected to lead the Pledge of Allegiance at the 2008 Naturalization Ceremony at Monticello which then-President George W. Bush attended. He was actively engaged with local recreational endeavors, particularly sports, leading the Charlottesville City Council to honor him in 2010 by dedicating fields at the McIntire Softball Complex in his name. Mr. Proffitt was remembered by Phil Grimm, the commander of American Legion Post 74, of which Proffitt was a lifetime member, as a humble, spirited leader: ''He was so down-to-earth that you never realized you were in the presence of someone who had accomplished so much.''

We remain forever grateful for Mr. Proffitt's bravery and sacrifices—may he rest in peace. On the day Carl D. ''Chubby'' Proffitt, Jr. is laid to rest, I ask that the members of this House of Representatives join me, the Proffitt family, and the community of Charlottesville, Virginia in honoring the memory of a great American hero.

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S4659–S4803

Measures Introduced: Eleven bills were introduced, as follows: S. 1704–1714. **Pages S4685–86**

Measures Reported:

S. 1109, to require adequate information regarding the tax treatment of payments under settlement agreements entered into by Federal agencies. (S. Rept. No. 114–76)

S. 1359, to allow manufacturers to meet warranty and labeling requirements for consumer products by displaying the terms of warranties on Internet websites. (S. Rept. No. 114–77)

S. 1705, to authorize appropriations for fiscal year 2016 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System. **Page S4685**

Measures Passed:

Department of the Interior Tribal Self-Governance Act: Senate passed S. 286, to amend the Indian Self-Determination and Education Assistance Act to provide further self-governance by Indian tribes, after agreeing to the following amendment proposed thereto: **Page S4802**

McConnell (for Barrasso) Amendment No. 1471, in the nature of a substitute. **Page S4802**

Measures Considered:

Every Child Achieves Act—Agreement: Senate began consideration of S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves, taking action on the following amendments proposed thereto: **Pages S4661–78**

Pending:

Alexander/Murray Amendment No. 2089, in the nature of a substitute. **Pages S4669–74**

Alexander (for Fischer) Amendment No. 2079 (to Amendment No. 2089), to ensure local governance of education. **Page S4674**

Murray (for Peters) Amendment No. 2095 (to Amendment No. 2089), to allow local educational agencies to use parent and family engagement funds for financial literacy activities. **Page S4675**

Alexander (for Rounds/Udall) Amendment No. 2078 (to Amendment No. 2089), to require the Secretary of Education and the Secretary of the Interior to conduct a study regarding elementary and secondary education in rural or poverty areas of Indian country. **Page S4675**

Murray (for Reed/Cochran) Amendment No. 2085 (to Amendment No. 2089), to amend the Elementary and Secondary Education Act of 1965 regarding school librarians and effective school library programs. **Page S4675**

Murray (for Warner) Amendment No. 2086 (to Amendment No. 2089), to enable the use of certain State and local administrative funds for fiscal support teams. **Page S4675**

Toomey Amendment No. 2094 (to Amendment No. 2089), to protect our children from convicted pedophiles, child molesters, and other sex offenders infiltrating our schools and from schools ''passing the trash''—helping pedophiles obtain jobs at other schools. **Pages S4676–77**

A unanimous-consent agreement was reached providing that each bill manager be in order to offer side-by-side amendments to Toomey Amendment No. 2094 (to Amendment No. 2089) (listed above), and that no second-degree amendments be in order to Toomey Amendment No. 2094 (to Amendment No. 2089) or side-by-side amendments. **Page S4675**

A unanimous-consent agreement was reached providing for further consideration of the bill at approximately 10 a.m., on Wednesday, July 8, 2015. **Page S4802**

Nomination Confirmed: Senate confirmed the following nomination:

By a unanimous vote of 95 yeas (Vote No. EX. 221), Kara Farnandez Stoll, of Virginia, to be United States Circuit Judge for the Federal Circuit. **Pages S4678, S4803**

Messages from the House: **Page S4685**

Measures Referred: **Page S4685**

Measures Placed on the Calendar: **Page S4685**

Executive Communications: **Page S4685**

Additional Cosponsors: Pages S4686–88

Statements on Introduced Bills/Resolutions: Pages S4688–89

Additional Statements: Pages S4684–85

Amendments Submitted: Pages S4689–S4801

Authorities for Committees to Meet: Pages S4801–02

Privileges of the Floor: Page S4802

Record Votes: One record vote was taken today. (Total—221) Page S4678

Adjournment: Senate convened at 2:30 p.m. and adjourned at 6:54 p.m., until 10 a.m. on Wednesday, July 8, 2015. (For Senate's program, see the remarks of the Majority Leader in today's Record on page S4802.)

Committee Meetings

(Committees not listed did not meet)

HIGHLY PATHOGENIC AVIAN INFLUENZA

Committee on Agriculture, Nutrition, and Forestry: Committee concluded a hearing to examine highly pathogenic avian influenza, focusing on the impact on the United States poultry sector and protecting poultry flocks, after receiving testimony from John Clifford, Deputy Administrator, Veterinary Services, Animal and Plant Health Inspection Service, and David Swayne, Laboratory Director, Southeast Poultry Research Laboratory, Agricultural Research Services, both of the Department of Agriculture; Jim Dean, United Egg Producers, Sioux Center, Iowa; Ken Klippen, National Association of Egg Farmers, Collegeville, Pennsylvania; Brad Moline, Moline Farms, Manson, Iowa, on behalf of the National Turkey Federation; Rob Knecht, Konos, Inc., Martin, Michigan, on behalf of Michigan Allied Poultry Industries; and Tom Elam, FarmEcon LLC, Carmel, Indiana.

BUSINESS MEETING

Committee on Appropriations: Subcommittee on State, Foreign Operations, and Related Programs approved for full committee consideration an original bill entitled, "State, Foreign Operations, and Related Programs Appropriations Act, 2016".

COUNTER-ISIL STRATEGY

Committee on Armed Services: Committee concluded a hearing to examine counter-ISIL (Islamic State of Iraq and the Levant) strategy, after receiving testimony from Ashton B. Carter, Secretary, and General Martin E. Dempsey, USA, Chairman, Joint Chiefs of Staff, both of the Department of Defense.

TECHNOLOGIES TRANSFORMING TRANSPORTATION

Committee on Commerce, Science, and Transportation: Subcommittee on Surface Transportation and Merchant Marine Infrastructure, Safety and Security concluded a hearing to examine technologies transforming transportation, focusing on whether the government is keeping up, after receiving testimony from Susan Alt, Volvo Group North America, Greensboro, North Carolina; Paul Misener, Amazon.com, and Greg Fox, BNSF Railway Company, both of Washington, D.C.; and Michael Christensen, Port of Long Beach, Long Beach, California.

YAKIMA RIVER BASIN WATER ENHANCEMENT PROJECT

Committee on Energy and Natural Resources: Committee concluded a hearing to examine S. 1694, to amend Public Law 103–434 to authorize Phase III of the Yakima River Basin Water Enhancement Project for the purposes of improving water management in the Yakima River basin, after receiving testimony from Tom Iseman, Deputy Assistant Secretary of the Interior for Water and Science; Derek Sandison, Washington State Department of Agriculture Director, Olympia; Urban Eberhart, Kittitas Reclamation District, Ellensburg, Washington; Michael Garrity, American Rivers, Tacoma, Washington; and Phil Rigdon, Yakama Nation Department of Natural Resources, Toppenish, Washington.

2014 HUMANITARIAN BORDER CRISIS

Committee on Homeland Security and Governmental Affairs: Committee concluded a hearing to examine 2014 humanitarian crisis at our border, focusing on a review of the government's response to unaccompanied minors one year later, after receiving testimony from Juan P. Osuna, Director, Executive Office for Immigration Review, Department of Justice; Mark Greenberg, Acting Assistant Secretary of Health and Human Services, Administration for Children and Families; and Philip T. Miller, Assistant Director for Field Operations, Enforcement and Removal Operations, Immigration and Customs Enforcement, and Joseph E. Langlois, Associate Director, Refugee, Asylum and International Operations Directorate, Citizenship and Immigration Services, both of the Department of Homeland Security.

SMALL BUSINESS HEALTH CARE CHALLENGES AND OPPORTUNITIES

Committee on Health, Education, Labor, and Pensions: Subcommittee on Primary Health and Retirement Security concluded a hearing to examine small business health care challenges and opportunities, after receiving testimony from Thomas M. Harte, Landmark Benefits Inc., Hampstead, New Hampshire, on

behalf of the National Association of Health Underwriters; James G. Scott, Applied Policy, Alexandria, Virginia; Sabrina Corlette, Georgetown University McCourt School of Public Policy Center on Health Insurance Reforms, Washington, D.C.; and J. Kelly Conklin, Foley Waite Associates, Kenilworth, New Jersey, on behalf of the Main Street Alliance.

INTELLIGENCE

Select Committee on Intelligence: Committee held closed hearings on intelligence matters, receiving testimony from officials of the intelligence community.

Committee recessed subject to the call.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 15 public bills, H.R. 2947–2961; and 2 resolutions, H.J. Res. 59; and H. Res. 59, were introduced.

Pages H4860–61

Additional Cosponsors: **Pages H4862–64**

Reports Filed: Reports were filed today as follows:

H.R. 6, to accelerate the discovery, development, and delivery of 21st century cures, and for other purposes, with an amendment (H. Rept. 114–190, Part 1);

H.R. 2256, to amend title 38, United States Code, to direct the Secretary of Veterans Affairs to submit an annual report on the Veterans Health Administration and the furnishing of hospital care, medical services, and nursing home care by the Department of Veterans Affairs, with an amendment (H. Rept. 114–191); and

H. Res. 347, providing for further consideration of the bill (H.R. 5) to support State and local accountability for public education, protect State and local authority, inform parents of the performance of their children's schools, and for other purposes, and providing for consideration of the bill (H.R. 2647) to expedite under the National Environmental Policy Act and improve forest management activities in units of the National Forest System derived from the public domain, on public lands under the jurisdiction of the Bureau of Land Management, and on tribal lands to return resilience to overgrown, fire-prone forested lands, and for other purposes (H. Rept. 114–192). **Page H4860**

Speaker: Read a letter from the Speaker wherein he appointed Representative Abraham to act as Speaker pro tempore for today. **Page H4777**

Suspensions: The House agreed to suspend the rules and pass the following measures:

United States-Jordan Defense Cooperation Act of 2015: H.R. 907, amended, to improve defense cooperation between the United States and the Hashemite Kingdom of Jordan; **Pages H4779–81**

Veterans Identification Card Act 2015: Concur in the Senate amendment to H.R. 91, to amend title 38, United States Code, to direct the Secretary of Veterans Affairs to issue, upon request, veteran identification cards to certain veterans, by a 2/3 yea-and-nay vote of 411 yeas with none voting "nay", Roll No. 391; and **Pages H4781–82, H4815–16**

Land Management Workforce Flexibility Act: H.R. 1531, to amend title 5, United States Code, to provide a pathway for temporary seasonal employees in Federal land management agencies to compete for vacant permanent positions under internal merit promotion procedures. **Pages H4782–83**

Department of the Interior, Environment, and Related Agencies Appropriations Act, 2016: The House considered H.R. 2822, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2016. Consideration began on June 25th.

Pages H4783–H4814, H4816–56

Agreed to:

Poe (TX) amendment that redirects funding within the Land Acquisition Account by $1,000,000;

Page H4784

Polis amendment that redirects funding within Wildland Fire Management by $1,000,000;

Page H4785

Young (AK) amendment that prohibits the use of funds to implement the revised comprehensive conservation plan for the Arctic National Wildlife Refuge, Alaska; **Pages H4803–04**

Grijalva amendment that prohibits the use of funds in contravention of the Executive Order regarding Indian Sacred Sites; **Page H4804**

Poliquin amendment (No. 12 printed in the Congressional Record of June 24, 2015) that prohibits the use of funds to enforce the Code of Federal Regulations regarding biomass; **Pages H4804–05**

Gosar amendment that prohibits the use of funds to treat the Sonoran Desert Tortoise as an endangered species or threatened species; **Pages H4806–07**

Gosar amendment that prohibits the use of funds for the United Nations Environment Programme; **Pages H4808–09**

Smith (TX) amendment that reduces funding for the EPA's programs and management account to not more than $1,713,500, and not more than $3,581,500 for the Office of Congressional and Intergovernmental Relations account; **Pages H4810–11**

Huffman amendment that prohibits the use of funds to enter into a new contract or agreement or to administer a portion of an existing contract with a concessioner in any facility within a unit of the National Park System of an item with a Confederate flag as a stand-alone feature; **Pages H4811–12**

Collins (GA) amendment that prohibits the use of funds to reduce or terminate any of the propagation programs listed in the March 2013 National Fish Hatchery System Strategic Hatchery and Workforce Planning Report; **Page H4812**

Gallego amendment that prohibits the use of funds to issue a grazing permit or lease in contravention of section 4110.1 or 4130.1–1(b) of title 43, Code of Federal Regulations; **Page H4816**

Huffman amendment that prohibits the use of funds to implement National Park Service Director's Order 61 as it pertains to allowing a grave in any Federal cemetery to be decorated with a Confederate flag; **Page H4818**

Walberg amendment (No. 9 printed in the Congressional Record of June 24, 2015) that prohibits the use of funds to lobby in contravention of section 1913 of title 18, United States Code, on behalf of the proposed rule entitled "Definition of Waters of the United States Under the Clean Water Act; **Pages H4818–19**

Walden amendment (No. 30 printed in the Congressional Record of June 25, 2015) that prohibits the use of funds to complete or implement the revision of the resource management plans for the Coos Bay, Eugene, Medford, Roseburg, or Salem Districts of the Bureau of Land Management or the Klamath Falls Field Office of the Lakeview District of the Bureau of Land management proposed in the bureau of Land Management Plan Revisions and Draft Environmental Impact Statement for Western Oregon published in the Federal Register on April 24, 2015; **Pages H4819–20**

Engel amendment that prohibits the use of funds to be used by the Department of the Interior, the Environmental Protection Agency, or any other Federal agency to lease or purchase new light duty vehicles for any executive fleet or agency's fleet inventory, except in accordance with Presidential Memorandum-Federal Fleet Performance, dated May 24, 2011; **Pages H4822–23**

Byrne amendment that prohibits the use of funds to be used to propose legislation to redirect funds allocated under section 105(a)(2)(A) of the Gulf of Mexico Energy Security Act of 2006; **Pages H4823–24**

Grayson amendment (No. 34 printed in the Congressional Record of June 25, 2015) that prohibits the use of funds to enter into a contract with any offeror if the offeror certifies, pursuant to the Federal Acquisition Regulation, that they have been convicted of fraud, charged by a governmental entity with stated offenses, or have been notified of any delinquent Federal taxes in an amount that exceeds $3,000 for which the liability remains unsatisfied; **Page H4824**

Jolly amendment that prohibits the use of funds to research, investigate, or study offshore drilling in the Eastern Gulf of Mexico Planning Area; **Pages H4825–26**

Crawford amendment that prohibits the use of funds by EPA to enforce the requirements of part 112 of title 40, Code of Federal Regulations with respect to any farm; **Pages H4827–28**

Jeffries amendment that prohibits the use of funds by the National Park Service to purchase or display a confederate flag except in situations where such flags would provide historical context pursuant to a National Park Service memorandum; **Page H4828**

Smith (TX) amendment that prohibits the use of funds by the EPA to propose, finalize, implement, or revise any regulation in which the research data relied upon to support such action is not derived from established scientific methods; **Pages H4828–29**

Newhouse amendment that prohibits the use of funds by the Administrator of the EPA to issue any regulation that applies to an animal feeding operation, including a concentrated animal feeding operation and a large concentrated animal feeding operation; **Pages H4831–33**

Jackson Lee amendment that prohibits the use of funds to eliminate the Urban Wildlife Refuge Partnership; **Pages H4834–35**

Yoder amendment that prohibits the use of funds to implement or enforce the threatened species listing of the lesser prairie chicken; **Pages H4835–36**

Jackson Lee amendment that prohibits the use of funds to limit outreach programs administered by the Smithsonian Institution; **Pages H4836–38**

Rothfus amendment that prohibits the use of funds by the Director of the National Park Service to implement, administer, or enforce Policy Memorandum 11–03 or to approve a request by a park superintendent to eliminate the sale in National Parks of water in disposable plastic bottles; **Pages H4838–39**

Jackson Lee amendment that prohibits the use of funds by the National Park Service in contravention of section 320101 of title 54, United States Code; **Pages H4839–41**

Weber (TX) amendment (No. 7 printed in the Congressional Record of June 24, 2015) that prohibits the use of funds in contravention of Section 321(a) of the Clean Air Act; **Page H4841**

Noem amendment that prohibits the use of funds to close or move the D.C. Booth Historic National Fish Hatchery and Archives; **Page H4842**

Hudson amendment that prohibits the use of funds by the Environmental Protection Agency to issue, implement, administer, or enforce any regulation of particulate matter emissions from residential barbecues; **Page H4844**

Thompson (PA) amendment that prohibits the use of funds to treat the northern long-eared bat as an endangered species under the Endangered Species Act of 1973; **Pages H4845–46**

Lamborn amendment that prohibits the use of funds to implement or enforce the threatened species listing of the Preble's meadow jumping mouse under the Endangered Species Act of 1973; **Pages H4846–47**

Lamborn amendment that prohibits the use of funds to implement or enforce the threatened species or endangered species listing of any plant or wildlife that has not undergone a review as required by the Endangered Species Act of 1973; **Pages H4847–48**

Black amendment that prohibits the use of funds by the EPA to finalize, implement, administer, or enforce a revision of the Code of Federal Regulations or any rule with respect to glider kits and glider vehicles; **Pages H4850–51**

Mica amendment that prohibits the use of funds to implement Alternative A, Alternative C, or Alternative D, described in the Final General Management Plan and Environmental Impact Statement for Castillo de San Marcos National Monument in St. Augustine, Florida educational center; **Page H4851**

Burgess amendment that prohibits the use of funds by EPA to hire or pay the salary of any officer or employee of EPA under the Public Health Service Act who is not already receiving pay under that Act on the date of enactment of this Act; **Pages H4851–52**

Rokita amendment that prohibits the use of funds by the U.S. Fish and Wildlife Service to enforce the Endangered Species Act with respect to the Clubshell, Fanshell, Rabbitsfoot, Rayed Bean, Sheepnose or Snuffbox mussels; **Pages H4853–54**

Graves (LA) amendment that prohibits the use of funds in contravention of 33 United States Code 1319 with respect to a permit issued or required to be issued to the U.S. Army Corps of Engineers pursuant to 33 United States Code 1344 for discharges of dredged or fill material impacting wetlands; and **Page H4855**

Perry amendment that prohibits the use of funds on an unmanned aircraft system or to operate any such system owned by the Department of Interior for the performance of surveying, mapping, or collecting remote sensing data. **Pages H4855–56**

Rejected:

Grijalva amendment that sought to strike section 416, which reports on the use of climate change funds; **Page H4790**

Lawrence amendment (No. 12 printed in the Congressional Record of June 24, 2015) that sought to strike section 422, pertaining to the definition of waters under the jurisdiction of the Federal Water Pollution Control Act; **Pages H4791–92**

Beyer amendment that sought to strike section 429, pertaining to the definition of fill material; **Page H4795**

Yoho amendment that sought to remove the requirement that 85 percent of nonattainment counties must achieve full compliance with the ozone standard before the limitation on funds in section 438 can take effect (agreed by unanimous consent to withdraw the earlier request for a recorded vote to the end that the amendment stand disposed of in accordance with the previous voice vote thereon); **Pages H4798–99, H4821**

Lowenthal amendment that sought to remove the primary designation as one of the ambient air quality standards for ozone subject to the limitation in section 438; **Pages H4800–01**

Peters amendment that sought to prohibit the use of funds to be used to enforce section 435 of this Act; **Page H4819**

Garamendi amendment (No. 23 printed in the Congressional Record of June 25, 2015) that sought to prohibit the use of funds in the bill to transfer funds made available by the bill for fire preparedness activities to the Wildland Fire Management appropriation for fire suppression activities; and **Pages H4830–31**

Murphy (FL) amendment that sought to prohibit the use of funds to carry out seismic airgun testing or surveys off the coast of Florida. **Pages H4841–42**

Withdrawn:

Cartwright amendment that was offered and subsequently withdrawn that would have provided that only the funds made available by the bill may be subject to the prohibition on hydraulic fracturing contained in section 439; **Page H4801**

Lowenthal amendment that was offered and subsequently withdrawn that would have prohibited the use of funds to issue any new Federal oil or gas lease

and drilling permit to any person that does not commit to following Department of Commerce regulations regarding the requirement of obtaining a license for exporting crude oil; **Pages H4820–21**

Norcross amendment that was offered and subsequently withdrawn that would have increased funding for Superfund sites by $22,884,840; **Page H4825**

Rice (SC) amendment that was offered and subsequently withdrawn that would have prohibited the use of funds to issue any oil and gas lease under the 2017–2022 Outer Continental Shelf Oil and Gas Leasing Program unless the Secretary of the Interior has entered into revenue sharing agreement with each affected State; and **Page H4830**

Fitzpatrick amendment that was offered and subsequently withdrawn that would have increased funding for the Forest Legacy Program by $5,985,000. **Pages H4844–45**

Point of Order sustained against:

Speier amendment that sought to prohibit the use of funds to implement, administer, or enforce the final rule following the Supplemental Environmental Impact Statement for the Dog Management Plan, Golden Gate National Recreation Area; and **Pages H4829–30**

Garamendi amendment that sought to prohibit the use of funds made available for California drought response or relief in contravention of implementation of the California Water Code. **Page H4853**

Proceedings Postponed:

Grijalva amendment that seeks to strike section 423, relating to stream buffers; **Pages H4792–93**

Tsongas amendment that seeks to strike section 425, relating to the limitation on the use of funds for National Ocean Policy; **Pages H4793–94**

Grijalva amendment that seeks to strike section 433, relating to the availability of vacant grazing allotments; **Pages H4795–96**

Polis amendment that seeks to strike section 437, relating to the use of funds for the social cost of carbon; **Pages H4797–98**

Edwards amendment that seeks to strike section 438, which provides for a limitation on the use of funds regarding ozone standards; **Pages H4799–H4800**

Lawrence amendment (No. 12 printed in the Congressional Record of June 24, 2015) that seeks to strike section 439, which provides for prohibitions regarding hydraulic fracturing; **Pages H4801–03**

Polis amendment that seeks to prohibit the use of funds in contravention of Public Law 94–579; **Pages H4805–06**

Tsongas amendment that seeks to prohibit the use of funds to implement or enforce sections 117, relating to Sage-Grouse, section 121 relating to reissuance of rules (wolves), and section 122 relating to the Northern Long Eared Bat; **Pages H4807–08**

Grijalva amendment that seeks to prohibit the use of funds to implement or enforce section 120, with respect to ivory; **Pages H4709–10**

Beyer amendment that seeks to prohibit the use of funds in contravention of Executive Orders regarding climate change; **Pages H4712–13**

Blackburn amendment (No. 6 printed in the Congressional Record of June 24, 2015) that seeks to reduce funds by 1 percent across-the-board; **Pages H4813–14**

Pearce amendment that seeks to prohibit the use of funds to increase the rate of any royalty required to be paid to the United States for oil and gas produced on Federal land, or to prepare or publish a proposed rule relating to such an increase; **Pages H4816–18**

Hardy amendment that seeks to prohibit the use of funds to make a Presidential declaration by public proclamation of a national monument under chapter 3203 of title 54, United States Code in the counties of Mohave and Cococino in the State of Arizona, in the counties of Modoc and Siskiyou in the State of California, in the counties of Chaffee, Moffat, and Park in the State of Colorado, in the counties of Lincoln, Clark, and Nye in the State of Nevada, in the county of Otero in the State of New Mexico, in the counties of Jackson, Josephine and Malheur in the State of Oregon, or in the counties of Wayne, Garfield, and Kane in the State of Utah; **Pages H4821–22**

Zinke amendment (No. 39 printed in the Congressional Record of June 25, 2015) that seeks to prohibit the use of funds to implement, finalize, or enforce subparts F and J of part 1206 of the proposed rule by the Department of the Interior called ''Consolidated Federal Oil & Gas and Federal & Indian Coal Valuation Reform'' dated January 6, 2015; **Pages H4824–25**

Garamendi amendment that seeks to prohibit the use of funds in contravention of Executive Order 13693; **Pages H4826–27**

Newhouse amendment that seeks to prohibit the use of funds by the Department of Interior or the United States Fish and Wildlife Service to treat any gray wolf in Washington, Oregon, or Utah as an endangered species or threatened species under the Endangered Species Act of 1973; **Pages H4833–34**

Rouzer amendment that seeks to prohibit use of funds to implement, administer, or enforce the rule entitled ''Standards of Performance for New Residential Wood Heaters, New Residential Hydronic Heaters and Forced-Air Furnaces'' published in the Federal Register by the EPA; **Pages H4842–43**

Hudson amendment that seeks to prohibit the use of funds to remove oil and gas lease sale 260 from the Draft Proposed OCS Oil and Gas Leasing Program; **Pages H4843–44**

Goodlatte amendment that seeks to prohibit the use of funds by the EPA to take any actions described as a ''backstop'' in the Dec. 29, 2009 letter from EPA's Regional Administrator to the States in the Watershed and the District of Columbia in response to the development or implementation of a State's watershed implementation and referred to in enclosure B of such letter; **Pages H4848–50**

Westmoreland amendment that seeks to prohibit the use of funds to pay legal fees pursuant to a settlement in any case, in which the Federal Government is a party, that arises under the Clean Air Act, the Federal Water Pollution Control Act or the Endangered Species Act; and **Pages H4852–53**

LaMalfa amendment that seeks to prohibit the use of funds to pay attorney fees in a civil suit under the Endangered Species Act of 1973 pursuant to a court order that states such fees were calculated at an hourly rate in excess of $125 per hour. **Pages H4854–55**

H. Res. 333, the rule providing for consideration of the bills (H.R. 2822) and (H.R. 2042) was agreed to on June 24th

National Defense Authorization Act for Fiscal Year 2016: The House agreed to the Thornberry motion to close portions of the conference on the bill (H.R. 1735) to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, at such times as classified national security information may be broached, by a yea-and-nay vote of 402 yeas to 12 nays, Roll No. 390. **Pages H4814–15**

Quorum Calls—Votes: Two yea-and-nay votes developed during the proceedings of today and appear on pages H4814–19 and H4815–16. There were no quorum calls.

Adjournment: The House met at 2 p.m. and adjourned at 1:02 a.m. on Wednesday, July 8, 2015.

Committee Meetings

ASSURING NATIONAL SECURITY SPACE: INVESTING IN AMERICAN INDUSTRY TO END RELIANCE ON RUSSIAN ROCKET ENGINES

Committee on Armed Services: Subcommittee on Strategic Forces held a hearing on June 26, 2015, entitled ''Assuring National Security Space: Investing in American Industry to End Reliance on Russian Rocket Engines''. Testimony was heard from Katrina G. McFarland, Assistant Secretary of Defense for Acquisition, Department of Defense; General John E. Hyten, USAF, Commander, Air Force Space Command; Lieutenant General Samuel A. Greaves, USAF, Commander, Air Force Space and Missile Systems Center; and public witnesses.

STUDENT SUCCESS ACT; RESILIENT FEDERAL FORESTS ACT OF 2015

Committee on Rules: Full Committee held a hearing on H.R. 5, the ''Student Success Act'' [meeting II]; and H.R. 2647, the ''Resilient Federal Forests Act of 2015''. The committee granted, by record vote of 9–4, a rule that provides for further consideration of H.R. 5 under a structured rule. The rule makes in order pursuant to H. Res. 125 the further amendments to H.R. 5 printed in part A of the Rules Committee Report. The rule also grants a structured rule for H.R. 2647. The rule provides one hour of general debate equally divided among and controlled by the chairs and ranking minority members of the Committee on Agriculture and the Committee on Natural Resources. The rule waives all points of order against consideration of the bill. The rule makes in order as original text for purpose of amendment an amendment in the nature of a substitute consisting of the text of Rules Committee Print 114–21, modified by the amendment printed in part B of the Rules Committee report, and provides that it shall be considered as read. The rule waives all points of order against that amendment in the nature of a substitute. The rule makes in order only those further amendments printed in part C of the Rules Committee report. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question. The rule waives all points of order against the amendments printed in part C of the report. The rule provides one motion to recommit with or without instructions. Testimony was heard from Chairman Bishop of Utah, and Representatives Thompson of Pennsylvania, Westerman, Polis, Huelskamp, Walker, and Buck.

Joint Meetings

No joint committee meetings were held.

NEW PUBLIC LAWS

(For last listing of Public Laws, see DAILY DIGEST, *p. D724)*

H.R. 2146, to amend the Internal Revenue Code of 1986 to allow Federal law enforcement officers,

firefighters, and air traffic controllers to make penalty-free withdrawals from governmental plans after age 50. Signed on June 29, 2015. (Public Law 114–26)

H.R. 1295, to extend the African Growth and Opportunity Act, the Generalized System of Preferences, the preferential duty treatment program for Haiti. Signed on June 29, 2015. (Public Law 114–27)

COMMITTEE MEETINGS FOR WEDNESDAY, JULY 8, 2015

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Banking, Housing, and Urban Affairs: to hold hearings to examine the role of the Financial Stability Board in the United States regulatory framework, 10 a.m., SD–538.

Committee on Environment and Public Works: to hold hearings to examine the President's international climate agenda and implications for domestic environmental policy, 10 a.m., SD–406.

Committee on Foreign Relations: to receive a closed briefing on Department of Defense maritime activities and engagement in the South China Sea, 5 p.m., SVC–217.

Committee on Homeland Security and Governmental Affairs: to hold hearings to examine stopping an avian influenza threat to animal and public health, 10 a.m., SD–342.

Committee on Indian Affairs: to hold an oversight hearing to examine a path forward, focusing on trust modernization and reform for Indian lands, 2:15 p.m., SD–628.

Committee on the Judiciary: to hold hearings to examine going dark, focusing on encryption, technology, and the balance between public safety and privacy, 10 a.m., SD–226.

Subcommittee on Crime and Terrorism, to hold hearings to examine cyber crime, focusing on modernizing our legal framework for the information age, 2:15 p.m., SD–226.

Select Committee on Intelligence: to hold hearings to examine counterterrorism, counterintelligence, and the challenges of "Going Dark", 2:30 p.m., SH–216.

House

Committee on Agriculture, Full Committee, hearing entitled "Energy and the Rural Economy: the Economic Impact of Exporting Crude Oil", 10 a.m., 1300 Longworth.

Committee on Appropriations, Full Committee, markup on Agriculture Appropriations Bill for FY 2016; and Revised Report on the Suballocation of Budget Allocations for FY 2016, 10:15 a.m., 2359 Rayburn.

Committee on Energy and Commerce, Subcommittee on Communications and Technology, hearing entitled "Internet Governance Progress After ICANN 53", 10 a.m., 2123 Rayburn.

Subcommittee on Health, hearing entitled "Medicaid at 50: Strengthening and Sustaining the Program", 10:15 a.m., 2322 Rayburn.

Committee on Financial Services, Subcommittee on Financial Institutions and Consumer Credit, hearing entitled "Examining the Designation and Regulation of Bank Holding Company SIFIs", 1 p.m., 2128 Rayburn.

Committee on Foreign Affairs, Subcommittee on Asia and the Pacific; and Subcommittee on Terrorism, Nonproliferation, and Trade, joint hearing entitled "Reviewing the U.S.-China Civil Nuclear Cooperation Agreement", 2 p.m., 2172 Rayburn.

Committee on Homeland Security, Subcommittee on Oversight and Management Efficiency, hearing entitled "Examining DHS's Misplaced Focus on Climate Change", 10 a.m., 311 Cannon.

Committee on the Judiciary, Full Committee, markup on H.R. 2329, the "Ensuring Access to Justice for Claims Against the United States Act"; and H.R. 2604, the "Need-Based Educational Aid Act of 2015", 10:30 a.m., 2141 Rayburn.

Committee on Natural Resources, Subcommittee on Energy and Mineral Resources, hearing entitled "The Helium Stewardship Act and the Path Forward", 10 a.m., 1324 Longworth.

Full Committee, markup on H.R. 487, to allow the Miami Tribe of Oklahoma to lease or transfer certain lands; H.R. 959, the "Medgar Evers House Study Act"; H.R. 1554, the "Elkhorn Ranch and White River National Forest Conveyance Act of 2015"; H.R. 1937, the "National Strategic and Critical Minerals Production Act of 2015"; H.R. 1949, the "The National Liberty Memorial Clarification Act of 2015"; H.R. 2223, the "Crags, Colorado Land Exchange Act of 2015"; H.R. 2791, the "Western Oregon Tribal Fairness Act"; H.R. 2898, the "Western Water and American Food Security Act of 2015"; S. 501, the "New Mexico Water Settlement Technical Corrections Act"; and H.R. 1138, the "Sawtooth National Recreation Area and Jerry Peak Wilderness Additions Act", 4 p.m., 1324 Longworth.

Committee on Rules, Full Committee, hearing on H.R. 6, the "21st Century Cures Act", 3 p.m., H–313 Capitol.

Committee on Science, Space, and Technology, Subcommittee on Research and Technology; and Subcommittee on Oversight, joint hearing entitled "Is the OPM Data Breach the Tip of the Iceberg?", 2 p.m., 2318 Rayburn.

Committee on Small Business, Full Committee, hearing entitled "The Calm Before the Storm: Oversight of the SBA's Disaster Loan Program", 11 a.m., 2360 Rayburn.

Committee on Veterans' Affairs, Subcommittee on Economic Opportunity, hearing entitled "A Review of VA's Vocational Rehabilitation and Employment Program", 10 a.m., 334 Cannon.

CONGRESSIONAL PROGRAM AHEAD

Week of July 8 through July 10, 2015

Senate Chamber

On *Wednesday*, Senate will continue consideration of S. 1177, Every Child Achieves Act.

During the balance of the week, Senate may consider any cleared legislative and executive business.

Senate Committees

(Committee meetings are open unless otherwise indicated)

Committee on Appropriations: July 9, business meeting to markup an original bill entitled, ''State, Foreign Operations, and Related Programs Appropriations Act, 2016'', 10:30 a.m., SD–106.

Committee on Armed Services: July 9, to hold hearings to examine the nomination of General Joseph F. Dunford, Jr., USMC, to be Chairman of the Joint Chiefs of Staff, 9:30 a.m., SH–216.

Committee on Banking, Housing, and Urban Affairs: July 8, to hold hearings to examine the role of the Financial Stability Board in the United States regulatory framework, 10 a.m., SD–538.

Committee on Environment and Public Works: July 8, to hold hearings to examine the President's international climate agenda and implications for domestic environmental policy, 10 a.m., SD–406.

Committee on Foreign Relations: July 8, to receive a closed briefing on Department of Defense maritime activities and engagement in the South China Sea, 5 p.m., SVC–217.

July 9, Full Committee, to hold hearings to examine the nominations of Michele Thoren Bond, of the District of Columbia, to be an Assistant Secretary of State (Consular Affairs), and Sarah Elizabeth Mendelson, of the District of Columbia, to be Representative on the Economic and Social Council of the United Nations, with the rank of Ambassador, and to be an Alternate Representative to the Sessions of the General Assembly of the United Nations, 10 a.m., SD–419.

Committee on Homeland Security and Governmental Affairs: July 8, to hold hearings to examine stopping an avian influenza threat to animal and public health, 10 a.m., SD–342.

July 9, Full Committee, to hold hearings to examine understanding America's long-term fiscal picture, 10 a.m., SD–342.

Committee on Indian Affairs: July 8, to hold an oversight hearing to examine a path forward, focusing on trust modernization and reform for Indian lands, 2:15 p.m., SD–628.

Committee on the Judiciary: July 8, to hold hearings to examine going dark, focusing on encryption, technology, and the balance between public safety and privacy, 10 a.m., SD–226.

July 8, Subcommittee on Crime and Terrorism, to hold hearings to examine cyber crime, focusing on modernizing our legal framework for the information age, 2:15 p.m., SD–226.

July 9, Full Committee, business meeting to consider S. 1482, to improve and reauthorize provisions relating to the application of the antitrust laws to the award of need-based educational aid, S. 1300, to amend section 221 of the Immigration and Nationality Act to provide relief for adoptive families from immigrant visa feeds in certain situations, and the nominations of Luis Felipe Restrepo, of Pennsylvania, to be United States Circuit Judge for the Third Circuit, Travis Randall McDonough, to be United States District Judge for the Eastern District of Tennessee, and Waverly D. Crenshaw, Jr., to be United States District Judge for the Middle District of Tennessee, 10 a.m., SD–226.

Select Committee on Intelligence: July 8, to hold hearings to examine counterterrorism, counterintelligence, and the challenges of ''Going Dark'', 2:30 p.m., SH–216.

House Committees

Committee on Agriculture, July 9, Subcommittee on Livestock and Foreign Agriculture, hearing entitled ''U.S. International Food Aid Programs: Oversight and Accountability'', 9:30 a.m., 1300 Longworth.

Committee on Appropriations, July 9, Subcommittee on Homeland Security, markup on Homeland Security Appropriations Bill, FY 2016, 10 a.m., B–308 Rayburn.

Committee on Energy and Commerce, July 9, Subcommittee on Energy and Power, hearing entitled ''H.R. 702, Legislation to Prohibit Restrictions on the Export of Crude Oil'', 10 a.m., 2123 Rayburn.

July 10, Subcommittee on Commerce, Manufacturing, and Trade, hearing entitled ''H.R. 985, Concrete Masonry Products Research, Education, and Promotion Act of 2015'', 9 a.m., 2123 Rayburn.

Committee on Financial Services, July 9, Full Committee, hearing entitled ''The Dodd-Frank Act Five Years Later: Are We More Stable?'', 10 a.m., 2128 Rayburn.

July 10, Subcommittee on Housing and Insurance, hearing entitled ''The Future of Housing in America: Oversight of HUD's Public and Indian Housing Programs'', 9:45 a.m., 2128 Rayburn.

Committee on Foreign Affairs, July 9, Full Committee, hearing entitled ''Implications of a Nuclear Agreement with Iran'', 10 a.m., 2172 Rayburn.

July 9, Subcommittee on the Middle East and North Africa, hearing entitled ''The Gulf Cooperation Council Camp David Summit: Any Results?'', 2 p.m., 2172 Rayburn.

July 9, Subcommittee on Africa, Global Health, Global Human Rights, and International Organizations, hearing entitled ''Africa's Displaced People'', 2 p.m., 2200 Rayburn.

Committee on the Judiciary, July 9, Subcommittee on Regulatory Reform, Commercial and Antitrust Law, hearing on the ''Financial Institution Bankruptcy Act of 2015'', 10 a.m., 2141 Rayburn.

July 9, Subcommittee on the Constitution and Civil Justice, hearing entitled ''The State of Property Rights in America Ten Years After Kelo v. City of New London'', 2 p.m., 2141 Rayburn.

Committee on Natural Resources, July 9, Full Committee, markup on H.R. 487, to allow the Miami Tribe of Oklahoma to lease or transfer certain lands; H.R. 959, the ''Medgar Evers House Study Act''; H.R. 1554, the ''Elkhorn Ranch and White River National Forest Conveyance Act of 2015''; H.R. 1937, the ''National Strategic and Critical Minerals Production Act of 2015''; H.R. 1949, the ''National Liberty Memorial Clarification Act of 2015''; H.R. 2223, the ''Crags, Colorado Land Exchange Act of 2015''; H.R. 2791, the ''Western Oregon Tribal Fairness Act''; H.R. 2898, the ''Western Water and American Food Security Act of 2015''; S. 501, the ''New Mexico Water Settlement Technical Corrections Act''; and H.R. 1138, the ''Sawtooth National Recreation Area and Jerry Peak Wilderness Additions Act'' (continued), 10 a.m., 1324 Longworth.

Committee on Oversight and Government Reform, July 9, Full Committee, hearing entitled ''Construction Costs and Delays at the U.S. Embassy in Kabul'', 9 a.m., 2154 Rayburn.

Committee on Science, Space, and Technology, July 9, Full Committee, hearing entitled ''Examining EPA's Regulatory Overreach'', 10 a.m., 2318 Rayburn.

July 10, Subcommittee on Space, hearing entitled ''The International Space Station: Addressing Operational Challenges'', 9 a.m., 2318 Rayburn.

Committee on Veterans' Affairs, July 9, Subcommittee on Disability Assistance and Memorial Affairs, markup on H.R. 2214, the ''Disabled Veterans' Access to Medical Exams Improvement Act''; H.R. 800, the ''Express Appeals Act''; H.R. 1379, to amend title 38, United States Code, to authorize the Board of Veterans' Appeals to develop evidence in appeal cases, and for other purposes; H.R. 1380, to amend title 38, United States Code, to expand the eligibility for a medallion furnished by the Secretary of Veterans Affairs to signify the veteran status of a deceased individual; H.R. 2605, the ''Veterans Fiduciary Reform Act of 2015''; H.R. 1302, the ''VA Appeals Backlog Relief Act''; H.R. 1338, the ''Dignified Interment of Our Veterans Act of 2015''; H.R. 1384, the ''Honor America's Guard-Reserve Retirees Act''; and H.R. 2691, the ''Veterans' Survivors Claims Processing Automation Act of 2015'', 2 p.m., 334 Cannon.

Committee on Ways and Means, July 9, Full Committee, hearing on promoting work opportunities for Social Security Disability Insurance beneficiaries, 10 a.m., 1100 Longworth.

Résumé of Congressional Activity

FIRST SESSION OF THE ONE HUNDRED FOURTEENTH CONGRESS

The first table gives a comprehensive résumé of all legislative business transacted by the Senate and House. The second table accounts for all nominations submitted to the Senate by the President for Senate confirmation.

DATA ON LEGISLATIVE ACTIVITY

January 6 through June 30, 2015

	Senate	*House*	*Total*
Days in session	93	88	..
Time in session	601 hrs, 49′	430 hrs, 43′	..
Congressional Record:			
Pages of proceedings	4,657	4,776	..
Extensions of Remarks	..	995	..
Public bills enacted into law	6	21	27
Private bills enacted into law	..	..	..
Bills in conference	2	2	..
Measures passed, total	203	268	471
Senate bills	30	7	..
House bills	27	166	..
Senate joint resolutions	1	1	..
House joint resolutions	1	2	..
Senate concurrent resolutions	7	5	..
House concurrent resolutions	12	14	..
Simple resolutions	125	73	..
Measures reported, total	*127	*185	312
Senate bills	87	2	..
House bills	15	142	..
Senate joint resolutions	..	..	..
House joint resolutions	..	1	..
Senate concurrent resolutions	1	..	..
House concurrent resolutions	..	3	..
Simple resolutions	24	37	..
Special reports	14	3	..
Conference reports	1	1	..
Measures pending on calendar	95	41	..
Measures introduced, total	1,946	3,409	5,355
Bills	1,694	2,946	..
Joint resolutions	17	58	..
Concurrent resolutions	19	59	..
Simple resolutions	216	346	..
Quorum calls	5	1	..
Yea-and-nay votes	220	161	..
Recorded votes	..	227	..
Bills vetoed	2	..	..
Vetoes overridden	..	..	..

*These figures include all measures reported, even if there was no accompanying report. A total of 75 written reports have been filed in the Senate, 189 reports have been filed in the House.

DISPOSITION OF EXECUTIVE NOMINATIONS

January 6 through June 30, 2015

Civilian nominations, totaling 225, disposed of as follows:	
Confirmed	50
Unconfirmed	171
Withdrawn	4
Other Civilian nominations, totaling 2,042, disposed of as follows:	
Confirmed	1,834
Unconfirmed	207
Withdrawn	1
Air Force nominations, totaling 4,744, disposed of as follows:	
Confirmed	3,134
Unconfirmed	1,610
Army nominations, totaling 380, disposed of as follows:	
Confirmed	341
Unconfirmed	39
Navy nominations, totaling 1,593, disposed of as follows:	
Confirmed	1,581
Unconfirmed	12
Marine Corps nominations, totaling 1,060, disposed of as follows:	
Confirmed	1,058
Unconfirmed	2

Summary

Total nominations carried over from the First Session	0
Total nominations received this Session	10,044
Total confirmed	7,998
Total unconfirmed	2,041
Total withdrawn	5
Total returned to the White House	0

Next Meeting of the SENATE

10 a.m., Wednesday, July 8

Senate Chamber

Program for Wednesday: Senate will continue consideration of S. 1177, Every Child Achieves Act.

(Senate will recess from 12:30 p.m. until 2:15 p.m. for their respective party conferences.)

Next Meeting of the HOUSE OF REPRESENTATIVES

10 a.m., Wednesday, July 8

House Chamber

Program for Wednesday: Continue consideration of H.R. 2822—Department of the Interior, Environment, and Related Agencies Appropriations Act, 2016. Consideration of H.R. 5—Elementary and Secondary Education Reauthorization Act (Subject to a Rule). Motion to Go to Conference on H.R. 644—Trade Facilitation and Trade Enforcement Act.

Extensions of Remarks, as inserted in this issue.

HOUSE
Brownley, Julia, Calif., E998
Burgess, Michael C., Tex., E1001, E1002
Cicilline, David N., R.I., E1001
Clyburn, James E., S.C., E1011
Coffman, Mike, Colo., E1009
Courtney, Joe, Conn., E1008
Dingell, Debbie, Mich., E1004, E1010
Dold, Robert J., Ill., E1005, E1011
Esty, Elizabeth H., Conn., E1004
Frankel, Lois, Fla., E1003, E1006, E1009
Goodlatte, Bob, Va., E1009
Higgins, Brian, N.Y., E997, E999
Hoyer, Steny H., Md., E1007
Hurt, Robert, Va., E1012
Israel, Steve, N.Y., E999
Jackson Lee, Sheila, Tex., E1002, E1004, E1007, E1009, E1010
Jeffries, Hakeem S., N.Y., E1001
Keating, William R., Mass., E997, E1000, E1001
Kline, John, Minn., E1002
Lieu, Ted, Calif., E1006
Luetkemeyer, Blaine, Mo., E998
Marchant, Kenny, Tex., E1003
McCollum, Betty, Minn., E1008
Miller, Jeff, Fla., E1011
Murphy, Patrick, Fla., E1004
Norton, Eleanor Holmes, The District of Columbia, E1010
Pingree, Chellie, Me., E1003, E1010
Pocan, Mark, Wisc., E1003
Price, Tom, Ga., E1007
Rogers, Mike, Ala., E1005, E1011
Rooney, Thomas J., Fla., E998
Roybal-Allard, Lucille, Calif., E1009
Ryan, Tim, Ohio, E999
Smith, Christopher H., N.J., E999
Speier, Jackie, Calif., E1008
Veasey, Marc A., Tex., E1006
Visclosky, Peter J., Ind., E997, E998
Wilson, Joe, S.C., E1005
Young, David, Iowa, E1002, E1005, E1007, E1008, E1010, E1011
Zeldin, Lee M., N.Y., E1012

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