

Wednesday, May 13, 2009

House Meets At...	Votes Predicted At...
10:00 a.m. Legislative Business Fifteen "One-Minutes" Per Side	Last Vote: 6:00 – 7:00 p.m.

Any anticipated Member absences for votes this week should be reported to the Office of the Majority Whip at 226-3210.

Floor Schedule and Procedure

- **H. Res. 427 – Rule to provide for consideration of H.R. 2187 – 21st Century Green High-Performing Public School Facilities Act (Rep. Polis – Rules)**: The structured rule provides for one hour of general debate on the bill to be equally divided and controlled by the Chairman and Ranking Minority Member of the Committee on Education and Labor. The rule further provides that the amendments made in order may be offered only in the order printed in the report from the Committee on Rules accompanying the resolution (*a list of the amendments is also located in the "Bill Summary & Key Issues" section of today's Daily WhipLine*). These amendments 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. The rule also provides for one motion to recommit the bill with or without instructions. Debate on the rule will be managed by Rep. Polis, and consideration will proceed as follows:
 - One hour of debate on the rule.
 - Possible vote on a Democratic Motion ordering the previous question. **Democrats are urged to VOTE YES.**
 - Vote on adoption of the rule. **Democrats are urged to VOTE YES.**

H.R. 2187 – 21st Century Green High-Performing Public School Facilities

Act (Rep. Chandler – Education & Labor): Pursuant to the rule, consideration of the bill will proceed as follows:

- One hour of general debate on the bill.
 - Debate and possible votes on amendments to the bill.
 - Possible debate and vote on Republican motion to recommit the bill.
 - Vote on final passage of the bill. **Democrats are urged to VOTE YES.**
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- **Suspension Bills:** Today, the House will consider several bills on the Suspension calendar. Bills considered on the Suspension calendar are debatable for 40 minutes; may not be amended; and require a two-thirds vote for passage. If a recorded vote is requested, it will be postponed.
 1. **H.R. 1209** – Medal of Honor Commemorative Coin Act of 2009 (Rep. Carney – Financial Services)
 2. **H.R. 347** - To grant the congressional gold medal, collectively, to the 100th Infantry Battalion and the 442nd Regimental Combat Team, United States Army, in recognition of their dedicated service during World War II (Rep. Schiff – Financial Services)
 3. **H.Res. 377** - Recognizing Armed Forces Day and the exemplary service of the members of the United States Armed Forces (Rep. Calvert – Armed Services)
 4. **H.R. 2101** - Weapons Acquisition System Reform Through Enhancing Technical Knowledge and Oversight Act of 2009 (Rep. Skelton – Armed Services)
 - **Motion to Instruct Conferees on H.R. 2101 – Weapons Acquisition System Reform Through Enhancing Technical Knowledge and Oversight Act of 2009 (Rep. Skelton – Armed Services):** Debate on the Motion to Instruct Conferees will proceed as follows:
 - Possible one hour of debate on the Motion to Instruct Conferees.
 - Possible vote on adoption of the Motion to Instruct Conferees.
 - **Postponed Suspension Votes:**
 1. **H.Res. 204** - Congratulating the American Dental Association for its 150th year of working to improve the public's oral health and promoting dentistry, supporting initiatives to improve access to oral health care services for all Americans, and emphasizing the benefits of prevention of disease through support of community

prevention initiatives and promotion of good oral hygiene (Rep. Simpson – Energy and Commerce)

2. **H.Con.Res. 84** – Supporting the goals and objectives of a National Military Appreciation Month (Rep. Wamp – Oversight and Government Reform)
3. **H.R. 2162** – To designate the facility of the United States Postal Service located at 123 11th Avenue South in Nampa, Idaho, as the "Herbert A Littleton Postal Station" (Rep. Minnick – Oversight and Government Reform)

Bill Summary & Key Issues

H.R. 2187 – 21st CENTURY GREEN HIGH-PERFORMING PUBLIC SCHOOL FACILITIES ACT

Improving Education, Creating Jobs, Fighting Global Warming

School buildings should be safe and healthy learning environments for children. But according to recent estimates, America's schools are hundreds of billions of dollars short of the funding needed to bring them up to good condition. Research shows a correlation between school facility quality and student achievement. Modernizing school buildings would help revive our economy by creating jobs and preparing workers for the clean energy jobs of the future. And by upgrading school buildings to make them more energy efficient and more reliant on renewable sources of energy, modernized school buildings can also help reduce the emissions that contribute to global warming. Congress already has endorsed these principles by making green school modernization, renovation and repair part an allowable use of funds under the state fiscal stabilization fund in H.R. 1, the American Recovery and Reinvestment Act.

The 21st Century Green High-Performing Public Schools Facilities Act (H.R. 2187) would:

Provide schools with access to funding for modernization, renovation and repair projects

Authorizes \$6.4 billion for school facilities projects for fiscal year 2010, and ensures that school districts will quickly receive funds for school modernization, renovation, and repairs that create healthier, safer, and more energy-efficient teaching and learning climates.

Allocates the same percentage of funds to school districts that they receive under Part A of Title I of the Elementary and Secondary Education Act, except that it guarantees each such district a minimum of \$5,000.

Encourage energy efficiency and the use of renewable resources in schools

Requires the majority of funds (100 percent by 2015) to be used for projects that meet green building standards.

Allows states to reserve one percent of funds to administer the program and to develop a plan a statewide database of school facilities, including their

modernization and repair needs, energy use, carbon footprints, and an energy efficiency quality plan.

Requires school districts to publicly report the educational, energy and environmental benefits of projects, how they comply with the green building requirements, and the percentage of funds used for projects at low-income, rural and charter schools.

Requires the Secretary of Education, in consultation with the Secretary of Energy and the Administrator of the Environmental Protection Agency, to disseminate best practices in school construction and to provide technical assistance to states and school districts regarding best practices.

Provide additional aid to Gulf Coast schools still recovering from Hurricanes Katrina and Rita

Authorizes separate funds – \$600 million over six years – for public schools that were damaged by Hurricanes Katrina and Rita. Many students still attend school in temporary classrooms.

Ensure fair wages and benefits for workers by applying Davis-Bacon protections to all grants for school modernization, renovation, and repair projects

AMENDMENTS TO H.R. 2187 – 21st CENTURY GREEN HIGH-PERFORMING PUBLIC SCHOOL FACILITIES ACT

1. **Miller, George (CA)** Would replace the bill's provision regarding charter schools (section 308) with a new provision that makes technical corrections and clarifies the disposition of excess funds. Would expand the allowable uses of funds to include repairing, replacing, and installing water supply and building envelopes. Would add a new section to Title I of the bill giving priority consideration to schools that would use funding to remove asbestos, polychlorinated biphenyls, mold, mildew, lead-based hazards, or a proven carcinogen. Would increase the set-aside for tribal and outlying schools from 1% to 2%.
(10 minutes)
2. **McKeon (CA)** Would require states to be in compliance with the public school choice, supplemental education services, private school participation, and military recruiters provisions of the Elementary and Secondary Education Act to be eligible to receive funding under the bill.
(10 minutes)
3. **Titus (NV)/Markey, Betsy (CO)** Would add a new section 314 requiring the Secretary of Education to establish an Advisory Council to the Secretary on green, high-performing schools. The Council will advise the Secretary on the impact of green, high-performing schools on teaching and learning, health energy costs and environmental impact; work with the Secretary to recommend Federal policies to increase the number of green, high-performing schools; provide technical assistance to states; and identify Federal policies that are barriers to helping states make schools

green and high-performing. The Council will consult with the Chair of the Council on Environmental Quality, the Commerce Secretary, Energy Secretary, Health and Human Services Secretary, Labor Secretary, EPA Administrator, and the GSA Administrator.
(10 minutes)

4. **Roe (TN)** Would add a new section 314 requiring the Education Secretary to enter into an agreement with the Department's Institute of Educational Sciences to evaluate the impact of projects funded under the bill on student academic achievement, including a comparison of students attending public schools receiving funding under the bill with students attending public schools that are not receiving such funding.
(10 minutes)
5. **Ellsworth (IN)** Would amend section 309 (green schools) to provide that nothing in the bill shall be construed to prohibit a local educational agency from using sustainable, domestic hardwood lumber for public school modernization, renovation, repairs, or construction. It also would amend section 310 (reporting) to require agencies receiving grant funds under the bill to disclose whether any flooring installed was from renewable sources.
(10 minutes)
6. **Flake, Jeff (AZ)** Would prohibit funds appropriated under the bill to be used for congressional earmarks as defined by clause 9(d) of rule XXI of the Rules of the House of Representatives.
(10 minutes)
7. **Giffords (AZ)/Cleaver (MO)** Would specify that local educational agencies receiving funds under the act may encourage schools receiving funds for projects to educate students about those projects, including how they function, and their environmental, energy, sustainability, and other benefits.
(10 minutes)
8. **Reichert (WA)** Would allow funds to be used to install or upgrade technology to ensure schools are able to respond to emergencies such as acts of terrorism, campus violence, and natural disasters.
(10 minutes)
9. **Maffei (NY)/Schwartz (PA)** Would require the Education Secretary, in consultation with the Labor Secretary, to work with funding recipients to promote opportunities for individuals enrolled in Job Corps to gain employment experience on modernization, repair, and construction projects funded under the Act. The amendment would also require the Secretary of Education in consultation with the Secretary of Labor, to work with recipients of funds to promote appropriate opportunities for individuals enrolled in a junior or community college.
(10 minutes)

10. **Bright (AL)** Would require the Secretary to reserve 5 percent of section 102 grant funds for grants to local educational agencies serving geographic areas with significant economic distress or recovering from a natural disaster.
(10 minutes)
11. **Griffith (AL)/Teague (NM)** Would include reducing the incidence and effects of asthma and other respiratory illnesses in children among the voluntary guidelines for high performing school buildings. It also would add reducing the incidence and effects of asthma and other respiratory illnesses to the list of demonstrable and expected benefits. The amendment also includes the reduction and elimination of human exposure to airborne particles such as dust, sand, and pollens among the approved uses for grant funds used by local educational agencies.
(10 minutes)
12. **Heinrich (NM)** Would allow funds to be used to install and upgrade recreational structures and physical education facilities.
(10 minutes)
13. **Luján (NM)/Schwartz (PA)** Would permit funds to be used for constructing greenhouses, gardens (including trees), and other facilities for environmental, scientific, or other educational purposes, or to produce energy savings.
(10 minutes)
14. **Schrader (OR)** Would require the GAO to conduct a study within one year of enactment on the extent and types of projects in keeping with the uses of funds authorized, the geographic distribution of green, high-performing schools (including by urban, suburban, and rural areas), and the relative access to such schools of the demographic groups described in section 1111(b)(2)(C)(v) of the Elementary and Secondary Education Act of 1965. These groups include: economically-disadvantaged students, students from major racial and ethnic groups, students with disabilities, and students with limited English proficiency.
(10 minutes)

Quote of the Day

"Education is not the filling of a bucket, but the lighting of a fire."

- W.B. Yeats