

1. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE  
George Miller OF California,  
OR H is DESIGNEE, DEBATABLE FOR 10 MINUTES.

29.  
Revised

**AMENDMENT TO H.R. 3021, AS REPORTED  
OFFERED BY MR. GEORGE MILLER OF  
CALIFORNIA**

Page 5, after line 5, insert the following:

- 1           (9) The term “public school facilities” includes  
2 charter schools.
- 3           (10) The term “Green Globes” means the  
4 Green Building Initiative environmental design and  
5 rating system referred to as Green Globes.

Page 5, line 8, insert “**PUBLIC**” before  
“**SCHOOL**”.

Page 5, beginning on line 12, strike “kindergarten”  
and all that follows through “that are” and insert  
“school facilities, based on their need for such improve-  
ments, to be”.

Page 8, line 9, strike “may” and insert “shall”.

Page 8, line 11, insert “including extensive, inten-  
sive or semi-intensive green roofs,” after “roofs,”.

Page 8, line 14, before the semicolon insert “, in-  
cluding security doors.”

Page 8, strike lines 19 through 22, and insert the following:

1           (3) bringing public schools into compliance with  
2           fire, health, and safety codes, including professional  
3           installation of fire/life safety alarms, including mod-  
4           ernizations, renovations, and repairs that ensure  
5           that schools are prepared for emergencies, such as  
6           improving building infrastructure to accommodate  
7           security measures;

Page 9, line 4, insert “or polychlorinated biphenyls”  
after “asbestos”.

Page 9, after line 9, insert the following:

8           (7) implementation of measures designed to re-  
9           duce or eliminate human exposure to mold or mil-  
10          dew.

Page 9, line 10, strike “(7)” and insert “(8)”.

Page 9, after line 12, insert the following:

11          (9) modernization, renovation, or repair of  
12          science and engineering laboratory facilities, librar-  
13          ies, and career and technical education facilities, in-  
14          cluding those related to energy efficiency and renew-  
15          able energy, and improvements to building infra-

1 structure to accommodate bicycle and pedestrian ac-  
2 cess;

Page 9, line 13, strike "(8)" and insert "(10)".

Page 9, line 20, strike "(9)" and insert "(11)".

Page 9, line 21, insert "public" before "school".

Page 9, line 22, strike "(8)." and insert "(10).".

Page 10, beginning on line 6, strike "kindergarten"  
and all that follows through "that are" and insert  
"school facilities, based on their need for such improve-  
ments, to be".

Page 10, beginning on line 9, strike "in order" and  
all that follows through "Rita" on line 10.

Page 11, line 16, strike "may use the grant for any"  
and insert "shall use the grant for one or more".

Page 11, line 19, strike "kindergarten, elementary,  
and secondary".

Page 12, beginning on line 9, strike "and repair"  
and all that follows through "educational" and insert  
"repair, and construction of public school".

Page 12, after line 10, insert the following (and  
amend the table of contents accordingly):

1 **SEC. 302A. PROHIBITION REGARDING STATE AID.**

2 A State shall not take into consideration payments  
3 under this Act in determining the eligibility of any local  
4 educational agency in that State for State aid, or the  
5 amount of State aid, with respect to free public education  
6 of children.

Page 12, line 12, insert “(a) IN GENERAL.—” before “A local”.

Page 12, after line 19, insert the following:

7 (b) REDUCTION IN CASE OF FAILURE TO MEET.—

8 (1) IN GENERAL.—The State educational agen-  
9 cy shall reduce the amount of a local educational  
10 agency’s grant in any fiscal year in the exact propor-  
11 tion by which a local educational agency fails to  
12 meet the requirement of subsection (a) of this sec-  
13 tion by falling below 90 percent of both the com-  
14 bined fiscal effort per student and aggregate expend-  
15 itures (using the measure most favorable to the local  
16 agency).

17 (2) SPECIAL RULE.—No such lesser amount  
18 shall be used for computing the effort required  
19 under subsection (a) of this section for subsequent  
20 years.

1 (c) WAIVER.—The Secretary shall waive the require-  
2 ments of this section if the Secretary determines that a  
3 waiver would be equitable due to—

4 (1) exceptional or uncontrollable circumstances,  
5 such as a natural disaster; or

6 (2) a precipitous decline in the financial re-  
7 sources of the local educational agency.

Page 12, line 23, strike “or repair” and insert “re-  
pair, or construction”.

Page 13, beginning on line 12, strike “or repairs”  
and insert “repairs, or construction”.

Page 13, line 13, insert “certified, verified, or con-  
sistent with any applicable provisions of” after “are”.

Page 13, strike lines 14 through 24 and insert the  
following:

- 8 (1) the LEED Green Building Rating System;  
9 (2) Energy Star;  
10 (3) the CHPS Criteria;  
11 (4) Green Globes; or  
12 (5) an equivalent program adopted by the State  
13 or another jurisdiction with authority over the local  
14 educational agency.

Page 14, line 13, strike “and repair,” and insert “repair, and construction,”.

Page 14, line 21, before the semicolon insert “, including the number of charter schools”

Page 14, after line 21, insert the following:

1           (2) the total amount of funds received by the  
2           local educational agency under this Act and the  
3           amount of such funds expended, including the  
4           amount expended for modernization, renovation, re-  
5           pair, or construction of charter schools;

Page 14, line 22, strike “(2)” and insert “(3)”.

Page 14, line 22, insert “public” before “schools”.

Page 15, line 3, strike “(3)” and insert “(4)”.

Page 15, line 3, insert “public” before “schools”.

Page 15, line 9, strike “(4)” and insert “(5)”.

Page 15, line 8, strike “and”.

Page 15, line 22, strike the period at the end and insert “; and”.

Page 15, after line 22, insert the following:

6           (6) the total number and amount of contracts  
7           awarded, and the number and amount of contracts

1 awarded to local, small, minority, women, and vet-  
2 eran-owned businesses.

Page 16, beginning on line 13, strike “and repair”  
and insert “repair, and construction”.

Page 16, after line 25, insert the following (and  
amend the table of contents accordingly):

3 **SEC. 309. SPECIAL RULES.**

4 Notwithstanding any other provision of this Act, none  
5 of the funds authorized by this Act may be—

6 (1) used to employ workers in violation of sec-  
7 tion 274A of the Immigration and Nationality Act  
8 (8 U.S.C. 1324a); or

9 (2) distributed to a local educational agency  
10 that does not have a policy that requires a criminal  
11 background check on all employees of the agency.

Page 17, strike the title amendment and insert the  
following:

Amend the title so as to read: “A bill to direct the  
Secretary of Education to make grants to State edu-  
cational agencies for the modernization, renovation, or re-  
pair of public school facilities, and for other purposes.”.

