

shows that we worked again together on the Foreign Affairs Committee in a very bipartisan manner. This transcends everything. This is genocide, and these resolutions are very, very important.

Now, Mr. Speaker, let's think about this. The chairman said something that really jostled my mind. I pointed out where a U.N. resolution was vetoed today by Russia. These men who were massacred in a genocide went to what they were told was a United Nations safe haven.

For this to happen under the auspices of the United Nations and then for Russia to veto a United Nations resolution commemorating solemn, solemn 20 years, it is just an absolute disgrace and irony; and it is one of the reasons that the United Nations has trouble because of the hypocrisy, once again, that we see in that body.

By passing this resolution, we put the House solidly on record honoring the thousands of innocent people killed at Srebrenica and all those who suffered during the Bosnian war. We stand alongside those who risked and continued to risk life and limb to defend the human rights of all people.

Mr. Speaker, I urge my colleagues to support this resolution unanimously, and I yield back the balance of my time.

Mr. SMITH of New Jersey. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I just want to finally say a very special thanks to Majority Leader KEVIN MCCARTHY for arranging for this bill to come to the floor and of course to the Speaker, to ED ROYCE, our distinguished chairman, and the ranking member for their strong support and cosponsorship of this resolution. It is bipartisan, and I think we are sending a clear and unambiguous message to the world, again, that Srebrenica was a genocide.

We must hold those to account who committed these atrocities. At least two of the major perpetrators, hopefully, will soon get justice, one at the end of this year and Mladic probably by 2017. The wheels of justice do turn slowly, but they are jailed right now. Above all, I think we need to pray for the victims.

Mr. Speaker, we need to pray for the loved ones who continue to suffer unspeakable agony. I do hope the American people and all of us in the House and in this town will—especially as this remembrance comes around beginning on July 11—keep these people who have suffered so much in our prayers.

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

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise in support of H. Res. 310, expressing the sense of the House of Representatives regarding Srebrenica. As a co-chair of the Congressional Caucus on Bosnia, I believe it is crucial to distinguish the Srebrenica massacres as genocide while honoring the thousands of innocent people who were killed in July twenty years ago.

In the early 1990s, following Bosnia and Herzegovina's declaration of national sovereignty, Bosnian Serb forces attacked Eastern Bosnia in order to unify and secure Serb territory. During this struggle for control, those Bosnian Serb forces, also called the Army of Republika Srpska committed crimes of ethnic cleansing of the non-Serb population. Approximately 8,000 Bosnian men and boys were systematically executed in 1995.

The situation in Bosnia and Herzegovina during this time was a failure on behalf of the international community. In 1999, UN Secretary-General Kofi Annan acknowledged that the global community needed to accept responsibility for the ethnic cleansing campaign in Bosnia and Herzegovina that killed thousands of unarmed civilians in a town designated as a "safe area."

For many years now, I have called on the United Nations to recognize Srebrenica as a genocide. Yesterday, I learned that Russia blocked the latest effort by the United Kingdom to recognize the Srebrenica massacres as a genocide, calling it "not constructive, confrontational, and politically-motivated." I am disappointed that the UN is unable to formally recognize Europe's worst atrocity since World War II.

Although the global community cannot and will not distinguish Srebrenica as genocide, I applaud my fellow Bosnia Caucus co-chair, Congressman CHRIS SMITH, for introducing this important resolution. While the UN's hands are tied, I am proud that the United States continues to be Bosnia and Herzegovina's greatest friend and ally. I urge my colleagues to support Bosnia and Herzegovina by voting in favor of this resolution.

The SPEAKER pro tempore (Mr. WALKER). The question is on the motion offered by the gentleman from New Jersey (Mr. SMITH) that the House suspend the rules and agree to the resolution, H. Res. 310.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the resolution was agreed to.

A motion to reconsider was laid on the table.

STUDENT SUCCESS ACT

GENERAL LEAVE

Mr. KLINE. Mr. 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 H.R. 5.

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

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 125 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. 5.

Will the gentleman from Kansas (Mr. YODER) kindly take the chair.

□ 1624

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. 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, with Mr. YODER (Acting Chair) in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. When the Committee of the Whole rose on Friday, February 27, 2015, a request for a recorded vote on amendment No. 44 printed in part B of House Report 114-29 offered by the gentleman from Virginia (Mr. SCOTT) had been postponed.

Pursuant to House Resolution 347, it shall be in order to consider the further amendments printed in part A of House Report 114-192 as if such amendments had been printed in part B of House Report 114-29. Each such amendment may be offered only in the order printed in the report, by a Member designated in the report, shall be considered 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.

AMENDMENT NO. 45 OFFERED BY MR. ROKITA

The Acting CHAIR. It is now in order to consider amendment No. 45 printed in part A of House Report 114-192.

Mr. ROKITA. 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:

Page 5, lines 4, 7, 16, 20, and 24, strike "2021" and insert "2019".

Page 6, lines 4, 10, 16, 21, and 25, strike "2021" and insert "2019".

Page 7, line 4, strike "2021" and insert "2019".

Page 94, line 18, strike "2021" and insert "2019".

Page 450, line 19 and 23, strike "2021" and insert "2019".

Page 461, line 17, strike "2021" and insert "2019".

Page 484, line 11, strike "2021" and insert "2019".

Page 619, line 7, strike "2021" and insert "2019".

The Acting CHAIR. Pursuant to House Resolution 347, the gentleman from Indiana (Mr. ROKITA) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Indiana.

Mr. ROKITA. Mr. Chairman, my amendment is simple. It shortens authorization of the act from 6 years to 4 years. I am very thankful for the leadership of the gentleman from Wisconsin (Mr. GROTHMAN) for his work in leading this effort.

Mr. Chairman, it is the role of Congress to conduct oversight of Federal programs and regularly revisit the results of taxpayer investments. We began a process to replace No Child Left Behind 4 years ago, and our goal

from the beginning has always been to roll back the Federal Government's authority over K-12 schools and return to State and local education leaders the responsibility and opportunity to deliver a quality education to their students.

Now, the Student Success Act is a strong conservative proposal that reflects our shared principles for reducing the Federal role, restoring local control, and empowering individuals, not government bureaucrats. Reducing the authorization to 4 years will give Congress and the next administration a chance to ensure that these bold reforms are actually working as intended.

Mr. Chairman, I encourage my colleagues to support this commonsense amendment to the underlying bill, and I reserve the balance of my time.

Mr. POLIS. Mr. Chairman, I claim the time in opposition.

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

Mr. POLIS. Mr. Chairman, I had the opportunity to serve on our State Board of Education in Colorado from 2001 to 2007, so this was during the implementation phase of No Child Left Behind.

Now, we knew at the time many of the flaws we are hoping to address through ESEA reauthorization today, but it took several years just to get up to the point where we had the tests, we had the standards, and we complied with it.

Education is a major public enterprise. In fact, it is the largest public enterprise at the State and local level. One of the frustrations that I have heard a lot of in the last few years—and it has really amplified the frustration about testing—is the fact that the ball has been moving, the testing has been changed.

My State of Colorado, which is fairly typical, moved from one test, the CSAP, to a temporary test, the TCAP, and then finally a third test, all in a period of 4 years.

What we need to do—and this is something that we will hear from education stakeholders as varied as teachers, school boards, and principals—is stop moving the ball.

We know it is not going to be perfect. Let's give it a little bit of time to work. Now, this bill is far from perfect, which is why I oppose the underlying bill; but whatever set of rules you set in place, I feel it is important to allow the rulemaking, the State laws, to catch up, which takes a period of time, a period of years.

I think the longer reauthorization, through 2021, rather than reducing it to 4 years, is absolutely in the interests of ensuring that whatever law we come up with can be implemented more effectively at the State and local level.

Not only is it frustrating for districts and teachers to chase a constantly moving ball, it detracts from their most important effort, which is to educate the next generation of Americans.

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

Mr. ROKITA. Mr. Chairman, I yield 1 minute to the gentleman from Minnesota, Chairman KLINE, the chairman of the full Education and Workforce Committee. He has been a leader in the area of working on these issues for a lot more than 4 years.

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

Mr. Chairman, I just wanted to take literally a few seconds to say I understand the gentleman's purpose here. I think this improves the bill.

I support the amendment, and I urge my colleagues to vote for it.

Mr. POLIS. Mr. Chairman, I yield such time as he may consume to the gentleman from Virginia (Mr. SCOTT), the ranking member.

□ 1630

Mr. SCOTT of Virginia. Mr. Chairman, I rise in support of the amendment.

As the gentleman from Colorado has indicated, if you have a good bill, you should have as long an authorization as possible. It allows for better planning and the other things he mentioned.

But this is a bad bill. The funding formula takes from the poor and gives to the rich. It eliminates the responsibility to actually do something about the achievement gaps. I just believe the quicker we can get back to it, the better. So if you want to shorten the authorization so that the pain inflicted on this bill is shorter, I am for it.

Mr. ROKITA. Mr. Chairman, I thank the gentleman for supporting the amendment. The reasons he is supporting are completely wrong. We have increased Federal spending, as the gentleman knows, on education over 300 percent since the Federal Government has been involved. And guess what, Mr. Chairman, the results have been flatlined.

This bill does anything but take from the poor and give to the rich. In fact, it ensures that civil rights are protected and that children, whatever socioeconomic background, aren't left behind, but they have the opportunity to succeed in the 21st century and win.

Mr. Chairman, how much time do I have remaining?

The Acting CHAIR. The gentleman from Indiana has 3¼ minutes remaining.

Mr. ROKITA. I yield such time as he may consume to the gentleman from Wisconsin (Mr. GROTHMAN), who is new to this Congress but is already making this mark. He has coauthored this amendment with me.

Mr. GROTHMAN. Mr. Chairman, well, one of the many reasons that this is a good bill is that it recognizes that the Federal Government is taking too much control over education in this country.

One of the reasons the Federal Government should not get involved in many, many things is they are not very nimble. When they make a mistake,

rather than turning something around—you know, if a school board makes a mistake, they may come back in a meeting 2 weeks later and undo the mistake they made. When the Federal Government makes a mistake, it can take 15 or 20 years, if ever, to admit they made a mistake.

Now, when the original No Child Left Behind bill passed, I used to meet with school superintendents a couple times a month. They knew within months that that bill was horribly flawed.

Chairman KLINE has worked very hard on this bill. It is a very good bill, but it is still a very big, complicated bill. And I am sure within months, years, a couple of years, local superintendents will report changes they want to have made.

I think this is a very good amendment because, even though it doesn't assure us that we are going to revisit this in 4 years any more than the original No Child Left Behind we were sure we were going to revisit in 7 years, I think it reminds Congress that at least in a 4-year period you ought to be looking at it, see what your local superintendents think, see what your local schoolteachers think, and see if it can be improved. And, of course, it is going to be able to be improved in 4 years. So that is the reason for the amendment.

I mean, if you told anybody back home we are passing a law and we don't anticipate even looking at it again for 4 years, I think they would think that is highly unusual. That defines one of the reasons why we shouldn't get the Federal Government involved in a wide variety of things.

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

Mr. POLIS. Mr. Chairman, of course you can look at a bill during its period of initial authorization. There are routinely cleanup bills that move through this body.

And I wish—I wish—the No Child Left Behind had a cleanup bill in 2002 or in 2003 or in 2004, all during its initial period of authorization, but President Bush closed the doors on even the changes that I think that we could have had broad consensus that we needed to pass.

But of course whatever comes out of this ESEA process, if we can agree on cleanup things and unintended consequences 2 years, 3 years out, let's do them.

Look, the answer is not to move the ball. It leads to the spinning of the wheels for a period of years. And rather than working on educating kids, people are working on complying with an ever-changing matrix of Federal, State, and local law.

There is a lot that happens after we pass a law in this body. It goes to Federal rulemaking, input from various constituencies, final rules. It goes to States who might change their policies, State Boards of Education, State commissioners. It goes down to districts, busy superintendents who are worried about bus schedules, who are

worried about opening new schools, have to worry about recommending to their boards the new policies that will comply with our new Federal law.

It takes a lot of time. It might take 2 years, 3 years before it finally reaches those policy implementation levels on the ground at a local level. And guess what, if this amendment becomes law and the authorization period is only 4 years, they might finally—finally—start complying with this law only to find that there is a future Congress, a future President that moves the ball once again and starts the whole cycle of spinning wheels all over again.

We need to make sure that whatever we do in this body, that we give time for a thoughtful implementation of it at the State and local level that doesn't detract from the core mission that the men and women who teach in our classrooms, the men and women who volunteer on school boards, the professionals who serve as superintendents commit their lives to in terms of educating kids.

So we need to move forward with a longer reauthorization. If there are cleanup matters that we can agree on during that authorization period, we should by no means preclude them from the discussion until the end of this authorization. That was one of the problems with No Child Left Behind, that this body never had a follow-up discussion.

I urge my colleagues to vote “no,” and I yield back the balance of my time.

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

The amendment was agreed to.

AMENDMENT NO. 46 OFFERED BY MR. WALKER

The Acting CHAIR. It is now in order to consider amendment No. 46 printed in part A of House Report 114-192.

Mr. WALKER. Mr. Chairman, I offer an amendment.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 580, line 24, strike the closing quotation mark and second period.

Page 580, after line 24, insert the following:

“PART G—A PLUS ACT

“SECTION 6701. 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.—In this part:

“(1) ACCOUNTABILITY.—The term ‘accountability’ means that public schools are an-

swerable to parents and other taxpayers for the use of public funds and shall report student progress to parents and taxpayers regularly.

“(2) 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.

“(3) STATE.—The term ‘State’ has the meaning given such term in section 1122(e).

“(4) 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:

“(A) The governor of the State.

“(B) The highest elected education official of the State, if any.

“(C) The legislature of the State.

“(5) 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. 6702. 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 this Act. 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. 6703. 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); 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. 6704. 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, 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. 6705. 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.”

The Acting CHAIR. Pursuant to House Resolution 347, the gentleman from North Carolina (Mr. WALKER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from North Carolina.

Mr. WALKER. Mr. Chairman, I am introducing the Academic Partnerships Lead Us to Success, or the A-PLUS, Act.

When most of us come to Washington, one of the promises or one of the things that we try and do best is to return as much power or, should I say, decisionmaking back to the States and back to the people.

I believe the A-PLUS Act does that. It allows the States to opt out of as many as 80 different Federal programs, returning that opportunity. Some may say that No Child Left Behind, that it allows the opt out, and it does; but what it doesn't do, it doesn't allow the States to opt out of the mandates and still keep their Federal funding. That is why we believe this is a crucial amendment.

I yield such time as he may consume to the gentleman from Florida (Mr. DESANTIS), my distinguished friend.

Mr. DESANTIS. Mr. Chairman, I thank my friend from North Carolina.

I am happy to cosponsor this amendment. I think of this amendment in terms of Common Core because we have had a lot of controversy over Common Core. A lot of parents are upset about it, and they say: Look, this was the Federal Government getting involved in education, and people support it.

Congress said: Wait a minute. The Federal Government never mandated Common Core. That never happened.

And, you know, that is true.

But what did happen was the Federal Government had a huge amount of money under President Obama's race to the top, and they said: Hey, States—and this is during the recession and States needed the money—here is some money, but you have got to do what we want you to do.

And so they conditioned that funding and really coerced a lot of States into adopting something like Common Core.

And so I think what the A-PLUS does is it says: Okay. The Federal Government has gotten involved in K-12 education. I don't think it has been very successful from the very beginning, but if you are going to be providing money, at least give the State the ability to take that money and use it as they see fit to try and innovate and to try to do things that will improve the academic performance of their kids. But don't condition the funding on following specific formulas that Washington knows best.

I think this really empowers States. I think this is something that will empower local communities and, I think, ultimately will be better off as a matter of K-12 education. So I thank my friend from North Carolina for offering it.

Mr. SCOTT of Virginia. Mr. Chairman, I claim the time in opposition to the amendment.

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

Mr. SCOTT of Virginia. Mr. Chairman, I rise in opposition to the amendment.

The amendment would literally let States just take the money and run with no assurance that the billions of Federal dollars actually benefit the populations of students that ESEA was intended to serve: low-income, minority students who do not speak English, students with disabilities.

The original purpose of ESEA was to address the special educational needs of children of low-income families and the impact that concentrations of low-income families have on the ability of local educational agencies to support adequate educational programs.

Subsequently, we added a requirement that you identify and address achievement gaps. That is the purpose of the law. If you just opt out and take it as a block grant, you don't have to address the problems that the money is designed to cure.

The underlying bill violates the original purpose of the original ESEA, and this amendment just makes it worse.

I reserve the balance of my time.

Mr. WALKER. Mr. Chairman, I request how much time is remaining.

The Acting CHAIR. The gentleman from North Carolina has 2¾ minutes remaining.

Mr. WALKER. Mr. Chairman, who better to address these problems than

parents, States, and local school boards.

Let's talk about specifically what the A-PLUS Act does.

One, it restores education decision-making to State and local leaders who are better positioned to make informed decisions about the needs of their local school communities. It allows States to consolidate funding for any and all programs that are authorized under the ESEA, and it also reduces bureaucracy and increases transparency of student outcomes by redirecting accountability to parents and taxpayers, not Washington.

Fundamentally, I believe that government is more accountable, almost always, the more local, and it becomes more effective.

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

Mr. SCOTT of Virginia. Mr. Chairman, I yield 2 minutes to the gentleman from Colorado (Mr. POLIS).

Mr. POLIS. Mr. Chairman, there is a great potential for cooperation between Democrats and Republicans, as has historically been, with regard to education; and that lies in, of course, enhancing flexibility in freeing teachers and principals and districts from some of the bureaucratic constraints that they have that distract from their ability to maximize education.

But along with that increased flexibility needs to come accountability; otherwise, we wind up with the worst of both worlds. And just like No Child Left Behind erred too far in the direction of not enough flexibility with too much in the wrong kind of accountability, so, too, must we be careful not to err in the direction of too much flexibility without accountability.

It is important to make sure that as we increase the ways and the manner that States and districts have to free up local innovation at the classroom level, at the school level, at the district level, we need to make sure and reiterate what our goals are here.

How do we make sure that all students are learning? How do we make sure that schools are serving students with disabilities under IDEA? How do we make sure that districts and States are committed to closing the achievement gap between students of color and White students, even in local jurisdictions that might not have that political will intrinsically? That is the Federal promise. That is the promise and the reason behind ESEA and our efforts to improve education across these United States.

To turn it over to the States effectively makes the referee a player on the field. We need to have an objective look. The same people who are concerned with deciding exactly how moneys are spent cannot objectively weigh whether it is working or whether it is not. That is just human nature.

We need to make sure that if States have additional flexibility in grants—something I think that we can certainly work together on—if they have

that flexibility, we need to make sure there is an objective standard under which what they are doing with that flexibility is determined to work or not to work. And if it doesn't work, we need to encourage those States to move in a different direction. If it does work, we can increase our efforts to support them.

So again, there is a general premise here that can be worked on, but the underlying amendment would be extremely detrimental to public education.

Mr. SCOTT of Virginia. Mr. Chairman, how much time do I have remaining?

The Acting CHAIR. The gentleman has 2 minutes remaining.

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

The Acting CHAIR. The gentleman from North Carolina yielded back the balance of his time. Did the gentleman intend to reserve?

Mr. WALKER. Yes.

The Acting CHAIR. Does the gentleman ask for unanimous consent to reclaim his 2 minutes of time?

Mr. WALKER. He yielded back 2 minutes to me. Is that correct?

The Acting CHAIR. Does the gentleman ask for unanimous consent?

Mr. WALKER. Yes.

The Acting CHAIR. Without objection, the gentleman from North Carolina may reclaim his 2 minutes of time.

There was no objection.

PARLIAMENTARY INQUIRY

Mr. POLIS. Mr. Chairman, a point of parliamentary inquiry.

The Acting CHAIR. The gentleman will state his parliamentary inquiry.

Mr. POLIS. Mr. Chairman, to be clear, the gentleman was not yielded time from the gentleman from Virginia.

The Acting CHAIR. The gentleman is correct.

Mr. POLIS. The gentleman was granted his own time, which erroneously he had yielded back to the Chair.

The Acting CHAIR. The gentleman from Colorado is correct.

The Chair recognizes the gentleman from North Carolina.

Mr. WALKER. Mr. Chairman, how much time do I have remaining?

The Acting CHAIR. The gentleman from North Carolina has 2 minutes remaining. The gentleman from Virginia has 2 minutes remaining.

Mr. WALKER. Mr. Chairman, a lot of this is talk. And with due respect to my friend from Colorado, I hear the point. But I would say a lot of that is we are hearing "we, we this, we this, we the Federal, we this." It really should be "we the people at the State," "we the people at the local level."

It is important that we get some of the power that we like to monger up here among us in this House to return it back to the States, to return it back to the individual school boards.

□ 1645

Who best knows to make these decisions other than these parents and

these school boards? We talk about accountability. As Dr. Phil would say, "How has that been working for us the last 40 years?"

We need to get the accountability back to where it goes, where it should have been from the very beginning, and that is to the State level and to the local people, to the parents and the school boards.

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

Mr. SCOTT of Virginia. Mr. Chairman, the ESEA passed in 1965 because States and localities were not equitably funding the schools. The ESEA required the money to be spent primarily in the areas with a concentration of low-income families. If this amendment passes, we can reasonably assume that they will go back to the way they were doing it.

This makes a bad bill even worse. So I would hope that we would defeat the amendment and keep the requirement that the States, in using the money, address the fiscal inequalities and achievement gaps.

With this amendment, there are no requirements that they do anything, and we can reasonably assume that they would go back to doing the things they were doing to begin with before the ESEA passed. I would hope we would defeat 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 North Carolina (Mr. WALKER).

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

Mr. SCOTT of Virginia. 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 NO. 47 OFFERED BY MR. SALMON

The Acting CHAIR. It is now in order to consider amendment No. 47 printed in part A of House Report 114-192.

Mr. SALMON. 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:

Page 31, line 3, strike "(3)(B)(ii)(II)" and insert "(3)(B)(ii)(II), except that States shall allow the parent of a student to opt such student out of the assessments required under this paragraph for any reason and shall not include such students in calculating the participation rate under this clause".

The Acting CHAIR. Pursuant to House Resolution 347, the gentleman from Arizona (Mr. SALMON) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. SALMON. Mr. Chairman, I first want to thank Chairman KLINE and Representative ROKITA of the House

Committee on Education and the Workforce for working with me on this important amendment, which is to ensure that parents have more authority and power over their children's educations.

My amendment is very, very simple. It would allow any parent to opt his child out of high-stakes testing, and it would protect schools from being punished by the Federal Department of Education if parents opted to take their children out of these tests.

Since the 2001 reauthorization of the Elementary and Secondary Education Act, called No Child Left Behind, the Federal Government has placed increasing importance on academic assessments in K-12 education.

Assessments are important and even necessary to understand and measure a child's academic progress. However, academic assessments have become an overutilized metric to evaluate everything from the quality of a teacher to the strength of a particular program.

Because of this frenzied obsession with high-stakes testing, more and more time is being usurped from actual classroom learning. It was reported that the testing for a student in the 11th grade could take up to 27 days, a total of 15 percent of the entire school year, and a lot of the teachers complain about having to teach to the test. In fact, I think that is why the NEA has come out in support of this amendment.

Parents are becoming increasingly fed up with such constant and onerous testing requirements, and so are the teachers. While some States currently allow parents to opt their students out of assessments, there exists a simultaneous obligation on schools of a 95 percent participation rate in school assessments.

If schools don't meet these requirements, they risk enforcement measures from the Department of Education, which, at worst, could include losing access to Federal funding. These factors create a strange environment of conflicting interests for students, parents, and schools.

My amendment would ease a school's fear of penalties by directing that opted-out students not be counted among the 95 percent participation requirement while giving parents due power over their children's educations.

I urge my colleagues to join me in supporting this important amendment, which returns the power back to where it should be, with the parents.

I reserve the balance of my time.

Mr. SCOTT of Virginia. Mr. Chairman, I claim the time in opposition.

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

Mr. SCOTT of Virginia. Mr. Chairman, it is one thing to keep a light on problems like achievement gaps, as the underlying bill does, but it kind of sweeps everything under the rug.

Before the participation threshold of 95 percent, only one State actually assessed 95 percent of students with disabilities, and it was not unusual for

low-achieving students to suddenly have field trips on testing day. If you are not measuring the achievement gap, you can't deal with the achievement gap.

We need to make sure that enough students test, which is 95 percent, so that we can actually identify the achievement gaps and do something about it. Parents do have the right to opt out, but when the dust settles, at least 95 percent will have had to have taken the test.

We have situations now in which, if you eliminate that requirement, school systems can encourage people not to show up on testing day. They can have field trips on testing day and can manipulate the data so that, if only half of the students are taking the test and if you make sure that it is the good students who are taking the test, your scores all of a sudden will go up.

The requirement that 95 percent get tested means you have meaningful data so that you can find out what the problem is, and then you can deal with it.

I reserve the balance of my time.

Mr. SALMON. Mr. Chairman, I yield 1 minute to the gentleman from Minnesota (Mr. KLINE), the chairman of the full committee.

Mr. KLINE. I thank the gentleman for offering this amendment.

Mr. Chairman, the gentleman is expressing a concern here of parents, not of schoolteachers and principals who want to put together field trips. There is a great deal of anxiety on the part of some parents, and this is giving them some power.

I support the gentleman's amendment, and I encourage my colleagues to support it.

Mr. SCOTT of Virginia. Mr. Chairman, I yield 2 minutes to the gentleman from Arizona (Mr. GRIJALVA).

Mr. GRIJALVA. I thank the ranking member.

Mr. Chairman, I rise in opposition to the underlying legislation and to the Salmon amendment.

Once again, we are considering legislation that does nothing to improve equity in our public education system, assuring and ensuring that resources are focused on student populations that have been historically marginalized, primarily children of color, English language learners, children with disabilities, and poor kids. The lessons from No Child Left Behind are plentiful, some good that need improvement and some that need to be eliminated from a reauthorization.

This amendment, along with the underlying legislation, continues to dismantle and remove the ESEA's significant mission, to deal with the issue of poverty in this country, marginalized communities, and kids who are not achieving.

Mr. Chairman, I ask my colleagues to oppose H.R. 5 and this amendment. The current bill fails to provide all of our communities with equitable educations.

Portability eliminates a maintenance of effort, block grants don't ad-

dress charter school accountability, and it eliminates provisions to protect English learners in this country. With this amendment, we eliminate the Nation's responsibility to be accountable and to ensure that all children get an education.

I am astounded by the historical amnesia that goes on when we have these discussions. The ESEA was formed for a purpose: to improve and to create equity and opportunity for children who didn't have it.

We have not reached a stage in this country when we can say that States can take care of this. We can go back to those vestiges, as the ranking member said, in which there was no equality, there was no opportunity, and tell the States, "You can do what you want with this Federal money. And, by discretion, if you don't educate all of your children, that is okay. And if, by discretion, we can't hold anybody accountable for his lack of education, that is okay."

That is the message we are going back to, and I urge a "no" vote.

Mr. SALMON. Mr. Chairman, I take serious umbrage with the arrogance that purveys this city in that we are the font of all knowledge. In fact, I lovingly joke with my constituents when I go back and say, "I am from Washington, D.C., and I am here to help you." It always draws a loud amount of laughter because everybody knows that that is not the way things really are.

If we can't trust our parents, who have the biggest vested interest in whether or not their children succeed in education, if we can't trust the local teachers, if we can't trust the local school boards, whose members also have to run for election, then we might as well just fold up and go home.

I have a lot more confidence in parents, in teachers, in our local school boards, than I do in some nameless, faceless bureaucrat here in Washington, D.C. I say we put the power back where it should be: in the hands of parents and teachers and local school boards.

I yield back the balance of my time.

Mr. SCOTT of Virginia. Mr. Chairman, how much time do I have remaining?

The Acting CHAIR. The gentleman has 1½ minutes remaining.

Mr. SCOTT of Virginia. Mr. Chairman, I yield 1 minute to the gentleman from Colorado (Mr. POLIS).

Mr. POLIS. I thank the ranking member.

Mr. Chairman, one parent recently wrote me that she prefers that students with special needs be required to take tests. In her words, "The tests gave us the data we needed to see where my son needed additional support."

I rise in opposition to Mr. SALMON's amendment.

Before No Child Left Behind was passed, schools across the country would systemically excluded students from tests in an effort to inflate a school's overall performance and sweep

deficiencies and discrimination under the rug.

This amendment, which would allow students to opt out of tests and allow those students to be omitted from the testing threshold, would make it easier to, once again, exclude historically marginalized students from accountability systems.

There would be almost no way of knowing which students truly opted out, which were pushed out, and which students stayed at home at their schools' suggestion or traveled on an optional field trip.

In my home State of Colorado, a similar provision was brought up in the State legislature, and over 400 business and community leaders strongly publicly opposed the bill and succeeded in defeating it.

In order to close achievement gaps, we need data on every student, regardless of race, background, or disability. This kind of policy allows the very data we need the most on the most needy kids to be swept under the rug.

For that reason, I strongly urge a "no" vote on this amendment.

Mr. SCOTT of Virginia. Mr. Chairman, I yield myself the balance of my time.

If this amendment passes, school systems will have an incentive to address achievement gaps not by the hard work that it takes to close the achievement gaps, but by just manipulating the data. That is wrong, and this amendment ought to be defeated.

I yield back the balance of my time.

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

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

Mr. SALMON. 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 NO. 48 OFFERED BY MR. POLIS

The Acting CHAIR. It is now in order to consider amendment No. 48 printed in part A of House Report 114-192.

Mr. POLIS. 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 112 and insert the following:

SEC. 112. STATE PLANS.

Section 1111 (20 U.S.C. 6311) is amended to read as follows:

"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, in consultation with representatives of local educational agencies, teachers, school leaders, specialized instructional support personnel, early childhood education providers, parents, community organizations, communities representing underserved populations, and Indian tribes,

that satisfies the requirements of this section, and that is coordinated with other programs of this Act, the Individuals with Disabilities Education Act, the Carl D. Perkins Career and Technical Education Act of 2006, the Head Start Act, the Adult Education and Family Literacy Act, and the McKinney-Vento Homeless Assistance Act.

“(2) CONSOLIDATED PLAN.—A State plan submitted under paragraph (1) may be submitted as a part of a consolidated plan under section 9302.

“(b) COLLEGE AND CAREER READY CONTENT STANDARDS, ASSESSMENTS, AND ACHIEVEMENT STANDARDS.—

“(1) GENERAL REQUIREMENTS.—Each State plan shall include evidence that the State’s college and career ready content standards, assessments, and achievement standards under this subsection are—

“(A) vertically aligned from kindergarten through grade 12; and

“(B) developed and implemented to ensure that proficiency in the content standards will signify that a student is on-track to graduate prepared for—

“(i) according to written affirmation from the State’s public institutions of higher education, placement in credit-bearing, non-remedial courses at the 2-and 4-year public institutions of higher education in the State; and

“(ii) success on relevant State career and technical education standards.

“(2) COLLEGE AND CAREER READY CONTENT STANDARDS.—

“(A) IN GENERAL.—Each State plan shall demonstrate that, not later than the 2015–2016 school year the State educational agency will adopt and implement high-quality, college and career ready content standards that comply with this paragraph.

“(B) SUBJECTS.—The State educational agency shall have such high-quality, academic content standards for students in kindergarten through grade 12 for, at a minimum, English language arts, math, and science.

“(C) ELEMENTS.—College and career ready content standards under this paragraph shall—

“(i) be developed through participation in a State-led process that engages—

“(I) kindergarten through-grade-12 education experts (including teachers and educational leaders); and

“(II) representatives of institutions of higher education, the business community, and the early learning community;

“(ii) be rigorous, internationally benchmarked, and evidence-based, requiring students to demonstrate the ability to think critically, solve problems, and communicate effectively;

“(iii) be either—

“(I) validated, including through written affirmation from the State’s public institutions of higher education, to ensure that proficiency in the content standards will signify that a student is on-track to graduate prepared for—

“(aa) placement in credit-bearing, non-remedial courses at the 2-and 4-year public institutions of higher education in the State; and

“(bb) success on relevant State career and technical education standards; or

“(II) State-developed and voluntarily adopted by a significant number of States;

“(iv) for standards from kindergarten through grade 3, reflect progression in how children develop and learn the requisite skills and content from earlier grades (including preschool) to later grades; and

“(v) apply to all schools and students in the State.

“(D) ENGLISH LANGUAGE PROFICIENCY STANDARDS.—Each State educational agency

shall develop and implement statewide, high-quality English language proficiency standards that—

“(i) are aligned with the State’s academic content standards;

“(ii) reflect the academic language that is required for success on the State educational agency’s academic content assessments;

“(iii) predict success on the applicable grade level English language arts content assessment;

“(iv) ensure proficiency in each of the domains of speaking, listening, reading, and writing in the appropriate amount of time; and

“(v) address the different proficiency levels of English learners.

“(E) EARLY LEARNING STANDARDS.—The State educational agency shall, in collaboration with the State agencies responsible for overseeing early care and education programs and the State early care and education advisory council, develop and implement early learning standards across all major domains of development for preschoolers that—

“(i) demonstrate alignment with the State academic content standards;

“(ii) are implemented through dissemination, training, and other means to applicable early care and education programs;

“(iii) reflect research and evidence-based developmental and learning expectations;

“(iv) inform teaching practices and professional development and services; and

“(v) for preschool age children, appropriately assist in the transition to kindergarten.

“(F) ASSURANCE.—Each State plan shall include an assurance that the State has implemented the same content standards for all students in the same grade and does not have a policy of using different content standards for any student subgroup.

“(3) HIGH-QUALITY ASSESSMENTS.—

“(A) IN GENERAL.—Each State plan shall demonstrate that the State educational agency will adopt and implement high-quality assessments in English language arts, math, and science not later than the 2016–2017 school year that comply with this paragraph.

“(B) ELEMENTS.—Such assessments shall—

“(i) be valid, reliable, appropriate, and of adequate technical quality for each purpose required under this Act, and be consistent with relevant, nationally recognized professional and technical standards;

“(ii) measure the knowledge and skills necessary to demonstrate proficiency in the academic content standards under paragraph (2) for the grade in which the student is enrolled;

“(iii) be developed as part of a system of assessments providing data (including individual student achievement data and individual student growth data), that shall be used to improve teaching, learning, and program outcomes;

“(iv) be used in determining the performance of each local educational agency and school in the State in accordance with the State’s accountability system under subsection (c);

“(v) provide an accurate measure of—

“(I) student achievement at all levels of student performance; and

“(II) student academic growth;

“(vi) allow for complex demonstrations or applications of knowledge and skills including the ability to think critically, solve problems, and communicate effectively;

“(vii) be accessible for all students, including students with disabilities and English learners, by—

“(I) incorporating principles of universal design as defined by section 3(a) of the As-

sistive Technology Act of 1998 (29 U.S.C. 3002(a)); and

“(II) being interoperable when using any digital assessment, such as computer-based and online assessments;

“(viii) provide for accommodations, including for computer-based and online assessments, for students with disabilities and English learners to provide a valid and reliable measure of such students’ achievement;

“(ix) produce individual student interpretive, descriptive, and diagnostic reports that allow parents, teachers, and school leaders to understand and address the specific academic needs of students, and include information regarding achievement on academic assessments, and that are provided to parents, teachers, and 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 parents can understand; and

“(x) may be partially delivered in the form of portfolios, projects, or extended performance tasks as long as such assessments meet the requirements of this subsection.

“(C) ADMINISTRATION.—Such assessments shall—

“(i) be administered to all students, including all subgroups described in subsection (c)(3)(A), in the same grade level for each content area assessed, except as provided under subparagraph (E), through—

“(I) a single summative assessment each school year; or

“(II) multiple statewide assessments over the course of the school year that result in a single summative score that provides valid, reliable, and transparent information on student achievement for each tested content area in each grade level;

“(ii) for English language arts and math—

“(I) be administered annually, at a minimum, for students in grade 3 through grade 8; and

“(II) be administered at least once, but not earlier than 11th grade for students in grades 9 through grade 12; and

“(iii) for science, be administered at least once during grades 3 through 5, grades 6 through 8, and grades 9 through 12.

“(D) NATIVE LANGUAGE ASSESSMENTS.—Each State educational agency with at least 10,000 English learners, at least 25 percent of which speak the same language that is not English, shall adopt and implement native language assessments for that language consistent with State law. Such assessments shall be for students—

“(i) for whom the academic assessment in the student’s native language would likely yield more accurate and reliable information about such student’s content knowledge;

“(ii) who are literate in the native language and have received formal education in such language; or

“(iii) who are enrolled in a bilingual or dual language program and the native language assessment is consistent with such program’s language of instruction.

“(E) ALTERNATE ASSESSMENTS FOR STUDENTS WITH THE MOST SIGNIFICANT COGNITIVE DISABILITIES.—In the case of a State educational agency that adopts alternate achievement standards for students with the most significant cognitive disabilities described in paragraph (4)(D), the State shall adopt and implement high-quality statewide alternate assessments aligned to such alternate achievement standards that meet the requirements of subparagraphs (B) and (C), so long as the State ensures that in the State the total number of students in each grade level assessed in each subject does not exceed the cap established under subsection (c)(3)(E)(iii)(II).

“(F) ENGLISH LANGUAGE PROFICIENCY ASSESSMENTS.—Each State educational agency

shall adopt and implement statewide English language proficiency assessments that—

“(i) are administered annually and aligned with the State’s English language proficiency standards and academic content standards;

“(ii) are accessible, valid, and reliable;

“(iii) measure proficiency in reading, listening, speaking, and writing in English both individually and collectively;

“(iv) assess progress and growth on language and content acquisition; and

“(v) allow for the local educational agency to retest a student in the individual domain areas that the student did not pass, unless the student is newly entering a school in the State, or is in the third, fifth, or eighth grades.

“(G) SPECIAL RULE WITH RESPECT TO BUREAU FUNDED SCHOOLS.—In determining the assessments to be used by each school operated or funded by the Department of the Interior’s Bureau of Indian Education receiving funds under this part, the following shall apply:

“(i) 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.

“(ii) 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.

“(iii) 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.

“(H) ASSURANCE.—Each State plan shall include an assurance that the State educational agency will take steps to ensure that the State assessment system, which includes all statewide assessments and local assessments is coordinated and streamlined to eliminate duplication of assessment purposes, practices, and use.

“(I) ACCOMMODATIONS.—Each State plan shall—

“(i) describe the accommodations for English learners and students with disabilities on the assessments used by the State which may include accommodations such as text-to-speech technology or read aloud, braille, large print, calculator, speech-to-text technology or scribe, extended time, and frequent breaks;

“(ii) include evidence of the effectiveness of such accommodations in maintaining valid results for the appropriate population; and

“(iii) include evidence that such accommodations do not change the construct intended to be measured by the assessment or the meaning of the resulting scores.

“(J) ADAPTIVE ASSESSMENTS.—In the case of a State educational agency that develops and administers computer adaptive assessments, such assessments shall meet the requirements of this paragraph, and must measure, at a minimum, each student’s academic proficiency against the State’s content standards as described in paragraph (2) for the grade in which the student is enrolled.

“(4) COLLEGE AND CAREER READY ACHIEVEMENT AND GROWTH STANDARDS.—

“(A) IN GENERAL.—Each State plan shall demonstrate that the State will adopt and implement college and career ready achievement standards in English language arts,

math, and science by the 2015–2016 school year that comply with this paragraph.

“(B) ELEMENTS.—Such academic achievement standards shall establish at a minimum, 3 levels of student achievement that describe how well a student is demonstrating proficiency in the State’s academic content standards that differentiate levels of performance to—

“(i) describe 2 levels of high achievement (on-target and advanced) that indicate, at a minimum, that a student is proficient in the academic content standards under paragraph (2) as measured by the performance on assessments under paragraph (3); and

“(ii) describe a third level of achievement (catch-up) that provides information about the progress of a student toward becoming proficient in the academic content standards under paragraph (2) as measured by the performance on assessments under paragraph (3).

“(C) VERTICAL ALIGNMENT.—Such achievement standards are vertically aligned to ensure a student who achieves at the on-target or advanced levels under subparagraph (B)(i) signifies that student is on-track to graduate prepared for—

“(i) placement in credit-bearing, non-remedial courses at the 2- and 4-year public institutions of higher education in the State; and

“(ii) success on relevant State career and technical education standards.

“(D) ALTERNATE ACHIEVEMENT STANDARDS.—If a State educational agency adopts alternate achievement standards for students with the most significant cognitive disabilities, such academic achievement standards shall establish, at a minimum, 3 levels of student achievement that describe how well a student is demonstrating proficiency in the State’s academic content standards that—

“(i) are aligned to the State’s college and career ready content standards under paragraph (2);

“(ii) are vertically aligned to ensure that a student who achieves at the on-target or advanced level under clause (v)(I) signifies that the student is on-track to access a postsecondary education or competitive integrated employment;

“(iii) reflect concepts and skills that students should know and understand for each grade;

“(iv) are supported by evidence-based learning progressions to age and grade-level performance; and

“(v) establish, at a minimum—

“(I) 2 levels of high achievement (on-target and advanced) that indicate, at a minimum, that a student with the most significant cognitive disabilities is proficient in the academic content standards under paragraph (2) as measured by the performance on assessments under paragraph (3)(E); and

“(II) a third level of achievement (catch-up) that provides information about the progress of a student with the most significant cognitive disabilities toward becoming proficient in the academic content standards under paragraph (2) as measured by the performance on assessments under paragraph (3)(E).

“(E) STUDENT GROWTH STANDARDS.—Each State plan shall demonstrate that the State will adopt and implement student growth standards for students in the assessed grades that comply with this subparagraph, as follows:

“(i) ON-TARGET AND ADVANCED LEVELS.—For a student who is achieving at the on-target or advanced level of achievement, the student growth standard is not less than the rate of academic growth necessary for the student to remain at that level of student achievement for not less than 3 years.

“(ii) CATCH-UP LEVEL.—For a student who is achieving at the catch-up level of achievement, the student growth standard is not less than the rate of academic growth necessary for the student to achieve an on-target level of achievement within 3 or 4 years, as determined by the State.

“(F) PROHIBITION.—A State may not establish alternate or modified achievement standards for any subgroup of students, except as provided under subparagraph (D).

“(5) RULE OF CONSTRUCTION.—Nothing in paragraph (3) shall be construed to prescribe the use of the academic assessments established pursuant to such paragraph for student promotion or graduation purposes.

“(C) ACCOUNTABILITY AND SCHOOL IMPROVEMENT SYSTEM.—The State plan shall demonstrate that not later than the 2016–2017 school year, the State educational agency, in consultation with representatives of local educational agencies, teachers, school leaders, parents, community organizations, communities representing underserved populations and Indian tribes, has developed a single statewide accountability and school improvement system (in this subsection known as the ‘accountability system’) that ensures all students have the knowledge and skills to successfully enter the workforce or postsecondary education without the need for remediation by complying with this subsection as follows:

“(1) ELEMENTS.—Each State accountability system shall, at a minimum—

“(A) annually measure academic achievement for all students, including each subgroup described in paragraph (3)(A), in each public school, including each charter school, in the State, including—

“(i) student academic achievement in accordance with the academic achievement standards described in subsection (b)(4);

“(ii) student growth in accordance with the student growth standards described in subsection (b)(4)(E); and

“(iii) graduation rates in diploma granting schools;

“(B) set clear performance and growth targets in accordance with paragraph (2) to improve the academic achievement of all students as measured under subparagraph (A) of this paragraph and to close achievement gaps so that all students graduate ready for postsecondary education and the workforce;

“(C) establish equity indicators to diagnose school challenges and measure school progress within the improvement system described in section 1116, including factors to measure, for all students and each subgroup described in paragraph (3)(A)—

“(i) academic learning, such as—

“(I) percentage of students successfully completing rigorous coursework that aligns with college and career ready standards described under subsection (b)(2) such as dual enrollment, Advanced Placement (AP) or International Baccalaureate (IB) courses;

“(II) percentage of students enrolled in arts courses;

“(III) student success on State or local educational agency end-of course examinations; and

“(IV) student success on performance-based assessments that are valid, reliable and comparable across a local educational agency and meet the requirements of paragraph (3)(B);

“(ii) student engagement, such as—

“(I) student attendance rates;

“(II) student discipline data, including suspension and expulsion rates;

“(III) incidents of bullying and harassment; and

“(IV) surveys of student engagement and satisfaction;

“(iii) student advancement, such as—

“(I) student on-time promotion rates;

“(II) on-time credit accumulation rates;
 “(III) course failure rates; and
 “(IV) post-secondary and workforce entry rates;
 “(iv) student health and wellness;
 “(v) student access to instructional quality, such as—
 “(I) number of qualified teachers and paraprofessionals;
 “(II) number of specialized instructional support personnel;
 “(III) instructional personnel attendance, vacancies, and turnover; and
 “(IV) rates of effective teachers and principals, as determined by the State or local educational agency;
 “(vi) school climate and conditions for student success, such as—
 “(I) the availability of up-to-date instructional materials, technology, and supplies;
 “(II) measures of school safety; and
 “(III) the condition of school facilities; including accounting for well-equipped instructional spaces; and
 “(vii) family and community engagement in education;
 “(D) annually differentiate performance and condition of schools based on—
 “(i) the achievement measured under subparagraph (A);
 “(ii) whether the school meets the performance and growth targets set under paragraph (2); and
 “(iii) to a lesser extent, data on the State-established equity indicators, as described in subparagraph (C); and
 “(E) identify using the differentiation described in subparagraph (D), for the purposes under section 1116—
 “(i) high priority schools that—
 “(I) according to the State-established parameters described in 1116(a)(2), have the lowest performance in the local educational agency and the State using current and prior year academic achievement, growth, and graduation rate data as described in subparagraph (A) and data on the state-established equity indicators described in subparagraph (C); or
 “(II) as of the date of enactment of the Student Success Act, have been identified under 1003(g); and
 “(ii) schools in need of support that have not met one or more of the performance targets set under paragraph (2) for any subgroup described in paragraph (3)(A) in the same grade level and subject, for two consecutive years; and
 “(iii) reward schools that have—
 “(I) the highest performance in the State for all students and student subgroups described in paragraph (3)(A); or
 “(II) made the most progress over at least the most recent 2-year period in the State in increasing student academic achievement and graduation rates for all students and student subgroups described in paragraph (3)(A); and
 “(III) made significant progress in overcoming school challenges identified using the State-established equity indicators, as described in subparagraph (C).
 “(2) GOALS AND TARGETS.—
 “(A) IN GENERAL.—Each State educational agency shall establish goals and targets for the State accountability and school improvement system that comply with this paragraph. Such targets shall be established separately for all elementary school and secondary school students, economically disadvantaged students, students from major racial and ethnic groups, students with disabilities, and English learners and expect accelerated academic gains from subgroups who are the farthest away from college and career-readiness as determined by annual academic achievement measures described in paragraph (1)(A).

“(B) ACHIEVEMENT GOALS.—Each State educational agency shall set multi-year goals that are consistent with the academic and growth achievement standards under subsection (b)(4) to ensure that all students graduate prepared to enter the workforce or postsecondary education without the need for remediation.

“(C) PERFORMANCE TARGETS.—Each State educational agency shall set ambitious, but achievable annual performance targets separately for each subgroup of students described in paragraph (3)(A), for local educational agencies and schools, for each grade level and in English language arts and math that reflect the progress required for all students and each subgroup of students described in paragraph (3)(A) to meet the State-determined goals as required under subparagraph (B), as approved by the Secretary.

“(D) GROWTH TARGETS.—Each State educational agency shall set ambitious but achievable growth targets that—

“(i) assist the State in achieving the academic achievement goals described in subparagraph (B); and

“(ii) include targets that ensure all students, including subgroups of students described in paragraph (3)(A), meet the growth standards described in subsection (b)(4)(E).

“(E) GRADUATION RATE GOALS AND TARGETS.—

“(i) GRADUATION RATE GOALS.—Each State educational agency shall set a graduation rate goal of not less than 90 percent.

“(ii) GRADUATION RATE TARGETS.—Each State educational agency shall establish graduation rate targets which shall not be less rigorous than the targets approved under section 200.19 of title 34, Code of Federal Regulations (or a successor regulation).

“(iii) EXTENDED-YEAR GRADUATION RATE TARGETS.—In the case of a State that chooses to use an extended year graduation rate in the accountability and school improvement system described under this subsection, the State shall set extended year graduation rate targets that are more rigorous than the targets set under clause (ii) and, if applicable, are not less rigorous than the targets approved under section 200.19 of title 34, Code of Federal Regulations (or a successor regulation).

“(3) FAIR ACCOUNTABILITY.—Each State educational agency shall establish fair and appropriate policies and practices, as a component of the accountability system established under this subsection, to measure school, local educational agency, and State performance under the accountability system that, at a minimum, comply with this paragraph as follows:

“(A) DISAGGREGATE.—Each State educational agency shall disaggregate student achievement data in a manner that complies with the State’s group size requirements under subparagraph (B) for the school’s, local educational agency’s, and the State’s performance on its goals and performance targets established under paragraph (2), by each content area and each grade level for which such goals and targets are established, and, if applicable, by improvement indicators described in paragraph (1)(D) for each of the following groups:

“(i) All public elementary and secondary school students.

“(ii) Economically disadvantaged students.

“(iii) Students from major racial and ethnic groups.

“(iv) Students with disabilities.

“(v) English learners.

“(B) SUBGROUP SIZE.—Each State educational agency shall establish group size requirements for performance measurement and reporting under the accountability system that—

“(i) is the same for all subgroups described in subparagraph (A);

“(ii) does not exceed 15 students;

“(iii) yields statistically reliable information; and

“(iv) does not reveal personally identifiable information about an individual student.

“(C) PARTICIPATION.—Each State educational agency shall ensure that—

“(i) not less than 95 percent of the students in each subgroup described subparagraph (A) take the State’s assessments under subsection (b)(2); and

“(ii) any school or local educational agency that does not comply with the requirement described in clause (i) of this subparagraph may not be considered to have met its goals or performance targets under paragraph (2).

“(D) AVERAGING.—Each State educational agency may average achievement data with the year immediately preceding that school year for the purpose of determining whether schools, local educational agencies, and the State have met their performance targets under paragraph (2).

“(E) STUDENTS WITH THE MOST SIGNIFICANT COGNITIVE DISABILITIES.—

“(i) IN GENERAL.—In calculating the percentage of students scoring at the on-target levels of achievement and the graduation rate for the purpose of determining whether schools, local educational agencies, and the State have met their performance targets under paragraph (2), a State shall include all students with disabilities, even those students with the most significant cognitive disabilities, and—

“(I) may include the on-target and advanced scores of students with the most significant cognitive disabilities taking alternate assessments under subsection (b)(3)(E) provided that the number and percentage of such students who score at the on-target or advanced level on such alternate assessments at the local educational agency and the State levels, respectively, does not exceed the cap established by the Secretary under clause (iii) in the grades assessed and subjects used under the accountability system established under this subsection; and

“(II) may include students with the most significant cognitive disabilities, who are assessed using alternate assessments described in subsection (b)(3)(E) and who receive a State-defined standards-based alternate diploma aligned with alternate achievement standards described in subparagraph (4)(D) and with completion of the student’s right to a free and appropriate public education under the Individuals with Disabilities Education Act, as graduating with a regular secondary school diploma, provided that the number and percentage of those students who receive a State-defined standards-based alternate diploma at the local educational agency and the State levels, respectively, does not exceed the cap established by the Secretary under clause (iii).

“(ii) STATE REQUIREMENTS.—If the number and percentage of students taking alternate assessments or receiving a State-defined standards-based alternate diploma exceeds the cap under clause (iii) at the local educational agency or State level, the State educational agency, in determining whether the local educational agency or State, respectively, has met its performance targets under paragraph (2), shall—

“(I) include all students with the most significant cognitive disabilities;

“(II) count at the catch-up level of achievement or as not graduating such students who exceed the cap;

“(III) include such students at the catch-up level of achievement or as not graduating in

each applicable subgroup at the school, local educational agency, and State level; and

“(IV) ensure that parents are informed of the actual academic achievement levels and graduation status of their children with the most significant cognitive disabilities.

“(iii) SECRETARIAL DUTIES.—The Secretary shall establish a cap for the purposes of this subparagraph which—

“(I) shall be based on the most recently available data on—

“(aa) the incidence of students with the most significant cognitive disabilities;

“(bb) the participation rates, including by disability category, on alternate assessments using alternate achievement standards pursuant to subsection (b)(3)(E);

“(cc) the percentage of students, including by disability category, scoring at each achievement level on such alternate assessments; and

“(dd) other factors the Secretary deems necessary; and

“(II) may not exceed 1 percent of all students in the combined grades assessed.

“(4) TRANSITION PROVISIONS.—

“(A) IN GENERAL.—The Secretary shall take such steps as necessary to provide for the orderly transition to the new accountability and school improvement systems required under this subsection from prior accountability and school improvement systems in existence on the day before the date of enactment of the Student Success Act.

“(B) TRANSITION.—To enable the successful transition described in this paragraph, each State educational agency receiving funds under this part shall—

“(i) administer assessments that were in existence on the day before the date of enactment of the Student Success Act and beginning not later than the 2014–2015 school year, administer high-quality assessments described in subsection (b)(3);

“(ii) report student performance on the assessments described in subparagraph (I), consistent with the requirements under this title;

“(iii) set a new baseline for performance targets, as described in paragraph (2)(C) and (2)(D), once new high-quality assessments described in subsection (b)(3) are implemented;

“(iv) implement the accountability and school improvement requirements of sections 1111 and 1116, except—

“(I) the State shall not be required to identify new persistently low achieving schools or schools in need of improvement under section 1116 for 1 year after high-quality assessments described in subsection (b)(3) have been implemented; and

“(II) shall continue to implement school improvement requirements of section 1116 in persistently low achieving schools and schools in need of improvement that were identified as such in the year prior to implementation of new high-quality assessments; and

“(v) assist local educational agencies in providing training and professional development on the implementation of new college and career ready standards and high-quality assessments.

“(C) END OF TRANSITION.—The transition described in this paragraph shall be completed by no later than 2 years from the date of enactment of the Student Success Act.

“(d) OTHER PROVISIONS TO SUPPORT TEACHING AND LEARNING.—Each State plan shall contain the following:

“(1) DESCRIPTIONS.—A description of—

“(A) how the State educational agency will carry out the responsibilities of the State under section 1116;

“(B) a plan to identify and reduce inequities in the allocation of State and local resources, including personnel and nonpersonnel resources, between schools that are

receiving funds under this title and schools that are not receiving such funds under this title, consistent with the requirements in section 1120A, including—

“(i) a description of how the State will support local educational agencies in meeting the requirements of section 1120A; and

“(ii) a description of how the State will support local educational agencies to align plans under subparagraph (A), efforts to improve educator supports and working conditions described in section 2112(b)(3), and efforts to improve the equitable distribution of teachers and principals described in section 2112(b)(5), with efforts to improve the equitable allocation of resources as described in this subsection;

“(C) how the State educational agency will ensure that the results of the State assessments described in subsection (b)(3) and the school identifications described in subsection (c)(1), respectively, will be provided to local educational agencies, schools, teachers, and parents promptly, but not later than before the beginning of the school year following the school year in which such assessments, other indicators, or evaluations are taken or completed, and in a manner that is clear and easy to understand;

“(D) how the State educational agency will meet the diverse learning needs of students by—

“(i) identifying and addressing State-level barriers to implementation of universal design for learning, as described in section 5429(b)(21), and multi-tier system of supports; and

“(ii) developing and making available to local educational agencies technical assistance for implementing universal design for learning, as described in section 5429(b)(21), and multi-tier system of supports;

“(E) for a State educational agency that adopts alternate achievement standards for students with the most significant cognitive disabilities under subsection (b)(4)(D)—

“(i) the clear and appropriate guidelines for individualized education program teams to apply in determining when a student's significant cognitive disability justifies alternate assessment based on alternate achievement standards, which shall include guidelines to ensure—

“(I) students with the most significant cognitive disabilities have access to the general education curriculum for the grade in which the student is enrolled;

“(II) participation in an alternate assessment does not influence a student's placement in the least restrictive environment;

“(III) determinations are made separately for each subject and are re-determined each year during the annual individualized education program team meeting;

“(IV) the student's mode of communication has been identified and accommodated to the extent possible; and

“(V) parents of such students give informed consent that—

“(aa) their child's achievement be based on alternate achievement standards; and

“(bb) if applicable, that participation in such assessments precludes the student from completing the requirements for a regular secondary school diploma; and

“(ii) the procedures the State educational agency will use to ensure and monitor that individualized education program teams implement the requirements of clause (i); and

“(iii) the plan to disseminate information on and promote use of appropriate accommodations to increase the number of students with the most significant cognitive disabilities who are assessed using achievement standards described in subparagraphs (B) and (C) of subsection (b)(4);

“(F) how the State educational agency will meet the needs of English learners, including—

“(i) the method for identifying an English learner that shall be used by all local educational agencies in the State;

“(ii) the entrance and exit requirements for students enrolled in limited English proficient classes, which shall—

“(I) be based on rigorous English language standards; and

“(II) prepare such students to successfully complete the State's assessments; and

“(iii) timelines and targets for moving students from the lowest levels of English language proficiency to the State-defined English proficient level, including an assurance that—

“(I) such targets will be based on student's initial language proficiency level when first identified as limited English proficient and grade; and

“(II) such timelines will ensure students achieve English proficiency by 18 years of age, unless the State has obtained prior approval by the Secretary;

“(G) how the State educational agency will assist local educational agencies in improving instruction in all core academic subjects;

“(H) how the State educational agency will develop and improve the capacity of local educational agencies to use technology to improve instruction; and

“(I) how any State educational agency with a charter school law will support high-quality public charter schools that receive funds under this title by—

“(i) ensuring the quality of the authorized public chartering agencies in the State by establishing—

“(I) a system of periodic evaluation and certification of public chartering agencies using nationally-recognized professional standards; or

“(II) a statewide, independent chartering agency that meets nationally-recognized professional standards;

“(ii) including in the procedure established pursuant to clause (i) requirements for—

“(I) the annual filing and public reporting of independently audited financial statements including disclosure of amount and duration of any nonpublic financial and in-kind contributions of support, by each public chartering agency, for each school authorized by such agency, and by each local educational agency and the State;

“(II) the adoption and enforcement of school employee compensation and conflict of interest guidelines for all schools authorized, which shall include disclosure of executive pay and affiliated parties with financial interest in the management operations, or contractual obligations of the school;

“(III) a legally binding charter or performance contract between each charter school and the school's authorized public chartering agency that—

“(aa) describes the rights, duties, and remedies of the school and the public chartering agency; and

“(bb) bases charter renewal and revocation decisions on an agreed-to school accountability plan which includes financial and organizational indicators, with significant weight given to the student achievement on the achievement goals, performance targets, and growth targets established pursuant to subparagraphs (B), (C), and (D) of subsection (c)(2), respectively, for each student subgroup described in subsection (c)(3)(A), as well as

“(iii) developing and implementing, in consultation and coordination with local educational agencies, a system of intervention, revocation, or closure for charter schools and public chartering agencies failing to

meet the requirements and standards described in clauses (i) and (ii), which, at a minimum provides for—

“(I) initial and regular review, no less than once every 3 years, of each public chartering agency; and

“(II) intervention, revocation, or closure of any charter school identified for school improvement under section 1116.

“(2) ASSURANCES.—Assurances that—

“(A) the State educational agency will participate in biennial State academic assessments of 4th, 8th, and 12th grade reading, mathematics, and science under the National Assessment of Educational Progress carried out under section 303(b)(2) of the National Assessment of Educational Progress Authorization Act, if the Secretary pays the costs of administering such assessments;

“(B) the State educational agency will—

“(i) notify local educational agencies and the public of the content and student academic achievement standards and academic assessments developed under this section, and of the authority to operate schoolwide programs; and

“(ii) fulfill the State educational agency’s responsibilities regarding local educational agency and school improvement under section 1116;

“(C) the State educational agency will encourage local educational agencies to consolidate funds from other Federal, State, and local sources for school improvement activities under 1116 and for schoolwide programs under section 1114;

“(D) the State educational agency has modified or eliminated State fiscal and accounting barriers so that schools can easily consolidate funds from other Federal, State, and local sources for schoolwide programs under section 1114;

“(E) that State educational agency will coordinate data collection efforts to fulfill the requirements of this Act and reduce the duplication of data collection to the extent practicable;

“(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 inform local educational agencies in the State of the local educational agency’s authority—

“(i) to transfer funds under title VI;

“(ii) to obtain waivers under part D of title IX; and

“(iii) if the State is an Ed-Flex Partnership State, to obtain waivers under the Education Flexibility Partnership Act of 1999;

“(H) the State educational agency will work with other agencies, including educational service agencies or other local consortia and comprehensive centers established under the Educational Technical Assistance Act of 2002, and institutions to provide professional development and technical assistance to local educational agencies and schools;

“(I) the State educational agency will ensure that local educational agencies in the State comply with the requirements of subtitle B of title VII of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11117); and

“(J) the State educational agency has engaged in timely and meaningful consultation with representatives of Indian tribes located in the State in the development of the State plan to serve local educational agencies under its jurisdiction in order to—

“(i) improve the coordination of activities under this Act;

“(ii) meet the purpose of this title; and

“(iii) meet the unique cultural, language, and educational needs of Indian students.

“(e) FAMILY ENGAGEMENT.—Each State plan shall include a plan for strengthening

family engagement in education. Each such plan shall, at a minimum, include—

“(1) a description of the State’s criteria and schedule for review and approval of local educational agency engagement policies and practices pursuant to section 1112(e)(3);

“(2) a description of the State’s system and process for assessing local educational agency implementation of section 1118 responsibilities;

“(3) a description of the State’s criteria for identifying local educational agencies that would benefit from training and support related to family engagement in education;

“(4) a description of the State’s statewide system of capacity-building and technical assistance for local educational agencies and schools on effectively implementing family engagement in education practices and policies to increase student achievement;

“(5) an assurance that the State will refer to Statewide Family Engagement Centers, as described in section 5702, those local educational agencies that would benefit from training and support related to family engagement in education; and

“(6) a description of the relationship between the State educational agency and Statewide Family Engagement Centers, parent training and information centers, and community parent resource centers in the State established under sections 671 and 672 of the Individuals with Disabilities Education Act.

“(f) PEER REVIEW AND SECRETARIAL APPROVAL.—

“(1) SECRETARIAL DUTIES.—The Secretary shall—

“(A) establish a peer-review process to assist in the review of State plans;

“(B) appoint individuals to the peer-review process who are representative of parents, teachers, State educational agencies, local educational agencies, and experts and who are familiar with educational standards, assessments, accountability, the needs of low-performing schools, and other educational needs of students;

“(C) approve a State plan within 120 days of its submission unless the Secretary determines that the plan does not meet the requirements of this section;

“(D) if the Secretary determines that the State plan does not meet the requirements of this section immediately notify the State of such determination and the reasons for such determination;

“(E) not decline to approve a State’s plan before—

“(i) offering the State an opportunity to revise its plan;

“(ii) providing technical assistance in order to assist the State to meet the requirements of this section; and

“(iii) providing a hearing; and

“(F) have the authority to disapprove a State plan for not meeting the requirements of this part, but shall not have the authority to require a State, as a condition of approval of the State plan, to include in, or delete from, such plan one or more specific elements of the State’s academic content standards or to use specific academic assessment instruments or items.

“(2) STATE REVISIONS.—A State plan shall be revised by the State educational agency if the revision is necessary to satisfy the requirements of this section.

“(3) PUBLIC REVIEW.—Notifications under this subsection shall be made available to the public through the website of the Department, including—

“(A) State plans submitted or resubmitted by a State;

“(B) peer review comments;

“(C) State plan determinations by the Secretary, including approvals or disapprovals;

“(D) amendments or changes to State plans; and

“(E) hearings.

“(g) DURATION OF THE PLAN.—

“(1) IN GENERAL.—Each State plan shall—

“(A) remain in effect for the duration of the State’s participation under this part or 4 years, whichever is shorter; and

“(B) 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, including information on the progress the State has made in fulfilling the requirements of this section.

“(2) RENEWAL.—A State educational agency that desires to continue participation under this part shall submit a renewed plan every 4 years, including information on progress the State has made in—

“(A) implementing college- and career-ready content and achievement standards and high-quality assessments described in paragraph (b);

“(B) meeting its goals and performance targets described in subsection (c)(2); and

“(C) improving the capacity and skills of teachers and principals as described in section 2112.

“(2) ADDITIONAL INFORMATION.—If significant changes are made to a State’s plan, such as the adoption of new State academic content standards and State student achievement standards, new academic assessments, or new performance goals or target, growth goals or targets, or graduation rate goals or targets, such information shall be submitted to the Secretary for approval.

“(h) FAILURE TO MEET REQUIREMENTS.—If a State fails to meet any of the requirements of this section, the Secretary may withhold funds for State administration under this part until the Secretary determines that the State has fulfilled those requirements.

“(i) REPORTS.—

“(1) ANNUAL STATE REPORT CARD.—

“(A) IN GENERAL.—A State that receives assistance under this part shall prepare and disseminate an annual State report card. Such dissemination shall include, at a minimum, publicly posting the report card on the home page of the State educational agency’s website.

“(B) IMPLEMENTATION.—The State report card shall be—

“(i) concise; and

“(ii) presented in an understandable and uniform format and, to the extent practicable, provided in a language that the parents can understand.

“(C) REQUIRED INFORMATION.—The State shall include in its annual State report card—

“(i) information, in the aggregate, and disaggregated and cross-tabulated by the same major groups as the decennial census of the population, ethnicity, gender, disability status, migrant status, English proficiency, and status as economically disadvantaged, except that such disaggregation and cross-tabulation 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 on—

“(I) student achievement at each achievement level on the State academic assessments described in subsection (b)(3), including the most recent 2-year trend;

“(II) student growth on the State academic assessments described in subsection (b)(3), including the most-recent 2-year trend;

“(III) the four-year adjusted cohort rate, the extended-year graduation rate (where applicable), and the graduation rate by type of diploma, including the most recent 2-year trend;

“(IV) the State established equity indicators under subsection (c)(1)(C);

“(V) the percentage of students who did not take the State assessments; and

“(VI) the most recent 2-year trend in student achievement and student growth in each subject area and for each grade level, for which assessments under this section are required;

“(ii) information that provides a comparison between the actual achievement levels and growth of each group of students described in subsection (c)(3)(A) and the performance targets and growth targets in subsection (c)(2) for each such group of students on each of the academic assessments and for graduation rates required under this part;

“(iii) if a State adopts alternate achievement standards for students with the most significant cognitive disabilities, the number and percentage of students taking the alternate assessments and information on student achievement at each achievement level and student growth, by grade and subject;

“(iv) the number of students who are English learners, and the performance of such students, on the State’s English language proficiency assessments, including the students’ attainment of, and progress toward, higher levels of English language proficiency;

“(v) information on the performance of local educational agencies in the State regarding school improvement, including the number and names of each school identified for school improvement under section 1116 and information on the outcomes of the equity indicators outlined in section 1111(c)(1)(C);

“(vi) the professional qualifications of teachers in the State, the percentage of such teachers teaching with emergency or provisional credentials, and the percentage of classes in the State not taught by qualified teachers, in the aggregate and disaggregated by high-poverty compared to low-poverty schools which, for the purpose of this clause, means schools in the top quartile of poverty and the bottom quartile of poverty in the State;

“(vii) information on teacher effectiveness, as determined by the State, in the aggregate and disaggregated by high-poverty compared to low-poverty schools which, for the purpose of this clause, means schools in the top quartile of poverty and the bottom quartile of poverty in the State;

“(viii) a clear and concise description of the State’s accountability system, including a description of the criteria by which the State educational agency evaluates school performance, and the criteria that the State educational agency has established, consistent with subsection (c), to determine the status of schools with respect to school improvement; and

“(ix) outcomes related to quality charter authorizing standards as described in subsection (d)(1)(I), including, at a minimum, annual filing as described in subsection (d)(1)(I)(ii)(I).

“(2) ANNUAL LOCAL EDUCATIONAL AGENCY REPORT CARDS.—

“(A) REPORT CARDS.—A local educational agency that receives assistance under this part shall prepare and disseminate an annual local educational agency report card.

“(B) MINIMUM REQUIREMENTS.—The State educational agency shall ensure that each local educational agency collects appropriate data and includes in the local educational agency’s annual report the information described in paragraph (1)(C) as applied to the local educational agency and each school served by the local educational agency, and—

“(i) in the case of a local educational agency—

“(I) the number and percentage of schools identified for school improvement under section 1116 and how long the schools have been so identified; and

“(II) information that shows how students served by the local educational agency achieved on the statewide academic assessment compared to students in the State as a whole;

“(III) per-pupil expenditures from Federal, State, and local sources, including personnel and nonpersonnel resources, for each school in the local educational agency, consistent with the requirements under section 1120A;

“(IV) the number and percentage of secondary school students who have been removed from the 4-year adjusted cohort by leaver code, and the number and percentage of students from each adjusted cohort that have been enrolled in high school for more than 4 years but have not graduated with a regular diploma; and

“(V) information on the number of military-connected students (students who are a dependent of a member of the Armed Forces, including reserve components thereof) served by the local educational agency and how such military-dependent students achieved on the statewide academic assessment compared to all students served by the local educational agency; and

“(ii) in the case of a school—

“(I) whether the school has been identified for school improvement; and

“(II) information that shows how the school’s students achievement on the statewide academic assessments and other improvement indicators compared to students in the local educational agency and the State as a whole.

“(C) OTHER INFORMATION.—A local educational agency may include in its annual local educational agency report card any other appropriate information, whether or not such information is included in the annual State report card.

“(D) DATA.—A local educational agency or school shall only include in its annual local educational agency report card data that are sufficient to yield statistically reliable information, as determined by the State, and that do not reveal personally identifiable information about an individual student.

“(E) PUBLIC DISSEMINATION.—The local educational agency shall publicly disseminate the report cards described in this paragraph to all schools in the school district served by the local educational agency and to all parents of students attending those schools in an accessible, understandable, and uniform format and, to the extent practicable, provided in a language that the parents can understand, and make the information widely available through public means, such as posting on the Internet, distribution to the media, and distribution through public agencies.

“(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 Student Success Act may use those report cards for the purpose of this subsection, so long as any such 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 re-

ceiving assistance under this part shall report annually to the Secretary, and make widely available within the State—

“(A) information on the State’s progress in developing and implementing

“(i) the college and career ready standards described in subsection (b)(2);

“(ii) the academic assessments described in subsection (b)(3); and

“(iii) the accountability and school improvement system described in subsection (c); and

“(B) the annual State report card under paragraph (1).

“(6) REPORT TO CONGRESS.—The Secretary shall transmit annually to the Committee on Education and the Workforce of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate a report that provides national and State-level data on the information collected under paragraph (5).

“(7) PARENTS RIGHT-TO-KNOW.—

“(A) ACHIEVEMENT INFORMATION.—At the beginning of each school year, a school that receives funds under this subpart shall provide to each individual parent—

“(i) information on the level of achievement and growth of the parent’s child on each of the State academic assessments and, as appropriate, other improvement indicators adopted in accordance with this subpart; and

“(ii) timely notice that the parent’s child has been assigned, or has been taught for four or more consecutive weeks by, a teacher who is not qualified or has been found to be ineffective, as determined by the State or local educational agency.

“(B) QUALIFICATIONS.—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, 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) Whether the teacher is currently enrolled in an alternative certification program.

“(iv) Whether the child is provided services by paraprofessionals or specialized instructional support personnel and, if so, their qualifications.

“(C) FORMAT.—The notice and information provided to parents under this paragraph shall be in an understandable and uniform format and, to the extent practicable, provided in a language that the parents can understand.

“(j) PRIVACY.—Information collected under this section shall be collected and disseminated in a manner that protects the privacy of individuals.

“(k) TECHNICAL ASSISTANCE.—The Secretary shall provide a State educational agency, at the State educational agency’s request, technical assistance in meeting the requirements of this section, including the provision of advice by experts in the development of college and career ready standards, high-quality academic assessments, and goals and targets that are valid and reliable, and other relevant areas.

“(l) VOLUNTARY PARTNERSHIPS.—A State may enter into a voluntary partnership with another State to develop and implement the academic assessments and standards required under this section.

“(m) DEFINITIONS.—In this section:

“(1) ADJUSTED COHORT; EXTENDED-YEAR; ENTERING COHORT; TRANSFERRED INTO; TRANSFERRED OUT.—

“(A) ADJUSTED COHORT.—Subject to subparagraph (D)(ii) through (G), the term ‘adjusted cohort’ means the difference of—

“(i) the sum of—

“(I) the entering cohort; plus

“(II) any students that transferred into the cohort in any of grades 9 through 12; minus

“(ii) any students that are removed from the cohort as described in subparagraph (E).

“(B) EXTENDED YEAR.—The term ‘extended year’ when used with respect to a graduation rate, means the fifth or sixth year after the school year in which the entering cohort, as described in subparagraph (C), is established for the purpose of calculating the adjusted cohort.

“(C) ENTERING COHORT.—The term ‘entering cohort’ means the number of first-time 9th graders enrolled in a secondary school 1 month after the start of the secondary school’s academic year.

“(D) TRANSFERRED INTO.—The term ‘transferred into’ when used with respect to a secondary school student, means a student who—

“(i) was a first-time 9th grader during the same school year as the entering cohort; and

“(ii) enrolls after the entering cohort is calculated as described in subparagraph (B).

“(E) TRANSFERRED OUT.—

“(i) IN GENERAL.—The term ‘transferred out’ when used with respect to a secondary school student, means a student who the secondary school or local educational agency has confirmed has transferred to another—

“(I) school from which the student is expected to receive a regular secondary school diploma; or

“(II) educational program from which the student is expected to receive a regular secondary school diploma.

“(ii) CONFIRMATION REQUIREMENTS.—

“(I) DOCUMENTATION REQUIRED.—The confirmation of a student’s transfer to another school or educational program described in clause (i) requires documentation from the receiving school or program that the student enrolled in the receiving school or program.

“(II) LACK OF CONFIRMATION.—A student who was enrolled, but for whom there is no confirmation of the student having transferred out, shall remain in the cohort as a non-graduate for reporting and accountability purposes under this section.

“(iii) PROGRAMS NOT PROVIDING CREDIT.—A student enrolled in a GED or other alternative educational program that does not issue or provide credit toward the issuance of a regular secondary school diploma shall not be considered transferred out.

“(F) COHORT REMOVAL.—To remove a student from a cohort, a school or local educational agency shall require documentation to confirm that the student has transferred out, emigrated to another country, or is deceased.

“(G) TREATMENT OF OTHER LEAVERS AND WITHDRAWALS.—A student who was retained in a grade, enrolled in a GED program, aged-out of a secondary school or secondary school program, or left secondary school for any other reason, including expulsion, shall not be considered transferred out, and shall remain in the adjusted cohort.

“(H) SPECIAL RULE.—For those secondary schools that start after grade 9, the entering cohort shall be calculated 1 month after the start of the secondary school’s academic year in the earliest secondary school grade at the secondary school.

“(2) 4-YEAR ADJUSTED COHORT GRADUATION RATE.—The term ‘4-year adjusted cohort graduation rate’ means the percent obtained by calculating the product of—

“(A) the result of—

“(i) the number of students who—

“(I) formed the adjusted cohort 4 years earlier; and

“(II) graduate in 4 years or less with a regular secondary school diploma; divided by

“(ii) the number of students who formed the adjusted cohort for that year’s graduating class 4 years earlier; multiplied by

“(B) 100.

“(3) EXTENDED-YEAR GRADUATION RATE.—The term ‘extended-year graduation rate’ for a school year is defined as the percent obtained by calculating the product of the result of—

“(A) the sum of—

“(i) the number of students who—

“(I) form the adjusted cohort for that year’s graduating class; and

“(II) graduate in an extended year with a regular secondary school diploma; or

“(III) graduate before exceeding the age for eligibility for a free appropriate public education (as defined in section 602 of the Individuals with Disabilities Education Act) under State law; divided by

“(ii) the result of—

“(I) the number of students who form the adjusted cohort for that year’s graduating class; plus

“(II) the number of students who transferred in during the extended year defined in paragraph (1)(B), minus

“(III) students who transferred out, emigrated, or died during the extended year defined in paragraph (1)(B); multiplied by

“(B) 100.

“(4) LEAVER CODE.—The term ‘leaver code’ means a number or series of numbers and letters assigned to a categorical reason for why a student left the high school from which she or he is enrolled without having earned a regular high school diploma, except that—

“(A) an individual student with either a duplicative code or whom has not been assigned a leaver code shall not be removed from the cohort assigned for the purpose of calculating the adjusted cohort graduation rate; and

“(B) the number of students with either a duplicative leaver code or who have not been assigned a leaver code shall be included in reporting requirements for the leaver code.

“(5) MULTI-TIER SYSTEM OF SUPPORTS.—The term ‘multi-tier system of supports’ means a comprehensive system of differentiated supports that includes evidence-based instruction, universal screening, progress monitoring, formative assessment, and research-based interventions matched to student needs, and educational decision-making using student outcome data.

“(6) GRADUATION RATE.—The term ‘graduation rate’ means a 4-year adjusted cohort graduation rate and the extended-year graduation rate.

“(7) REGULAR SECONDARY SCHOOL DIPLOMA.—

“(A) The term ‘regular secondary school diploma’ means standard secondary school diploma awarded to the preponderance of students in the State that is fully aligned with the State’s college and career ready achievement standards as described under subsection (b)(4), or a higher diploma. Such term shall not include GED’s, certificates of attendance, or any lesser diploma awards.

“(B) If a State adopts different paths to the regular secondary school diploma, such different paths shall—

“(i) be available to all students in the State;

“(ii) be equally rigorous in their requirements; and

“(iii) signify that a student is prepared for college or a career without the need for remediation.”.

Strike section 117 and insert the following:

SEC. 117. ACADEMIC ASSESSMENT AND LOCAL EDUCATIONAL AGENCY AND SCHOOL IMPROVEMENT; SCHOOL SUPPORT AND RECOGNITION.

Section 1116 (20 U.S.C. 6316) is amended to read as follows:

“SEC. 1116. SCHOOL IMPROVEMENT.

“(a) LOCAL REVIEW.—

“(1) IN GENERAL.—Each local educational agency receiving funds under this part shall—

“(A) use the State academic assessments, including measures of student growth and graduation rates, and data on the state-established equity indicators described in section 1111(c)(1)(C) to review, annually, the progress of each school served under this part, and consistent with the parameters described in paragraph (2), to determine whether the school is—

“(i) meeting performance targets, growth targets, and graduation rate targets established under section 1111(c)(2); and

“(ii) making progress to address school challenges identified using the state-established equity indicators described in section 1111(c)(1)(C);

“(B) based on the review conducted under subparagraph (A), determine whether a school served under this part is—

“(i) in need of support as described under section 1111(c)(1)(E)(ii); or

“(ii) a high priority school that meets the State-established parameters under paragraph (2);

“(C) publicize and disseminate the results of the local annual review described in subparagraph (A) to parents, teachers, principals, schools, and the community so that the teachers, principals, other staff, and schools can continually refine, in an instructionally useful manner, the program of instruction to help all children served under this part meet the college and career ready achievement standards established under section 1111(b); and

“(D) use the equity indicators established under section 1111(c)(1)(C) to diagnose school challenges and measure school progress in carrying out the school improvement activities under this section.

“(2) HIGH PRIORITY SCHOOLS.—The State educational agency shall establish parameters, consistent with section 1111(c)(1)(E)(i), to assist local educational agencies in identifying high priority schools within the local educational agency that—

“(A) for elementary schools—

“(i) shall use student achievement on the assessments required under section 1111(b)(3), including prior year data;

“(ii) shall use student growth data on the assessments under section 1111(b)(3), including prior year data; and

“(iii) shall use, to a lesser extent than each of the parameters established in clauses (i) and (ii), data on the equity indicators established under section 1111(c)(1)(C); and

“(B) for secondary schools—

“(i) shall use student achievement on the assessments required under section 1111(b)(3), including prior year data;

“(ii) shall use student growth data on the assessments under section 1111(b)(3), including prior year data;

“(iii) shall use graduation rate data, including prior year data; and

“(iv) shall use, to a lesser extent than each of the parameters established in clauses (i) through clause (iii), data on the equity indicators established under section 1111(c)(1)(C); or

“(v) shall include schools with 4-year adjusted cohort graduation rates below 67 percent as high priority schools.

“(b) SCHOOL IMPROVEMENT.—

“(1) IN GENERAL.—Each school served under this part determined to be a school in need of

support pursuant to section 1111(c)(1)(C)(ii) or a high-priority school pursuant to 1111(c)(1)(C)(i), shall form a school improvement team described in paragraph (2) to develop and implement a school improvement plan described in paragraph (3) to improve educational outcomes for all students and address existing resource inequities.

“(2) SCHOOL IMPROVEMENT TEAM.—

“(A) IN GENERAL.—Each school described in paragraph (1) shall form a school improvement team, which shall include school leaders, teachers, parents, community members, and specialized instructional support personnel.

“(B) SCHOOLS IN NEED OF SUPPORT.—Each school improvement team for a school in need of support may include an external partner and representatives of the local educational agency and the State educational agency.

“(C) HIGH-PRIORITY SCHOOLS.—Each school improvement team for a high-priority school shall include an external partner and representatives of the local educational agency and the State educational agency.

“(3) SCHOOL IMPROVEMENT PLAN.—

“(A) IN GENERAL.—A school improvement team shall develop, implement, and make publicly available a school improvement plan that uses information available under the accountability and school improvement system established under section 1111(c), data available under the early warning indicator system established under subsection (c)(5), data on the improvement indicators established under section 1111(c)(1)(D), and other relevant data to identify—

“(i) each area in which the school needs support for improvement;

“(ii) the type of support required;

“(iii) how the school plans to use comprehensive, evidence-based strategies to address such needs;

“(iv) how the school will measure progress in addressing such needs using the goals and targets and improvement indicators established under paragraphs (2) and (1)(D) of section 1111(c), respectively, and identify which of the goals and targets are not currently being met by the school; and

“(v) how the school will review its progress and make adjustments and corrections to ensure continuous improvement.

“(B) PLANNING PERIOD.—The school improvement team may use a planning period, which shall not be longer than one school year to develop and prepare to implement the school improvement plan.

“(C) PLAN REQUIREMENTS.—Each school improvement plan shall describe the following:

“(i) PLANNING AND PREPARATION.—The activities during the planning period, including—

“(I) the preparation activities conducted to effectively implement the budgeting, staffing, curriculum, and instruction changes described in the plan; and

“(II) how the school improvement team engaged parents and community organizations.

“(ii) TARGETS.—The performance, growth, and graduation rate targets that contributed to the school’s status as a school in need of support or high-priority school, and the school challenges identified by the school improvement indicators under section 1111(c)(1)(D).

“(iii) EVIDENCE-BASED, SCHOOL IMPROVEMENT STRATEGIES.—Evidence-based, school improvement strategies to address the factors and challenges described in clause (ii), to improve instruction, including in all core academic subjects, to improve the achievement of all students and address the needs of students identified at the catch-up level of achievement.

“(iv) NEEDS AND CAPACITY ANALYSIS.—A description and analysis of the school’s ability

and the resources necessary to implement the evidence-based, school improvement strategies identified under clause (iii), including an analysis of—

“(I) staffing resources, such as the number, experience, training level, effectiveness as determined by the State or local educational agency, responsibilities, and stability of existing administrative, instructional, and non-instructional staff;

“(II) budget resources, including how Federal, State, and local funds are being spent for instruction and operations to determine how existing resources can be aligned and used to support improvement;

“(III) the school curriculum;

“(IV) the use of time, such as the school’s schedule and use of additional learning time; and

“(V) any additional resources and staff necessary to effectively implement the school improvement activities identified in the school improvement plan.

“(v) IDENTIFYING ROLES.—The roles and responsibilities of the State educational agency, the local educational agency, the school and, if applicable, the external partner in the school improvement activities, including providing interventions, support, and resources necessary to implement improvements.

“(vi) PLAN FOR EVALUATION.—The plan for continuous evaluation of the evidence-based, school improvement strategies, including implementation of and fidelity to the school improvement plan, that includes at least quarterly reviews of the effectiveness of such activities.

“(D) ADDITIONAL REQUIREMENTS FOR HIGH-PRIORITY SCHOOLS.—For a persistently-low achieving school, the school improvement plan shall, in addition to the requirements described in subparagraph (B), describe how the school will—

“(i) address school-wide factors to improve student achievement, including—

“(I) establishing high expectations for all students, which at a minimum, align with the achievement standards and growth standards under section 1111(b)(4);

“(II) improving school climate, including student attendance and school discipline, through the use of school-wide positive behavioral supports and interventions and other evidence based approaches to improving school climate;

“(III) ensuring that the staff charged with implementing the school improvement plan are engaged in the plan and the school turnaround effort;

“(IV) establishing clear—

“(aa) benchmarks for implementation of the plan; and

“(bb) targets for improvement on the equity indicators under section 1111(c)(1)(C);

“(ii) organize the school to improve teaching and learning, including through—

“(I) strategic use of time, such as—

“(aa) establishing common planning time for teachers and interdisciplinary teams who share common groups of students;

“(bb) redesigning the school calendar year or day, such as through block scheduling, summer learning programs, or increasing the number of hours or days, in order to create additional learning time; or

“(cc) creating a flexible school period to address specific student academic needs and interests such as credit recovery, electives, enrichment activities, or service learning; and

“(II) alignment of resources to improvement goals, such as through ensuring that students in transition grades are taught by teachers prepared to meet their specific learning needs;

“(iii) increase teacher and school leader effectiveness, as determined by the State or

local educational agency, including through—

“(I) demonstrating the principal has the skills, capacity, and record of success to significantly improve student achievement and lead a school turnaround, which may include replacing the principal;

“(II) screening all existing staff at the school, with the leadership team, through a process that ensures a rigorous and fair review of their applications;

“(III) improving the recruitment and retention of qualified and effective teachers and principals, as determined by the State or local educational agency, to work in the school;

“(IV) professional development activities that respond to student and school-wide needs aligned with the school improvement plan, such as—

“(aa) training teachers, leaders, and administrators together with staff from schools making achievement goals and performance targets under the accountability system under section 1111(c) that serve similar populations and in such schools;

“(bb) establishing peer learning and coaching among teachers; or

“(cc) facilitating collaboration, including through professional communities across subject area and interdisciplinary groups and similar schools;

“(V) appropriately identifying teachers for each grade and course; and

“(VI) the development of effective leadership structures, supports, and clear decision making processes, such as through developing distributive leadership and leadership teams;

“(iv) improve curriculum and instruction, including through—

“(I) demonstrating the relevance of the curriculum and learning for all students, including instruction in all core academic subjects, and may include the use of online course-work as long as such course-work meets standards of quality and best practices for online education;

“(II) increasing access to rigorous and advanced course-work, including adoption and implementation of a college- and career-ready curriculum, and evidence-based, engaging instructional materials aligned with such a curriculum, for all students;

“(III) increasing access to contextualized learning opportunities aligned with readiness for postsecondary education and the workforce, such as providing—

“(aa) work-based, project-based, and service-learning opportunities; or

“(bb) a high-quality, college preparatory curriculum in the context of a rigorous career and technical education core;

“(IV) regularly collecting and using data to inform instruction, such as—

“(aa) through use of formative assessments;

“(bb) creating and using common grading rubrics; or

“(cc) identifying effective instructional approaches to meet student needs; and

“(V) emphasizing core skills instruction, such as literacy, across content areas;

“(v) provide students with academic and social support to address individual student learning needs, including through—

“(I) ensuring access to services and expertise of specialized instructional support personnel;

“(II) supporting students at the catch-up level of achievement who need intensive intervention;

“(III) increasing personalization of the school experience through learning structures that facilitate the development of student and staff relationships;

“(IV) offering extended-learning, credit recovery, mentoring, or tutoring options of sufficient scale to meet student needs;

“(V) providing evidence-based, accelerated learning for students with academic skill levels below grade level;

“(VI) coordinating and increasing access to integrated services, such as providing specialized instructional support personnel;

“(VII) providing transitional support between grade-spans, including postsecondary planning.

“(VIII) meeting the diverse learning needs of all students through strategies such as a multi-tier system of supports and universal design for learning, as described in section 5429(b)(21); and

“(IX) engaging families and community partners, including community-based organizations, organizations representing underserved populations, Indian tribes (as appropriate), organizations assisting parent involvement, institutions of higher education, and businesses, in school improvement activities through evidence-based strategies.

“(E) SUBMISSION AND APPROVAL.—The school improvement team shall submit the school improvement plan to the local educational agency or the State educational agency, as determined by the State educational agency based on the local educational agency’s ability to effectively monitor and support the school improvement activities. Upon receiving the plan, the local educational agency or the State educational agency, as appropriate, shall—

“(i) establish a peer review process to assist with review of the school improvement plan; and

“(ii) promptly review the plan, work with the school improvement team as necessary, and approve the plan if the plan meets the requirements of this paragraph.

“(F) REVISION OF PLAN.—A school improvement team may revise the school improvement plan as additional information and data is available.

“(G) IMPLEMENTATION.—A school with the support and assistance of the local educational agency shall implement the school improvement plan expeditiously, but not later than the beginning of the next full school year after identification for improvement.

“(4) EVALUATION OF SCHOOL IMPROVEMENT.—

“(A) IN GENERAL.—

“(i) REVIEW.—The State educational agency or local educational agency, as determined by the State in accordance with paragraph (3)(D) shall, annually, review data with respect to each school in need of support and each high-priority school to set clear benchmarks for progress, to guide adjustments and corrections, to evaluate whether the supports and interventions identified within the school improvement plan are effective and the school is meeting the targets for improvement established under its such plan, and to specify what actions ensue for schools not making progress.

“(ii) DATA.—In carrying out the annual review under clause (i), the school, the local educational agency, or State educational agency shall measure progress on—

“(I) student achievement, student growth, and graduation rates against the goals and targets established under section 1111(c)(2); and

“(II) improvement indicators as established under section 1111(c)(1)(D).

“(B) SCHOOLS IN NEED OF SUPPORT.—If, after 3 years of implementing its school improvement plan, a school in need of support does not meet the goals and targets under section 1111(c)(2) that were identified under the school improvement plan as not being met by the school and the improvement indica-

tors established under section 1111(c)(1)(D), then—

“(i) the local educational agency shall evaluate school performance and other data, and provide intensive assistance to that school in order to improve the effectiveness of the interventions; and

“(ii) the State educational agency or the local educational agency, as determined by the State, shall determine whether the school shall partner with an external partner—

“(I) to revise the school improvement plan; and

“(II) to improve, and as appropriate, revise, school improvement strategies that meet the requirements of paragraph (3)(B)(iii).

“(C) HIGH-PRIORITY SCHOOLS.—If, after 3 years of implementing its school improvement plan, a high-priority school does not demonstrate progress on the goals and targets under section 1111(c)(2) that were identified under the school improvement plan as not being met by the school or the equity indicators established under section 1111(c)(1)(C), then—

“(i) the local educational agency, in collaboration with the State educational agency, shall determine actionable next steps which may include school closure, replacement, or State take-over of such school, shall provide all students enrolled with new high-quality educational options;

“(ii) the local educational agency, and as appropriate the State educational agency, shall develop and implement a plan to assist with any resulting transition of the school under clause (i) that—

“(I) is developed in consultation with parents and the community;

“(II) addresses the needs of the students at the school by considering strategies such as—

“(aa) opening a new school;

“(bb) graduating out current students and closing the school in stages; and

“(cc) enrolling the students who attended the school in other schools in the local educational agency that are higher achieving, provided the other schools are within reasonable proximity to the closed school and ensures receiving schools have the capacity to enroll incoming students; and

“(III) provides information about high-quality educational options and transition and support services to students who attended that school and their parents.

“(D) PERSISTENTLY LOW ACHIEVING SCHOOL.—If, after 5 years of implementing its school improvement plan, a persistently low achieving school does not demonstrate progress on the goals and targets under section 1111(c)(2) that were identified under the school improvement plan, then the local educational agency, in collaboration with the State educational agency, shall determine actionable next steps, which may include school closure, replacement, or State take-over of such school, and shall provide all students with enrolled new high-quality educational options, as described in subparagraph (C).

“(C) LOCAL EDUCATIONAL AGENCY RESPONSIBILITIES.—A local educational agency served by this part, in supporting the schools identified as a school in need of support or a high-priority school served by the agency, shall—

“(1) address resource inequities to improve student achievement by—

“(A) targeting resources and support to those schools identified as high priority or as in need of support, including additional resources and staff necessary to implement the school improvement plan, as described in subsection (b)(3)(C)(iv)(V), and

“(B) ensuring the local educational agency budget calendar is aligned with school staff and budgeting needs;

“(2) address local educational agency-wide factors to improve student achievement by—

“(A) supporting the use of data to improve teaching and learning through—

“(i) improving longitudinal data systems;

“(ii) regularly analyzing and disseminating usable data to educators, parents, and students;

“(iii) building the data and assessment literacy of teachers and principals; and

“(iv) evaluating at kindergarten entry the kindergarten readiness of children and addressing the educational and development needs determined by such evaluation;

“(B) addressing school transition needs of the local educational agency by—

“(i) using kindergarten readiness data to consider improving access to high-quality early education opportunities; and

“(ii) providing targeted research-based interventions to middle schools that feed into high schools identified for school improvement under this section;

“(C) supporting human capital systems that ensure there is a sufficient pool of qualified and effective teachers and school leaders, as determined by the State or local educational agency, to work in schools served by the local educational agency;

“(D) developing support for school improvement plans among key stakeholders such as parents and families, community groups representing underserved populations, Indian tribes (as appropriate), educators, and teachers;

“(E) carrying out administrative duties under this section, including evaluation for school improvement and technical assistance for schools; and

“(F) coordinating activities under this section with other relevant State and local agencies, as appropriate;

“(3) supporting professional development activities for teachers, school leaders, and specialized instructional support personnel aligned to school improvement activities;

“(4) address curriculum and instruction factors to improve student achievement by—

“(A) ensuring curriculum alignment with the State’s early learning standards and postsecondary education programs;

“(B) providing academically rigorous education options such as—

“(i) effective dropout prevention, credit and dropout recovery and recuperative education programs for disconnected youth and students who are not making sufficient progress to graduate high school in the standard number of years or who have dropped out of high school;

“(ii) providing students with postsecondary learning opportunities, such as through access to a relevant curriculum or course of study that enables a student to earn a secondary school diploma and—

“(I) an associate’s degree; or

“(II) not more than 2 years of transferable credit toward a postsecondary degree or credential;

“(iii) integrating rigorous academic education with career training, including training that leads to postsecondary credentials for students;

“(iv) increasing access to Advanced Placement or International Baccalaureate courses and examinations; or

“(v) developing and utilizing innovative, high quality distance learning strategies to improve student academic achievement; and

“(C) considering how technology can be used to support school improvement activities;

“(5) address student support factors to improve student achievement by—

“(A) establishing an early warning indicator system to identify students who are at risk of dropping out of high school and to guide preventive and recuperative school improvement strategies, including—

“(i) identifying and analyzing the academic risk factors that most reliably predict dropouts by using longitudinal data of past cohorts of students;

“(ii) identifying specific indicators of student progress and performance, such as attendance, academic performance in core courses, and credit accumulation, to guide decision making;

“(iii) identifying or developing a mechanism for regularly collecting and analyzing data about the impact of interventions on the indicators of student progress and performance; and

“(iv) analyzing academic indicators to determine whether students are on track to graduate secondary school in the standard numbers of years; and

“(B) identifying and implementing strategies for pairing academic support with integrated student services and case-managed interventions for students requiring intensive supports which may include partnerships with other external partners;

“(6) promote family outreach and engagement in school improvement activities, including those required by section 1118, to improve student achievement;

“(7) for each school identified for school improvement, ensure the provision of technical assistance as the school develops and implements the school improvement plan throughout the plan’s duration; and

“(8) identify school improvement strategies that are consistently improving student outcomes and disseminate those strategies so that all schools can implement them.

“(d) STATE EDUCATIONAL AGENCY RESPONSIBILITIES.—A State educational agency served by this part, in supporting schools identified as a school in need of support or a high-priority school and the local educational agencies serving such schools, shall—

“(1) assess and address local capacity constraints to ensure that its local educational agencies can meet the requirements of this section;

“(2) target resources and support to those schools in the State that are identified as a school in need of support or a high-priority school and to local educational agencies serving such schools, including additional resources necessary to implement the school improvement plan as described in subsection (b)(3)(C)(iv)(V);

“(3) provide support and technical assistance, including assistance to school leaders, teachers, and other staff, to assist local educational agencies and schools in using data to support school equity and in addressing the equity indicators described in section 1111(c)(1)(C);

“(4) identify school improvement strategies that are consistently improving student outcomes and disseminate those strategies so that all schools can implement them;

“(5) leverage resources from other funding sources, such as school improvement funds, technology funds, and professional development funds to support school improvement activities;

“(6) provide a statewide system of support, including regional support services, to improve teaching, learning, and student outcomes;

“(7) assist local educational agencies in developing early warning indicator systems;

“(8) with respect to schools that will work with external partners to improve student achievement—

“(A) develop and apply objective criteria to potential external partners that are based

on a demonstrated record of effectiveness in school improvement;

“(B) maintain an updated list of approved external partners across the State;

“(C) develop, implement, and publicly report on standards and techniques for monitoring the quality and effectiveness of the services offered by approved external partners, and for withdrawing approval from external partners that fail to improve high-priority schools; and

“(D) may identify external partners as approved, consistent with the requirements under paragraph (7), who agree to provide services on the basis of receiving payments only when student achievement has increased at an appropriate level as determined by the State educational agency and school improvement team under subsection (b)(2); and

“(9) carry out administrative duties under this section, including providing monitoring and technical assistance to local educational agencies and schools.

“(e) RULES OF CONSTRUCTION.—Nothing in this section shall be construed—

“(1) to alter or otherwise affect the rights, remedies, and procedures afforded school or local educational agency 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) to require a child to participate in an early learning program; or

“(3) to deny entry to kindergarten for any individual if the individual is legally eligible, as defined by State or local law.

“(f) DEFINITION.—In this section, the term ‘external partner’ means an entity—

“(1) that is an organization such as a non-profit organization, community-based organization, local education fund, service organization, educational service agency, or institution of higher education; and

“(2) that has demonstrated expertise, effectiveness, and a record of success in providing evidence-based strategies and targeted support such as data analysis, professional development, or provision of nonacademic support and integrated student services to local educational agencies, schools, or students that leads to improved teaching, learning, and outcomes for students.”.

The Acting CHAIR. Pursuant to House Resolution 347, the gentleman from Colorado (Mr. POLIS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Colorado.

Mr. POLIS. Mr. Chairman, No Child Left Behind’s metrics are outdated and rigid. On that we agree. But H.R. 5 in its current form abandons provisions that are crucial to ensuring equal educational opportunities for all of our Nation’s students.

My amendment advances a more comprehensive and effective vision of accountability at the school district and State levels.

This new language expects States to set college- and career-ready standards rather than to allow them to dumb down their standards in order to inflate their results.

It also requires States to set performance growth and graduation rate targets that ensure that schools improve every year for all subgroups, including for students with disabilities.

One of the major deficiencies in H.R. 5 and one of the reasons that all of the advocacy groups for students with learning disabilities oppose the bill is it effectively removes the accountability we have for students with disabilities to ensure that they continue to learn.

There is currently a 1 percent cap on the students with the most severe disabilities who are not tested. H.R. 5 would eliminate the 1 percent cap on alternative assessments based on alternative achievement standards and would remove it altogether, allowing, ultimately, schools and States to decide not to have any accountability for those students who need programs that meet their learning needs the most.

□ 1700

The Democratic substitute amendment upholds our Nation’s civil rights and equity responsibilities to ensure that all students receive a high-quality education.

It reinstates the 1 percent cap on alternative assessments for students with disabilities. It makes sure that accountability is a meaningful word and takes meaningful steps toward getting accountability right, rather than allowing discrimination and bad choices to continue to result in an increasing achievement gap across our country.

This amendment is also reflected in the Democratic substitute and would make sure that we have an accountability system that prepares our students for the jobs and the workforce of the 21st century and to move on to higher education.

Absent including this language or the Democratic substitute in the final passage of the bill, the bill in its current form would be a step backward, a step to lower standards, a step to reduce accountability, and a step to allow deficiencies to be swept under the rug, as they once were.

I reserve the balance of my time.

Mr. KLINE. Mr. Chairman, I claim time in opposition to the gentleman’s amendment.

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

Mr. KLINE. Mr. Chairman, I yield 2 minutes to the gentleman from New York (Mr. ZELDIN).

Mr. ZELDIN. Mr. Chairman, I rise in opposition to this amendment.

My daughters just completed third grade, and I strongly support higher standards for them and their generation, but we need to set up our children to succeed, not fail. We need to stop federally mandated overtesting in our schools.

This amendment would be a giant leap backwards for education reform. Rather than reforming the failed policies of No Child Left Behind, this amendment embraces the most problematic portions, continuing to obsess over federally mandated performance standards and using that to measure teacher performance.

What is most insulting is that this proposal is so flawed that the sponsor needs to leverage Federal money to lure cash-strapped States to buy in because the proposal doesn't stand on its own merits.

Our schools need greater flexibility and local control. This amendment would do the exact opposite, which is why I strongly oppose its passage and encourage all my colleagues to do the same.

Mr. POLIS. Mr. Chairman, I yield 1 minute to the gentleman from Virginia (Mr. SCOTT), the ranking member on the committee.

Mr. SCOTT of Virginia. Mr. Chairman, the present law only requires that States identify achievement gaps and prescribes exactly what has to be done to address the achievement gaps.

Unfortunately, the one-size-fits-all prescription has often failed to effectively address the achievement gaps. The underlying bill goes overboard by eliminating any requirement that something gets done. The gentleman's amendment reinstates the requirement that something be done, but directs the States to develop their own locally tailored response to achievement gaps. This approach is much more likely to be effective and will be part of the Democratic substitute that will be voted on shortly.

Mr. Chairman, before we leave the bill, I would like to thank many members of our staff that have worked on this bill since January. They have spent days and nights and weekends working on the bill, and I would like to acknowledge them and their work today.

Denise Forte, Jacque Chevalier, Christian Haines, Ashlyn Holeyfield, Arika Trim, Tina Hone, Tylease Alli, Kiara Pesante, and Brian Kennedy all worked very hard on this bill and deserve significant recognition.

Mr. KLINE. Mr. Chairman, I yield 1 minute to the gentlewoman from Utah (Mrs. LOVE).

Mrs. LOVE. Mr. Chairman, I rise in opposition to this amendment. As a mayor and mainly as a mother—I have three children in public schools—I have found that the best solutions are found at the most local level.

This amendment puts a larger footprint in the hands of the Federal Government and gives more power to the Federal Government, instead of our local agencies. I believe that the best people to teach our students are the people at the local level. I trust teachers and parents to make decisions for students.

I made a promise that I was going to do everything I can to put the decision-making back into the hands of people, not into the hands of the Federal Government. I believe that this amendment actually puts it into the hands of the Federal Government and gives us a big step backwards.

I believe that we, as people, when we are given more options, we can make better decisions; and when we make

better decisions, we can do that at a local level and not at a Federal level. I ask that we vote against this amendment. I stand in opposition of this amendment.

Mr. POLIS. Mr. Chair, I would like to inquire as to how much time remains.

The Acting CHAIR. The gentleman from Colorado has 1¾ minutes remaining. The gentleman from Minnesota has 2¾ minutes remaining.

Mr. POLIS. Mr. Chairman, the gentlewoman from Utah talked about decisions and implementation at the local level. On that, we agree. What this amendment is about is accountability metrics under whether we look at those decisions that are made locally and driven locally and by the State work or don't work.

We want to allow the flexibility to get things right and close the achievement gap but not the flexibility to continue to ignore persistent gaps in our education system that continue to poorly serve too many low-income students and minority students.

Given that my amendment is included in its entirety in the Democratic substitute upon which we will be voting, I ask unanimous consent to withdraw my amendment.

The Acting CHAIR. Is there objection to the request of the gentleman from Colorado?

There was no objection.

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments printed in part B of House Report 114-29 and part A of House Report 114-192 on which further proceedings were postponed, in the following order:

Amendments printed in part B of House Report 114-29:

Amendment No. 30 by Mr. ZELDIN of New York.

Amendment No. 31 by Mr. HURD of Texas.

Amendment No. 32 by Mr. GRAYSON of Florida.

Amendment No. 33 by Ms. WILSON of Florida.

Amendment No. 35 by Mr. CARSON of Indiana.

Amendment No. 39 by Ms. BROWNLEY of California.

Amendment No. 40 by Mr. LOEBSACK of Iowa.

Amendment No. 41 by Mr. POLIS of Colorado.

Amendment No. 43 by Mr. THOMPSON of Mississippi.

Amendments printed in part A of House Report 114-192:

Amendment No. 46 by Mr. WALKER of North Carolina.

Amendment No. 47 by Mr. SALMON of Arizona.

And amendment No. 44 printed in part B of House Report 114-29 by Mr. SCOTT of Virginia.

The Chair will reduce to 2 minutes the minimum time for any electronic vote after the first vote in this series.

AMENDMENT NO. 30 OFFERED BY MR. ZELDIN

The Acting CHAIR. The unfinished business is the demand for a recorded

vote on the amendment offered by the gentleman from New York (Mr. ZELDIN) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 373, noes 57, not voting 3, as follows:

[Roll No. 410]

AYES—373

Abraham	Curbelo (FL)	Hill
Adams	Davis (CA)	Holding
Aderholt	Davis, Danny	Hoyer
Aguilar	Davis, Rodney	Hudson
Allen	DeFazio	Huelskamp
Amash	DeGette	Huffman
Amodei	Delaney	Huizenga (MI)
Ashford	DeLauro	Hultgren
Babin	DelBene	Hunter
Barletta	Denham	Hurd (TX)
Barr	Dent	Hurt (VA)
Barton	DeSantis	Israel
Bass	DesJarlais	Issa
Beatty	Diaz-Balart	Jackson Lee
Becerra	Doggett	Jeffries
Benishek	Dold	Jenkins (KS)
Bera	Donovan	Jenkins (WV)
Bilirakis	Doyle, Michael	Johnson (OH)
Bishop (GA)	F.	Johnson, E. B.
Bishop (MI)	Duckworth	Johnson, Sam
Bishop (UT)	Duffy	Jolly
Black	Duncan (SC)	Jones
Blackburn	Duncan (TN)	Jordan
Blum	Ellmers (NC)	Joyce
Bonamici	Emmer (MN)	Kaptur
Bost	Engel	Katko
Boustany	Eshoo	Keating
Boyle, Brendan	Esty	Kelly (IL)
F.	Farenthold	Kelly (MS)
Brady (TX)	Fincher	Kelly (PA)
Brat	Fitzpatrick	Kennedy
Bridenstine	Fleischmann	Kilmer
Brooks (AL)	Fleming	Kind
Brooks (IN)	Flores	King (IA)
Brown (FL)	Forbes	King (NY)
Brownley (CA)	Fortenberry	Kinzinger (IL)
Buchanan	Fox	Kirkpatrick
Buck	Frankel (FL)	Kline
Bucshon	Franks (AZ)	Knight
Burgess	Frelinghuysen	Labrador
Bustos	Fudge	LaMalfa
Butterfield	Gabbard	Lamborn
Byrne	Garamendi	Lance
Calvert	Garrett	Langevin
Capuano	Gibbs	Larsen (WA)
Cárdenas	Gibson	Larson (CT)
Carney	Gohmert	Latta
Carter (GA)	Goodlatte	Lawrence
Carter (TX)	Gosar	Lee
Cartwright	Gowdy	Levin
Castor (FL)	Graham	Lewis
Castro (TX)	Granger	Lieu, Ted
Chabot	Graves (GA)	Lipinski
Chaffetz	Graves (LA)	LoBiondo
Cicilline	Graves (MO)	Loebsack
Clarke (NY)	Grayson	Long
Clawson (FL)	Green, Al	Loudermilk
Clyburn	Green, Gene	Love
Coffman	Griffith	Lowe
Cole	Grothman	Lucas
Collins (GA)	Guinta	Luetkemeyer
Collins (NY)	Guthrie	Lujan, Ben Ray
Comstock	Hahn	(NM)
Conaway	Hanna	Lummis
Connolly	Hardy	Lynch
Cook	Harper	MacArthur
Cooper	Harris	Maloney,
Costa	Hartzler	Carolyn
Costello (PA)	Hastings	Maloney, Sean
Courtney	Heck (NV)	Marchant
Cramer	Heck (WA)	Marino
Crawford	Hensarling	Massie
Crenshaw	Herrera Beutler	Matsui
Crowley	Hice, Jody B.	McCarthy
Cuellar	Higgins	McCaul

McClintock
McGovern
McHenry
McKinley
McMorris
Rodgers
McNerney
McSally
Meadows
Meehan
Meeks
Meng
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Moore
Moulton
Mullin
Mulvaney
Murphy (FL)
Murphy (PA)
Nadler
Neugebauer
Newhouse
Noem
Norcross
Nugent
Nunes
Olson
Palazzo
Pallone
Palmer
Paulsen
Pearce
Pelosi
Perlmutter
Perry
Peters
Peterson
Pittenger
Pitts
Poe (TX)
Poliquin
Polis
Pompeo
Posey
Price, Tom
Quigley
Ratcliffe

NOES—57

Beyer
Blumenauer
Brady (PA)
Capps
Carson (IN)
Chu, Judy
Clark (MA)
Clay
Cleaver
Cohen
Conyers
Cummings
DeSaulnier
Dingell
Edwards
Ellison
Farr
Fattah
Foster
Gallego

NOT VOTING—3

Culberson

□ 1743

Messrs. GRIJALVA, McDERMOTT, CUMMINGS, NEAL, TAKAI, and COHEN changed their vote from “aye” to “no.”

Ms. FUDGE, Messrs. GOHMERT, KEATING, HIGGINS, LABRADOR, AGUILAR, SWALWELL of California, Mles. ESHOO, BASS, Messrs. CICILLINE, LANGEVIN, LEVIN, LEWIS, BERA, Mles. MAXINE WATERS of California, VELÁZQUEZ, Mr. SERRANO, Mrs. BEATTY, Messrs. CROWLEY, NORCROSS, VARGAS, SCHAKOWSKY, CUELLAR, McGOVERN, BECERRA, TONKO, Mles. SLAUGHTER, DUCKWORTH,

and Mr. CONNOLLY changed their vote from “no” to “aye.”

So the amendment was agreed to. The result of the vote was announced as above recorded.

AMENDMENT NO. 31 OFFERED BY MR. HURD

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Texas (Mr. HURD) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 424, noes 2, not voting 7, as follows:

[Roll No. 411]

AYES—424

Abraham
Adams
Aderholt
Aguilar
Allen
Amash
Amodei
Ashford
Babin
Barletta
Barr
Barton
Bass
Beatty
Becerra
Benishak
Bera
Beyer
Bilirakis
Bishop (GA)
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Blumenauer
Bonamici
Bost
Boustany
Boyle, Brendan F.
Brady (PA)
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Brown (FL)
Brownley (CA)
Buchanan
Bucshon
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)
Clarke (NY)

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
King (IA)
King (NY)
Kinzinger (IL)
Kirkpatrick
Kline
Knight
Kuster
Labrador
LaMalfa
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latta
Lawrence
Lee
Levin
Lewis
Lipinski
LoBiondo
Loebback
Long
Loudermilk
Love
Lowenthal
Lowe
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
Gutiérrez
Hahn
Hanna
Hardy
Harper
Harris
Hartzler
Hastings
Heck (NV)
Heck (WA)
Hensarling
Herrera Beutler
Hice, Jody B.
Higgins
Hill
Himes
Hinojosa
Holding
Honda
Hoyer
Hudson
Huelskamp
Huffman
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Israel
Issa
Jackson Lee

NOES—2

Wilson (FL)

NOT VOTING—7

Buck
Culberson
Davis, Rodney

Deutch
Lieu, Ted
Lofgren

ANNOUNCEMENT BY THE ACTING CHAIR
The Acting CHAIR (during the vote).
There is 1 minute remaining.

□ 1743

So the amendment was agreed to.

The result of the vote was announced as above recorded.

Stated for:

Mr. RODNEY DAVIS of Illinois. Mr. Chair, on rollcall No. 411, I was unavoidably detained. Had I been present, I would have voted "yes."

Ms. WILSON of Florida. Mr. Chair, during rollcall vote No. 411 on H.R. 5, I mistakenly recorded my vote as "no" when I should have voted "yes."

AMENDMENT NO. 32 OFFERED BY MR. GRAYSON

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Florida (Mr. GRAYSON) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 199, noes 228, not voting 6, as follows:

[Roll No. 412]

AYES—199

Adams	Dent	Langevin
Aguilar	DeSaulnier	Larsen (WA)
Ashford	Dingell	Larson (CT)
Bass	Doggett	Lawrence
Beatty	Doyle, Michael	Lee
Becerra	F.	Levin
Bera	Duckworth	Lewis
Beyer	Edwards	Lieu, Ted
Bishop (GA)	Ellison	Lipinski
Bishop (UT)	Ellmers (NC)	LoBiondo
Blumenauer	Engel	Loebsack
Bonamici	Eshoo	Lowenthal
Boyle, Brendan	Esty	Lowe
F.	Farr	Lujan Grisham
Brady (PA)	Fattah	(NM)
Brown (FL)	Fitzpatrick	Luján, Ben Ray
Brownley (CA)	Foster	(NM)
Bustos	Frankel (FL)	MacArthur
Butterfield	Fudge	Maloney,
Capps	Gabbard	Carolyn
Capuano	Gallego	Maloney, Sean
Cárdenas	Garamendi	Matsui
Carney	Garrett	McCollum
Carson (IN)	Graham	McDermott
Cartwright	Grayson	McGovern
Castor (FL)	Green, Al	McNerney
Castro (TX)	Green, Gene	Meeks
Chu, Judy	Grijalva	Meng
Ciçilline	Gutiérrez	Miller (MI)
Clark (MA)	Hahn	Moore
Clarke (NY)	Hastings	Moulton
Clay	Heck (WA)	Murphy (FL)
Cleaver	Higgins	Nadler
Clyburn	Himes	Napolitano
Cohen	Hinojosa	Neal
Connolly	Honda	Nolan
Conyers	Hoyer	Norcross
Cooper	Huffman	O'Rourke
Costa	Israel	Pallone
Costello (PA)	Jackson Lee	Pascarell
Courtney	Jeffries	Pelosi
Crowley	Johnson (GA)	Perlmutter
Cuellar	Johnson, E. B.	Peters
Cummings	Jones	Pingree
Curbelo (FL)	Kaptur	Pocan
Davis (CA)	Keating	Polis
Davis, Danny	Kelly (IL)	Price (NC)
Davis, Rodney	Kennedy	Quigley
DeFazio	Kildee	Rangel
DeGette	Kilmer	Rice (NY)
Delaney	Kind	Richmond
DeLauro	Kirkpatrick	Rogers (AL)
DelBene	Kuster	Ros-Lehtinen
Denham	Lance	Ross

Roybal-Allard	Sherman
Ruiz	Sinema
Ruppersberger	Sires
Rush	Slaughter
Ryan (OH)	Speier
Sánchez, Linda	Swalwell (CA)
T.	Takai
Sanchez, Loretta	Takano
Sarbanes	Thompson (CA)
Schakowsky	Thompson (MS)
Schiff	Titus
Scott (VA)	Tonko
Scott, David	Torres
Serrano	Tsongas
Sewell (AL)	Van Hollen

Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman
Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth
Young (AK)

ANNOUNCEMENT BY THE ACTING CHAIR
The Acting CHAIR (during the vote).
There is 1 minute remaining.

□ 1746

So the amendment was rejected.
The result of the vote was announced as above recorded.

AMENDMENT NO. 33 OFFERED BY MS. WILSON OF FLORIDA

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from Florida (Ms. WILSON) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 192, noes 237, not voting 4, as follows:

[Roll No. 413]

AYES—192

Abraham	Harper
Aderholt	Harris
Allen	Hartzler
Amash	Heck (NV)
Amodei	Hensarling
Babin	Herrera Beutler
Barletta	Hice, Jody B.
Barr	Hill
Barton	Holding
Benishak	Hudson
Bilirakis	Huelskamp
Bishop (MI)	Huizenga (MI)
Black	Hultgren
Blackburn	Hunter
Blum	Hurd (TX)
Bost	Hurt (VA)
Boustany	Issa
Brady (TX)	Jenkins (KS)
Brat	Jenkins (WV)
Bridenstine	Johnson (OH)
Brooks (AL)	Johnson, Sam
Brooks (IN)	Jolly
Buchanan	Jordan
Buck	Joyce
Bucshon	Katko
Burgess	Kelly (MS)
Byrne	Kelly (PA)
Calvert	King (IA)
Carter (GA)	King (NY)
Carter (TX)	Kinzinger (IL)
Chabot	Kline
Chaffetz	Knight
Clawson (FL)	Labrador
Coffman	LaMalfa
Cole	Lamborn
Collins (GA)	Latta
Collins (NY)	Long
Comstock	Loudermilk
Conaway	Love
Cook	Lucas
Cramer	Luetkemeyer
Crawford	Lummis
Crenshaw	Lynch
DeSantis	Marchant
DesJarlais	Marino
Diaz-Balart	Massie
Dold	McCarthy
Donovan	McCaul
Duffy	McClintock
Duncan (SC)	McHenry
Duncan (TN)	McKinley
Emmer (MN)	McMorris
Farenthold	Rodgers
Fincher	McSally
Fleischmann	Meadows
Fleming	Meehan
Flores	Messer
Forbes	Mica
Fortenberry	Miller (FL)
Fox	Mooleenaar
Franks (AZ)	Mooney (WV)
Frelinghuysen	Mullin
Gibbs	Mulvaney
Gibson	Murphy (PA)
Gohmert	Neugebauer
Goodlatte	Newhouse
Gosar	Noem
Gowdy	Nugent
Granger	Nunes
Graves (GA)	Olson
Graves (LA)	Palazzo
Graves (MO)	Palmer
Grothman	Paulsen
Guinta	Payne
Guthrie	Pearce
Hanna	Perry
Hardy	Peterson

Pittenger
Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rohrabacher
Rice (SC)
Rigell
Roby
Roe (TN)
Rohrabacher
Rokita
Rooney (FL)
Roskam
Rothfus
Rouzer
Royce
Russell
Ryan (WI)
Salmon
Sanford
Scalise
Schrader
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpon
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Stefanik
Stewart
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (IA)
Young (IN)
Zeldin
Zinke

Adams	Edwards	Luján, Ben Ray
Aguilar	Ellison	(NM)
Ashford	Engel	Lynch
Bass	Eshoo	Maloney,
Beatty	Esty	Carolyn
Becerra	Farr	Maloney, Sean
Bera	Fattah	Matsui
Beyer	Foster	McCormack
Bishop (GA)	Frankel (FL)	McDermott
Blumenauer	Fudge	McGovern
Bonamici	Gabbard	McNerney
Boyle, Brendan	Gallego	McSally
F.	Garamendi	Meeks
Brady (PA)	Graham	Meng
Brown (FL)	Grayson	Moore
Brownley (CA)	Green, Al	Moulton
Bustos	Green, Gene	Murphy (FL)
Butterfield	Grijalva	Nadler
Capps	Gutiérrez	Napolitano
Capuano	Hahn	Neal
Cárdenas	Hastings	Nolan
Carney	Heck (WA)	Norcross
Carson (IN)	Higgins	O'Rourke
Cartwright	Himes	Pallone
Castor (FL)	Hinojosa	Pascarell
Castro (TX)	Honda	Payne
Chu, Judy	Hoyer	Pelosi
Ciçilline	Huffman	Perlmutter
Clark (MA)	Israel	Peters
Clarke (NY)	Clarke (NY)	Peterson
Clay	Clay	Pingree
Cleaver	Cleaver	Pocan
Clyburn	Clyburn	Polis
Cohen	Cohen	Price (NC)
Connolly	Cohen	Price (NY)
Conyers	Connolly	Quigley
Cooper	Conyers	Rangel
Costa	Cooper	Rice (NY)
Costello (PA)	Costa	Richmond
Courtney	Costello (PA)	Ros-Lehtinen
Crowley	Courtney	Roybal-Allard
Cuellar	Crowley	Ruiz
Cummings	Cuellar	Ruppersberger
Curbelo (FL)	Cummings	Rush
Davis (CA)	Curbelo (FL)	Ryan (OH)
Davis, Danny	Davis (CA)	Sánchez, Linda
Davis, Rodney	Davis, Danny	T.
DeFazio	Davis, Rodney	Sanchez, Loretta
DeGette	DeFazio	Sarbanes
Delaney	DeGette	Schakowsky
DeLauro	Delaney	Schiff
DelBene	DeLauro	Schrader
Denham	DelBene	Scott (VA)
	Dingell	Scott, David
	Doggett	Serrano
	Doyle, Michael	Sewell (AL)
	F.	Sherman
	Duckworth	Simpson
		(NM)

NOT VOTING—6

Culberson	Griffith	Rogers (KY)
Deutch	Lofgren	Stivers

Sinema Titus
Sires Tonko
Slaughter Torres
Smith (WA) Tsongas
Speier Van Hollen
Swalwell (CA) Vargas
Takai Veasey
Takano Vela
Thompson (CA) Velázquez
Thompson (MS) Visclosky

ANNOUNCEMENT BY THE ACTING CHAIR
The Acting CHAIR (during the vote).
There is 1 minute remaining.

Takai Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman
Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOES—237

Abraham Guinta
Aderholt Guthrie
Allen Hanna
Amash Hardy
Amodei Harper
Babin Harris
Barletta Hartzler
Barr Heck (NV)
Barton Hensarling
Benishek Herrera Beutler
Bilirakis Hice, Jody B.
Bishop (MI) Hill
Bishop (UT) Holding
Black Hudson
Blackburn Huelskamp
Blum Huizenga (MI)
Bost Hultgren
Boustany Hunter
Brady (TX) Hurd (TX)
Brat Hurt (VA)
Bridenstine Issa
Brooks (AL) Jenkins (KS)
Brooks (IN) Jenkins (WV)
Buchanan Johnson (OH)
Bucshon Johnson, Sam
Burgess Jolly
Byrne Jones
Calvert Jordan
Carter (GA) Joyce
Carter (TX) Katko
Chabot Kelly (MS)
Chaffetz Kelly (PA)
Clawson (FL) King (IA)
Coffman King (NY)
Cole Kinzinger (IL)
Collins (GA) Kline
Collins (NY) Knight
Comstock Labrador
Conaway LaMalfa
Cook Lamborn
Cramer Lance
Crawford Latta
Crenshaw Long
Davis, Rodney Loudermilk
Denham Love
Dent Lucas
DeSantis Luetkemeyer
DesJarlais Lummis
Diaz-Balart MacArthur
Dold Marchant
Donovan Marino
Duffy Massie
Duncan (SC) McCarthy
Duncan (TN) McCaul
Ellmers (NC) McClintock
Emmer (MN) McHenry
Farenthold McKinley
Fincher McMorris
Fitzpatrick Rodgers
Fleischmann Meadows
Fleming Meehan
Flores Messer
Forbes Mica
Fortenberry Miller (FL)
Foxx Miller (MI)
Franks (AZ) Moolenaar
Frelinghuysen Mooney (WV)
Garrett Mullin
Gibbs Mulvaney
Gibson Murphy (PA)
Gohmert Neugebauer
Goodlatte Newhouse
Gosar Noem
Gowdy Nugent
Granger Nunes
Graves (GA) Olson
Graves (LA) Palazzo
Graves (MO) Palmer
Griffith Paulsen
Grothman Pearce

□ 1750

So the amendment was rejected.
The result of the vote was announced
as above recorded.

AMENDMENT NO. 35 OFFERED BY MR. CARSON OF
INDIANA

The Acting CHAIR. The unfinished
business is the demand for a recorded
vote on the amendment offered by the
gentleman from Indiana (Mr. CARSON)
on which further proceedings were
postponed and on which the noes pre-
vailed by voice vote.

The Clerk will redesignate the
amendment.

The Clerk redesignated the amend-
ment.

RECORDED VOTE

The Acting CHAIR. A recorded vote
has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-
minute vote.

The vote was taken by electronic de-
vice, and there were—ayes 186, noes 245,
not voting 2, as follows:

[Roll No. 414]
AYES—186

Adams Ellison
Aguilar Engel
Ashford Eshoo
Bass Esty
Beatty Farr
Becerra Fattah
Bera Foster
Beyer Frankel (FL)
Bishop (GA) Fudge
Blumenauer Gabbard
Bonamici Gallego
Boyle, Brendan Garamendi
F. Graham
Brady (PA) Grayson
Brown (FL) Green, Al
Brownlee Green, Gene
Bustos Grijalva
Butterfield Gutierrez
Capps Hahn
Capuano Hastings
Cárdenas Heck (WA)
Carney Higgins
Carson (IN) Himes
Cartwright Hinojosa
Castor (FL) Honda
Castro (TX) Hoyer
Chu, Judy Huffman
Cicilline Israel
Clark (MA) Jackson Lee
Clarke (NY) Jeffries
Johnson (GA) Quigley
Johnson, E. B. Rangel
Kaptur Rice (NY)
Keating Richmond
Kelly (IL) Roybal-Allard
Kennedy Ruiz
Kildee Ruppertsberger
Kilmer Rush
Kind Ryan (OH)
Kirkpatrick Sanchez, Linda
Kuster T.
Langevin Sanchez, Loretta
Larsen (WA) Sarbanes
Larson (CT) Schakowsky
Lawrence Schiff
Lee Schrader
Levin Scott (VA)
Lewis Scott, David
Lieu, Ted Serrano
Lipinski Sewell (AL)
Loeb sack Sherman
Lowenthal Sinema
Lujan Grisham Sires
(NM) Slaughter
Luján, Ben Ray Smith (WA)
(NM) Speier
Edwards Swalwell (CA)

Abraham Grothman
Aderholt Guinta
Allen Guthrie
Amash Hanna
Amodei Hardy
Babin Harper
Barletta Harris
Barr Hartzler
Barton Heck (NV)
Benishek Hensarling
Bilirakis Herrera Beutler
Bishop (MI) Hice, Jody B.
Bishop (UT) Hill
Black Holding
Blackburn Hudson
Blum Huelskamp
Bost Huizenga (MI)
Boustany Hultgren
Brady (TX) Hunter
Brat Hurd (TX)
Bridenstine Hurt (VA)
Brooks (AL) Issa
Brooks (IN) Jenkins (KS)
Buchanan Jenkins (WV)
Buck Johnson (OH)
Bucshon Johnson, Sam
Burgess Jolly
Byrne Jones
Calvert Jordan
Carter (GA) Joyce
Carter (TX) Katko
Chabot Kelly (MS)
Chaffetz Kelly (PA)
Clawson (FL) King (IA)
Coffman King (NY)
Cole Kinzinger (IL)
Collins (GA) Kline
Collins (NY) Knight
Comstock Labrador
Conaway LaMalfa
Cook Lamborn
Cramer Lance
Crawford Latta
Crenshaw Long
Davis, Rodney Loudermilk
Denham Love
Dent Lucas
DeSantis Luetkemeyer
DesJarlais Lummis
Diaz-Balart MacArthur
Dold Marchant
Donovan Marino
Duffy Massie
Duncan (SC) McCarthy
Duncan (TN) McCaul
Ellmers (NC) McClintock
Emmer (MN) McHenry
Farenthold McKinley
Fincher McMorris
Fitzpatrick Rodgers
Fleischmann Meadows
Fleming Meehan
Flores Messer
Forbes Mica
Fortenberry Miller (FL)
Foxx Miller (MI)
Franks (AZ) Moolenaar
Frelinghuysen Mooney (WV)
Garrett Mullin
Gibbs Mulvaney
Gibson Murphy (PA)
Gohmert Neugebauer
Goodlatte Newhouse
Gosar Noem
Gowdy Nugent
Granger Nunes
Graves (GA) Olson
Graves (LA) Palazzo
Graves (MO) Palmer
Griffith Paulsen
Culberson Lofgren

NOES—245

NOT VOTING—2

ANNOUNCEMENT BY THE ACTING CHAIR
The Acting CHAIR (during the vote).
There is 1 minute remaining.

NOT VOTING—4

Buck Deutch
Culberson Lofgren

□ 1754

Mr. COSTELLO of Pennsylvania changed his vote from “aye” to “no.”
So the amendment was rejected.
The result of the vote was announced as above recorded.

AMENDMENT NO. 39 OFFERED BY MS. BROWNLEY OF CALIFORNIA

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from California (Ms. BROWNLEY) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 191, noes 239, not voting 3, as follows:

[Roll No. 415]

AYES—191

Adams	Eshoo	Maloney,
Aguilar	Esty	Carolyn
Ashford	Farr	Maloney, Sean
Bass	Fattah	Marchant
Beatty	Foster	Matsui
Becerra	Frankel (FL)	McCollum
Bera	Fudge	McDermott
Beyer	Gabbard	McGovern
Bishop (GA)	Gallego	McNerney
Blumenauer	Garamendi	McSally
Bonamici	Gibson	Meeks
Boyle, Brendan	Graham	Meng
F.	Grayson	Moore
Brady (PA)	Green, Al	Moulton
Brown (FL)	Green, Gene	Murphy (FL)
Brownley (CA)	Grijalva	Nadler
Bustos	Gutiérrez	Napolitano
Butterfield	Hahn	Neal
Capps	Hastings	Nolan
Capuano	Heck (WA)	Norcross
Cárdenas	Higgins	O'Rourke
Carney	Himes	Pallone
Carson (IN)	Hinojosa	Pascrell
Cartwright	Honda	Payne
Castor (FL)	Hoyer	Pelosi
Castro (TX)	Huffman	Perlmutter
Chu, Judy	Israel	Peters
Ciциlline	Israel	Pingree
Clark (MA)	Jackson Lee	Pocan
Clarke (NY)	Jeffries	Polis
Clay	Johnson (GA)	Price (NC)
Cleaver	Johnson, E. B.	Quigley
Clyburn	Kaptur	Rangel
Cohen	Katko	Rice (NY)
Connolly	Keating	Richmond
Conyers	Kelly (IL)	Ros-Lehtinen
Cooper	Kennedy	Roybal-Allard
Costa	Kildee	Ruiz
Courtney	Kilmer	Ruppersberger
Crowley	Kind	Rush
Cuellar	Kirkpatrick	Ryan (OH)
Cummings	Kuster	Sánchez, Linda
Davis (CA)	Langevin	T.
Davis, Danny	Larsen (WA)	Sanchez, Loretta
DeFazio	Larsen (CT)	Sarbanes
DeGette	Lawrence	Schakowsky
Delaney	Lee	Schiff
DeLauro	Levin	Schrader
DelBene	Lewis	Scott (VA)
DeSaulnier	Lieu, Ted	Scott, David
Deutch	Lipinski	Serrano
Dingell	Loeb sack	Sewell (AL)
Doggett	Lowenthal	Sherman
Doyle, Michael	Lowe y	Sinema
F.	Lujan Grisham	Sires
Duckworth	(NM)	Slaughter
Edwards	Lujan, Ben Ray	Smith (WA)
Ellison	(NM)	Speier
Engel	Lynch	Swalwell (CA)

Takai
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas

Abraham
Aderholt
Allen
Amash
Amodei
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Brady (TX)
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Cole
Collins (GA)
Collins (NY)
Costello (PA)
Cramer
Crawford
Crenshaw
Curbelo (FL)
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dold
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Elmiers (NC)
Emmer (MN)
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxy
Franks (AZ)
Frelinghysen
Garrett
Gibbs
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)

Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz

NOES—239

Griffith
Grothman
Guinta
Guthrie
Hanna
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger (IL)
Kline
Knight
Labrador
LaMalfa
Lamborn
Lance
Latta
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris
Rodgers
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen

Wasserman
Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

□ 1757

So the amendment was rejected.
The result of the vote was announced as above recorded.

AMENDMENT NO. 40 OFFERED BY MR. LOEBSACK
The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Iowa (Mr. LOEBSACK) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 218, noes 213, not voting 2, as follows:

[Roll No. 416]

AYES—218

Adams	Ellison	Lujan Grisham
Aguilar	Engel	(NM)
Ashford	Eshoo	Lujan, Ben Ray
Bass	Esty	(NM)
Beatty	Farr	Lynch
Becerra	Fattah	Maloney,
Bera	Fitzpatrick	Carolyn
Beyer	Foster	Maloney, Sean
Bishop (GA)	Frankel (FL)	Marino
Blum	Fudge	Matsui
Blumenauer	Gabbard	McCollum
Bonamici	Gallego	McDermott
Bost	Garamendi	McGovern
Boyle, Brendan	Gibson	McKinley
F.	Graham	McNerney
Brady (PA)	Graves (MO)	McSally
Brown (FL)	Grayson	Meeks
Brownley (CA)	Green, Al	Meng
Burgess	Green, Gene	Mooney (WV)
Bustos	Griffith	Moore
Butterfield	Grijalva	Moulton
Capps	Gutiérrez	Murphy (FL)
Capuano	Hahn	Nadler
Cárdenas	Hanna	Napolitano
Carney	Hastings	Neal
Carson (IN)	Heck (WA)	Nolan
Cartwright	Herrera Beutler	Norcross
Castor (FL)	Higgins	O'Rourke
Castro (TX)	Himes	Pallone
Chu, Judy	Hinojosa	Pascrell
Ciциlline	Honda	Payne
Clark (MA)	Hoyer	Pearce
Clarke (NY)	Huffman	Pelosi
Clay	Israel	Perlmutter
Cleaver	Jackson Lee	Peters
Clyburn	Jeffries	Peterson
Cohen	Jenkins (WV)	Pingree
Connolly	Johnson (GA)	Pocan
Conyers	Johnson, E. B.	Polis
Cooper	Kaptur	Price (NC)
Costa	Katko	Quigley
Costello (PA)	Keating	Rangel
Courtney	Kelly (IL)	Reichert
Crowley	Kennedy	Rice (NY)
Cuellar	Kildee	Richmond
Cummings	Kilmer	Rooney (FL)
Davis (CA)	Kind	Roybal-Allard
Davis, Danny	Kirkpatrick	Ruiz
DeFazio	Kuster	Ruppersberger
DeGette	Langevin	Rush
Delaney	Larsen (WA)	Ryan (OH)
DeLauro	Larsen (CT)	Sánchez, Linda
DelBene	Lawrence	T.
Dent	Lee	Sanchez, Loretta
DeSaulnier	Levin	Sarbanes
Deutch	Lewis	Schakowsky
Dingell	Lieu, Ted	Schiff
Doggett	Lipinski	Schrader
Doyle, Michael	LoBiondo	Scott (VA)
F.	Loeb sack	Scott, David
Duckworth	Lowenthal	Serrano
Edwards	Lowe y	Sewell (AL)
	Lucas	Sherman

NOT VOTING—3

Culberson Lofgren Westmoreland

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).
There is 1 minute remaining.

Simpson
Sinema
Sires
Slaughter
Smith (WA)
Speier
Stefanik
Stivers
Swalwell (CA)
Takai
Takano
Thompson (CA)

Thompson (MS)
Thompson (PA)
Titus
Tonko
Torres
Tsongas
Van Hollen
Vargas
Veasey
Vela
Velázquez
Visclosky

Walz
Wasserman
Schultz
Waters, Maxine
Watson Coleman
Welch
Whitfield
Wilson (FL)
Yarmuth
Young (AK)
Young (IA)
Zinke

NOES—213

Abraham
Aderholt
Allen
Amash
Amodei
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Cramer
Crawford
Crenshaw
Curbelo (FL)
Denham
DeSantis
DesJarlais
Diaz-Balart
Dold
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Farenthold
Fincher
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxy
Mullin
Franks (AZ)
Frelinghuysen
Garrett
Gibbs
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)

NOT VOTING—2

Culberson Lofgren

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).
There is 1 minute remaining.

□ 1801

Mr. YOUNG of Iowa changed his vote from “no” to “aye.”

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT NO. 41 OFFERED BY MR. POLIS

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Colorado (Mr. POLIS) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 205, noes 224, not voting 4, as follows:

[Roll No. 417]

AYES—205

Adams
Aguilar
Ashford
Bass
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Costa
Costello (PA)
Courtney
Crowley
Cuellar
Cummings
Curbelo (FL)
Davis (CA)
Davis, Danny
Davis, Rodney
DeFazio
DeGette
Delaney
DeLauro
DelBene
Dent
DeSaulnier
Deutch
Dingell
Doggett
Dold
Donovan
Doyle, Michael F.
Duckworth
Edwards
Ellison
Engel
Eshoo

Esty
Farr
Fattah
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Gibson
Graham
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hahn
Hanna
Hastings
Heck (WA)
Higgins
Himes
Hinojosa
Honda
Hoyer
Huffman
Israel
Jackson Lee
Jeffries
Jenkins (WV)
Johnson (GA)
Johnson, E. B.
Kaptur
Katko
Keating
Kelly (IL)
Kennedy
Kildee
Kilmer
Kind
King (NY)
Kirkpatrick
Kuster
Kushner
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis
Lieu, Ted
Lipinski
LoBiondo
Loebach
Lowenthal
Lowe
Lujan Grisham (NM)
Luján, Ben Ray (NM)
Lynch
Maloney, Carolyn
Maloney, Sean
Matsui
McCollum

Vargas
Veasey
Vela
Velázquez
Visclosky

Walz
Wasserman
Schultz
Waters, Maxine
Watson Coleman

NOES—224

Abraham
Aderholt
Allen
Amash
Amodei
Babin
Barletta
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Bucshon
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Cramer
Crawford
Crenshaw
Denham
DeSantis
DesJarlais
Diaz-Balart
Duffy
Duncan (SC)
Duncan (TN)
Ellmers (NC)
Emmer (MN)
Farenthold
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxy
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith

Grothman
Guinta
Guthrie
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Holding
Hudson
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Issa
Jenkins (KS)
Johnson (OH)
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Kelly (MS)
Kelly (PA)
King (IA)
Kinzinger (IL)
Kline
Knight
Labrador
LaMalfa
Lamborn
Lance
Latta
Long
Loudermilk
Love
Lucas
Luetkemeyer
Lummis
MacArthur
Marchant
Marino
Massie
McCarthy
McCaul
McClintock
McHenry
McMorris
Rodgers
Meadows
Meehan
Messer
Mica
Miller (FL)
Miller (MI)
Moolenaar
Mooney (WV)
Mullin
Mulvaney
Murphy (PA)
Neugebauer
Newhouse
Noem
Nugent
Nunes
Olson
Palazzo
Palmer
Paulsen

Welch
Wilson (FL)
Yarmuth
Zeldin

Pitts
Poe (TX)
Poliquin
Pompeo
Posey
Price, Tom
Ratcliffe
Reed
Reichert
Renacci
Ribble
Rice (SC)
Rigell
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney (FL)
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Ryan (WI)
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Westerman
Westmoreland
Whitfield
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Young (IN)
Zinke

NOT VOTING—4

Culberson Hurt (VA)
Huelskamp Lofgren

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).
There is 1 minute remaining.

□ 1804

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 43 OFFERED BY MR. THOMPSON OF MISSISSIPPI

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Mississippi (Mr. THOMPSON) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 189, noes 241, not voting 3, as follows:

[Roll No. 418]

AYES—189

Adams Fudge Neal
 Aguilar Gabbard Nolan
 Ashford Gallego Norcross
 Bass Garamendi O'Rourke
 Beatty Gibson Pallone
 Becerra Graham Pascrell
 Bera Grayson Payne
 Beyers Green, Al Pelosi
 Bishop (GA) Green, Gene Perlmutter
 Bishop (MI) Grijalva Peters
 Blumenauer Gutiérrez Peterson
 Bonamici Hahn Pingree
 Boyle, Brendan Hastings Pocan
 F. Heck (WA) Polis
 Brady (PA) Higgins Price (NC)
 Brown (FL) Himes
 Brownley (CA) Hinojosa Quigley
 Bustos Honda Rangel
 Butterfield Hoyer Rice (NY)
 Capps Huffman Richmond
 Capuano Israel Roybal-Allard
 Cárdenas Jackson Lee Ruiz
 Carney Jeffries Ruppertsberger
 Carson (IN) Johnson (GA) Rush
 Cartwright Johnson, E. B. Ryan (OH)
 Castor (FL) Kaptur Sánchez, Linda
 Castro (TX) Keating T.
 Chu, Judy Kelly (IL) Sanchez, Loretta
 Cicilline Kennedy Sarbanes
 Clark (MA) Kildee Schakowsky
 Clarke (NY) Kilmer Schiff
 Clay Kind Schrader
 Cleaver Kirkpatrick Scott (VA)
 Clyburn Kuster Fortenberry
 Cohen Langevin Fox
 Connolly Larsen (WA) Serrano
 Conyers Sewell (AL) Sewell (AL)
 Cooper Larson (CT) Sherman
 Costa Lawrence Sinema
 Courtney Lee Sires
 Crowley Levin Slaughter
 Cuellar Lewis Smith (WA)
 Cummings Lieu, Ted Speier
 Davis (CA) Lipinski Swallow (CA)
 Davis, Danny Loeb sack Takai
 DeFazio Lowenthal Takano
 DeGette Lujan Grisham Thompson (CA)
 Delaney (NM) Thompson (MS)
 DeLauro Luján, Ben Ray Titus
 DelBene (NM) Tonko
 DeSaulnier Lynch Torres
 Deutch Maloney, Carolyn Tsongas
 Dingell Maloney, Sean Van Hollen
 Doggett Maloney, Sean Vargas
 Doyle, Michael Matsui Veasey
 F. McCollum Vela
 Duckworth McDermott Velázquez
 Edwards McGovern Vislosky
 Ellison McNerney Walz
 Engel Meeks Wasserman
 Eshoo Meng Schultz
 Esty Moore Waters, Maxine
 Farr Moulton Watson Coleman
 Fattah Murphy (FL) Welch
 Foster Nadler Wilson (FL)
 Frankel (FL) Napolitano Yarmuth

NOES—241

Abraham Guinta Pearce
 Aderholt Guthrie Perry
 Allen Hanna Pittenger
 Amash Hardy Pitts
 Amodei Harper Poe (TX)
 Babin Harris Poliquin
 Barletta Hartzler Pompeo
 Barr Heck (NV) Posey
 Barton Hensarling Price, Tom
 Benishek Herrera Beutler Ratcliffe
 Bilirakis Hice, Jody B. Reed
 Bishop (UT) Hill Reichert
 Black Holding Renacci
 Blackburn Hudson Ribble
 Blum Huelskamp Rice (SC)
 Bost Huizenga (MI) Rigell
 Boustany Hultgren Roby
 Brady (TX) Hunter Roe (TN)
 Brat Hurd (TX) Rogers (AL)
 Bridenstine Hurt (VA) Rogers (KY)
 Brooks (AL) Issa Rohrabacher
 Brooks (IN) Jenkins (KS) Rokita
 Buchanan Jenkins (WV) Rooney (FL)
 Buck Johnson (OH) Ros-Lehtinen
 Bucshon Johnson, Sam Roskam
 Burgess Jolly Ross
 Byrne Jones Rothfus
 Calvert Jordan Rouzer
 Carter (GA) Joyce Royce
 Carter (TX) Katko Russell
 Chabot Kelly (MS) Ryan (WI)
 Chaffetz Kelly (PA) Salmon
 Clawson (FL) King (IA) Sanford
 Coffman King (NY) Scalise
 Cole Kinzinger (IL) Schweikert
 Collins (GA) Kline Scott, Austin
 Collins (NY) Knight Sensenbrenner
 Comstock Labrador Sessions
 Conaway LaMalfa Shimkus
 Cook Lamborn Shuster
 Costello (PA) Lance Simpson
 Cramer Latta Smith (MO)
 Crawford Crawford Smith (NE)
 Crenshaw Long Smith (NJ)
 Curbelo (FL) Loudermilk Smith (TX)
 Davis, Rodney Love Stefanik
 Denham Lucas Stutzman
 Dent Luetkemeyer Thompson (PA)
 DeSantis Lummis Thornberry
 DesJarlais MacArthur Tiberi
 Diaz-Balart Marchant Tipton
 Dold Marino Trott
 Donovan Massie Turner
 Duffy McCaul Upton
 Duncan (SC) McCarthy Valadao
 Duncan (TN) McCaul Wagner
 Ellmers (NC) McClinton Walberg
 Ellmer (MN) McHenry Walcott
 Farenthold McMorris Walker
 Fincher Rodgers Walorski
 Fitzpatrick McSally Walters, Mimi
 Fleischmann Meadows Weber (TX)
 Fleming Meehan Webster (FL)
 Flores Messer Wenstrup
 Forbes Mica Westerman
 Fortenberry Miller (FL) Westmoreland
 Fox Miller (MI) Whitfield
 Franks (AZ) Moolenaar Williams
 Frelinghuysen Mooney (WV) Wilson (SC)
 Garrett Mullin Wittman
 Gibbs Mulvaney Witman
 Gohmert Murphy (PA) Womack
 Goodlatte Neugebauer Woodall
 Gosar Newhouse Yoder
 Gowdy Noem Yoho
 Granger Nugent Young (AK)
 Graves (GA) Nunes Young (IA)
 Graves (LA) Olson Young (IN)
 Graves (MO) Palazzo Zeldin
 Griffith Palmer Zinke
 Grothman Paulsen

NOT VOTING—3

Culberson Lofgren Stivers
 ANNOUNCEMENT BY THE ACTING CHAIR
 The Acting CHAIR (during the vote).
 There is 1 minute remaining.

□ 1808

So the amendment was rejected.
 The result of the vote was announced as above recorded.

AMENDMENT NO. 46 OFFERED BY MR. WALKER
 The Acting CHAIR. The unfinished business is the demand for a recorded

vote on the amendment offered by the gentleman from North Carolina (Mr. WALKER) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 195, noes 235, not voting 3, as follows:

[Roll No. 419]

AYES—195

Abraham Griffith Paulsen
 Aderholt Grothman Pearce
 Allen Guinta Perry
 Amash Guthrie Pittenger
 Amodei Harper Pitts
 Babin Harris Poe (TX)
 Barletta Hartzler Pompeo
 Barr Hensarling Posey
 Barton Hice, Jody B. Price, Tom
 Bilirakis Hill Ratcliffe
 Bishop (MI) Holding Renacci
 Bishop (UT) Hudson Ribble
 Black Huelskamp Rice (SC)
 Blackburn Huizenga (MI) Rigell
 Blum Hultgren Roby
 Boustany Hunter Roe (TN)
 Brady (TX) Hurd (TX) Rogers (AL)
 Brat Hurt (VA) Rogers (KY)
 Bridenstine Issa Rohrabacher
 Brooks (AL) Jenkins (KS) Rooney (FL)
 Brooks (IN) Jenkins (WV) Roskam
 Buck Johnson (OH) Johnson (OH) Ross
 Bucshon Johnson, Sam Rothfus
 Burgess Jolly Rouzer
 Byrne Jones Royce
 Calvert Jordan Ryan (WI)
 Carter (GA) Joyce Salmon
 Carter (TX) Kelly (MS) Sanford
 Chabot Kelly (PA) Scalise
 Chaffetz King (IA) Schweikert
 Clawson (FL) Kinzinger (IL) Scott, Austin
 Coffman Labrador Sensenbrenner
 Collins (GA) LaMalfa Sessions
 Collins (NY) Lamborn Shimkus
 Comstock Latta Smith (MO)
 Conaway Long Smith (NE)
 Cook Loudermilk Smith (NJ)
 Cramer Love Smith (TX)
 Crawford Luetkemeyer Stewart
 Crenshaw Lummis Stivers
 DeSantis Marchant Stutzman
 DesJarlais Marino Thornberry
 Diaz-Balart Massie Tiberi
 Duffy McCarthy Trott
 Duncan (SC) McCaul Turner
 Duncan (TN) McClinton Upton
 Ellmers (NC) McHenry Valadao
 Emmer (MN) McMorris Wagner
 Farenthold Rodgers Walberg
 Fincher McSally Walcott
 Fleischmann Meadows Walker
 Fleming Messer Walorski
 Flores Mica Walters, Mimi
 Forbes Miller (FL) Weber (TX)
 Fortenberry Moolenaar Webber (FL)
 Franks (AZ) Mooney (WV) Wenstrup
 Frelinghuysen Mullin Westerman
 Garrett Mulvaney Westmoreland
 Gibbs Neugebauer Wittman
 Gohmert Neugebauer Womack
 Goodlatte Newhouse Woodall
 Gosar Noem Yoder
 Gowdy Nugent Yoho
 Granger Nunes Young (IA)
 Graves (GA) Olson Young (IN)
 Graves (LA) Palazzo Zeldin
 Graves (LA) Palmer Zinke

NOES—235

Adams Beatty Beyer
 Aguilar Becerra Bishop (GA)
 Ashford Benishek Blumenauer
 Bass Bera Bonamici

Bost
Boyle, Brendan
F.
Brady (PA)
Brown (FL)
Brownley (CA)
Buchanan
Bustos
Butterfield
Capps
Capuano
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Cole
Connolly
Conyers
Cooper
Costa
Costello (PA)
Courtney
Crowley
Cummings
Curbelo (FL)
Davis (CA)
Davis, Danny
Davis, Rodney
DeFazio
DeGette
Delaney
DeLauro
DelBene
Denham
Dent
DeSaulnier
Deutch
Dingell
Doggett
Dold
Donovan
Doyle, Michael
F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Fattah
Fitzpatrick
Foster
Foxy
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Gibson
Graham
Graves (MO)
Grayson
Green, Al
Green, Gene
Grijalva
Gutiérrez

NOT VOTING—3

Cuellar Culberson Lofgren

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).
There is 1 minute remaining.

□ 1811

So the amendment was rejected.

The result of the vote was announced
as above recorded.

Stated for:

Mr. POLIQUIN. Mr. Chair, on rollcall No. 419, I mistakenly voted “no” on the Walker Amendment. I should have and would have voted “yes.”

Mr. CUELLAR. Mr. Chair, on rollcall No. 419, had I been present, I would have voted “yes.”

AMENDMENT NO. 47 OFFERED BY MR. SALMON
The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Arizona (Mr. SALMON) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 251, noes 178, not voting 4, as follows:

[Roll No. 420]

AYES—251

Abraham
Aderholt
Allen
Amash
Amodei
Babin
Barr
Barton
Benishek
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Boustany
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Burgess
Byrne
Calvert
Capuano
Carter (GA)
Carter (TX)
Chabot
Chaffetz
Clawson (FL)
Coffman
Cohen
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Costello (PA)
Cramer
Crawford
Crenshaw
Davis, Rodney
DeFazio
DeLauro
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Dold
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Ellison
Emmer (MN)
Farenthold
Fincher
Fitzpatrick
Fleischmann

Rokita
Rooney (FL)
Roskam
Ross
Rothfus
Rouzer
Royce
Russell
Ryan (OH)
Ryan (WI)
Salmon
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson

Sires
Smith (MO)
Smith (NJ)
Smith (TX)
Stefanik
Stewart
Stivers
Stutzman
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski

NOES—178

Adams
Aguilar
Ashford
Barletta
Bass
Beatty
Becerra
Bera
Beyer
Bishop (GA)
Blumenauer
Bonamici
Boyle, Brendan
F.
Brady (PA)
Brown (FL)
Brownley (CA)
Bustos
Butterfield
Capps
Cárdenas
Carney
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Connolly
Conyers
Cooper
Costa
Courtney
Crowley
Cuellar
Cummings
Curbelo (FL)
Davis (CA)
Davis, Danny
Davis, Rodney
DeFazio
DeGette
Delaney
DeLauro
DelBene
Denham
Dent
DeSaulnier
Deutch
Dingell
Doggett
Dold
Donovan
Doyle, Michael
F.
Duckworth
Edwards
Ellison
Engel
Eshoo
Esty
Farr
Fattah
Fitzpatrick
Foster
Foxy
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Gibson
Graham
Graves (MO)
Grayson
Grothman
Guinta
Guthrie
Hardy
Harper
Harris
Hartzler
Heck (NV)
Hensarling
Herrera Beutler
Hice, Jody B.
Hill
Holding
Hudson
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurd (TX)
Hurt (VA)
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (OH)
Johnson, Sam
Jolly
Jones
Jordan
Joyce
Katko
Kelly (MS)
King (IA)
King (NY)
Kinzinger (IL)
Kirkpatrick
Kline
Knight
Labrador
LaMalfa
Lamborn
Lance
Latta
LoBiondo
Long
Loudermilk

NOT VOTING—4

Culberson Lofgren
Israel Smith (NE)

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).
There is 1 minute remaining.

□ 1814

So the amendment was agreed to.
The result of the vote was announced
as above recorded.

Stated for:

Mr. WENSTRUP. Mr. Chair, on rollcall No. 420, I mistakenly voted “no” on the Salmon Amendment. I meant to vote “yes.”

AMENDMENT NO. 44 OFFERED BY MR. SCOTT OF VIRGINIA

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Virginia (Mr. SCOTT) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 187, noes 244, not voting 2, as follows:

[Roll No. 421]

AYES—187

Adams	Foster	Moulton
Aguilar	Frankel (FL)	Murphy (FL)
Ashford	Fudge	Nadler
Bass	Gabbard	Napolitano
Beatty	Gallego	Neal
Becerra	Garamendi	Nolan
Bera	Graham	Norcross
Beyer	Grayson	O'Rourke
Bishop (GA)	Green, Al	Pallone
Blumenauer	Green, Gene	Pascrell
Bonamici	Grijalva	Payne
Boyle, Brendan	Gutiérrez	Pelosi
F.	Hahn	Perlmutter
Brady (PA)	Hastings	Peters
Brown (FL)	Heck (WA)	Peterson
Brownley (CA)	Higgins	Pingree
Bustos	Himes	Pocan
Butterfield	Hinojosa	Polis
Capps	Honda	Price (NC)
Capuano	Hoyer	Quigley
Cárdenas	Huffman	Rangel
Carney	Israel	Rice (NY)
Carson (IN)	Jackson Lee	Richmond
Cartwright	Jeffries	Roybal-Allard
Castor (FL)	Johnson (GA)	Ruiz
Castro (TX)	Johnson, E. B.	Ruppersberger
Chu, Judy	Kaptur	Rush
Cicilline	Keating	Ryan (OH)
Clark (MA)	Kelly (IL)	Sánchez, Linda
Clarke (NY)	Kennedy	T.
Clay	Kildee	Sanchez, Loretta
Cleaver	Kilmer	Sarbanes
Clyburn	Kind	Schakowsky
Cohen	Kirkpatrick	Schiff
Connolly	Kuster	Schrader
Conyers	Langevin	Scott (VA)
Cooper	Larsen (WA)	Scott, David
Costa	Larson (CT)	Serrano
Courtney	Lawrence	Sewell (AL)
Crowley	Lee	Sherman
Cuellar	Levin	Sinema
Cummings	Lewis	Sires
Davis (CA)	Lieu, Ted	Slaughter
Davis, Danny	Lipinski	Smith (WA)
DeFazio	Loeb sack	Speier
DeGette	Lowenthal	Swalwell (CA)
Delaney	Lowey	Takai
DeLauro	Lujan Grisham	Takano
DelBene	(NM)	Thompson (CA)
DeSaulnier	Luján, Ben Ray	Thompson (MS)
Deutch	(NM)	Titus
Dingell	Lynch	Tonko
Doggett	Maloney,	Torres
Doyle, Michael	Carolyn	Tsongas
F.	Maloney, Sean	Van Hollen
Duckworth	Matsui	Vargas
Edwards	McCollum	Veasey
Ellison	McDermott	Vela
Engel	McGovern	Velázquez
Eshoo	McNerney	Visclosky
Esty	Meeks	Walz
Farr	Meng	Wasserman
Fattah	Moore	

SchultzWaters, Maxine
 Watson Coleman Welch
 NOES—244

Abraham	Grothman	Pearce
Aderholt	Guinta	Perry
Allen	Guthrie	Pittenger
Amash	Hanna	Pitts
Amodei	Hardy	Poe (TX)
Babin	Harper	Poliquin
Barletta	Harris	Pompeo
Barr	Hartzler	Posey
Barton	Heck (NV)	Price, Tom
Benishek	Hensarling	Ratcliffe
Bilirakis	Herrera Beutler	Reed
Bishop (MI)	Hice, Jody B.	Reichert
Bishop (UT)	Hill	Renacci
Black	Holding	Ribble
Blackburn	Hudson	Rice (SC)
Blum	Huelskamp	Rigell
Bost	Huizenga (MI)	Roby
Breustany	Hultgren	Roe (TN)
Brady (TX)	Hunter	Rogers (AL)
Brat	Hurd (TX)	Rogers (KY)
Bridenstine	Hurt (VA)	Rohrabacher
Brooks (AL)	Issa	Rokita
Brooks (IN)	Jenkins (KS)	Rooney (FL)
Buchanan	Jenkins (WV)	Ros-Lehtinen
Buck	Johnson (OH)	Roskam
Bucshon	Johnson, Sam	Ross
Burgess	Jolly	Rothfus
Byrne	Jones	Rouzer
Calvert	Jordan	Royce
Carter (GA)	Joyce	Russell
Carter (TX)	Katko	Ryan (WI)
Chabot	Kelly (MS)	Salmon
Chaffetz	Kelly (PA)	Sanford
Clawson (FL)	King (IA)	Scalise
Coffman	King (NY)	Schweikert
Cole	Kinzinger (IL)	Scott, Austin
Collins (GA)	Kline	Sensenbrenner
Collins (NY)	Knight	Sessions
Comstock	Labrador	Shimkus
Conaway	LaMalfa	Shuster
Cook	Lamborn	Simpson
Costello (PA)	Lance	Smith (MO)
Cramer	Latta	Smith (NE)
Crawford	LoBiondo	Smith (NJ)
Crenshaw	Long	Smith (TX)
Curbelo (FL)	Loudermilk	Stefanik
Davis, Rodney	Lucas	Stewart
Denham	Lucas	Stivers
Dent	Luetkemeyer	Stutzman
DeSantis	Lummis	Thompson (PA)
DesJarlais	MacArthur	Thornberry
Diaz-Balart	Marchant	Tiberi
Dold	Marino	Tipton
Donovan	Massie	Trott
Duffy	McCarthy	Turner
Duncan (SC)	McCaul	Upton
Duncan (TN)	McClintock	Valadao
Ellmers (NC)	McHenry	Wagner
Emmer (MN)	McKinley	Walberg
Farenthold	McMorris	Walden
Fincher	Rodgers	Walker
Fitzpatrick	McSally	Walorski
Fleischmann	Meadows	Walters, Mimi
Fleming	Meehan	Weber (TX)
Flores	Messer	Webster (FL)
Forbes	Mica	Wenstrup
Fortenberry	Miller (FL)	Westerman
Fox	Miller (MI)	Westmoreland
Franks (AZ)	Moolenaar	Whitfield
Frelinghuysen	Mooney (WV)	Williams
Garrett	Mullin	Wilson (SC)
Gibbs	Mulvaney	Wittman
Gibson	Murphy (PA)	Womack
Gohmert	Neugebauer	Woodall
Goodlatte	Newhouse	Yoder
Gosar	Noem	Yoho
Gowdy	Nugent	Young (AK)
Granger	Nunes	Young (IA)
Graves (GA)	Olson	Young (IN)
Graves (LA)	Palazzo	Zeldin
Graves (MO)	Palmer	Zinke
Griffith	Paulsen	

NOT VOTING—2

Culberson Lofgren
 ANNOUNCEMENT BY THE ACTING CHAIR
 The Acting CHAIR (during the vote).
 There is 1 minute remaining.

□ 1819

So the amendment was rejected.
 The result of the vote was announced as above recorded.

The Acting CHAIR. There being no further amendments under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. WOMACK) having assumed the chair, Mr. YODER, 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. 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, pursuant to House Resolution 125, he reported the bill, as amended by that resolution, back to the House with sundry further amendments adopted in the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any further amendment reported from the Committee of the Whole? If not, the Chair will put them en gros.

The amendments were agreed to. The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT

Ms. ESTY. Mr. Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Ms. ESTY. I am in its current form.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Ms. Esty moves to recommit the bill H.R. 5 to the Committee on Education and the Workforce with instructions to report the same back to the House forthwith with the following amendment:

Page 25, after line 14, insert the following:

“(F) GUARANTEEING EDUCATIONAL OPPORTUNITIES FOR CHILDREN WITH DISABILITIES, INCLUDING STUDENTS WITH AUTISM, DOWN SYNDROME, AND OTHER DISABILITIES.—Each State plan shall demonstrate that the development and adoption of the academic content standards and academic achievement standards under this paragraph does not—

“(i) result in lower academic standards for children with disabilities than the standards adopted for students without disabilities;

“(ii) deny students with disabilities, including students with the most significant cognitive disabilities, access to a regular secondary school diploma;

“(iii) deny any parent the right to give informed consent before determining whether to apply alternate achievement standards to the assessment of his or her child or any relevant information needed to make such determination;

“(iv) otherwise lower expectations or academic achievement for students with disabilities, including students with the most significant cognitive disabilities; or

“(v) deny educational opportunities for students or any subgroup of students described in section 1111(b)(3)(B)(ii)(II), including racial and ethnic minority students who are identified for special education services at a rate disproportionately higher than their peers.”.

Add at the end the following:

SEC. 802. PROTECTING CHILDREN WITH DISABILITIES FROM ABUSIVE SECLUSION AND RESTRAINT PRACTICES.

(a) **PURPOSE.**—The purpose of this section is to ensure a safe learning environment and to protect each elementary and secondary school student from physical or mental abuse, aversive behavioral interventions that compromise student health and safety, or any physical restraint or seclusion when there is no imminent threat of physical injury or in a manner otherwise inconsistent with the purposes of the Elementary and Secondary Education Act of 1965 (21 U.S.C. 6301 et seq.).

(b) **REGULATION.**—Not later than 180 days after the date of the enactment of this Act, the Secretary of Education shall promulgate regulations providing, at minimum, that school personnel shall be prohibited from imposing on any elementary or secondary school student the following:

- (1) Mechanical restraints.
- (2) Chemical restraints.
- (3) Physical restraint or physical escort that restricts breathing.
- (4) Aversive behavioral interventions that compromise health and safety such as excessive pain, use of heat or cold, spraying bleach infused water in faces, and depriving students of food and bathroom access for hours on end.

Ms. ESTY (during the reading). Mr. Speaker, I ask unanimous consent to dispense with the reading.

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

There was no objection.

Mr. KLINE. Mr. Speaker, I reserve a point of order.

The SPEAKER pro tempore. A point of order is reserved.

The gentleman from Connecticut is recognized for 5 minutes.

Ms. ESTY. Mr. Speaker, this is the final amendment to the bill which will not kill the bill or send it back to committee. If adopted, the bill will immediately proceed to final passage as amended.

Mr. Speaker, I rise today with serious concerns.

Today, we are voting on a bill that guts education funding; fails to provide adequate support for our hard-working teachers; and turns our back on our schools, our communities, and our children.

Mr. Speaker, today, we are not fixing No Child Left Behind, which has long needed to be fixed, but instead, we are moving in the wrong direction. As a room parent, as a PTA mom, I strongly believe that every child deserves the opportunity for a quality education, and every child deserves to be treated with dignity and respect.

The amendment I am offering today provides us the opportunity to live up to those goals. My amendment would guarantee continued funding for the Individuals with Disabilities Education Act, known as IDEA.

Just today, I met with school superintendents from Connecticut who emphasize the critical role of Federal funding for IDEA, which provides important support for students with autism and cognitive disabilities, and my

amendment would protect children with disabilities from abusive seclusion and restraint practices.

Last year, I met with a group of students from the FOCUS Center for Autism in Canton, Connecticut, in my district. They were incredible students, who bravely advocated for themselves and bluntly talked about the challenges they face in the classroom.

According to the Centers for Disease Control, 1 in 68 American children is now on the autism spectrum, a tenfold increase in the last 40 years. In Connecticut, too many students, particularly students who are on the autism spectrum, face unnecessary and dangerous seclusion and restraint.

According to the Connecticut State Department of Education and the Office of the Child Advocate, there were 35,000 incidents of children being restrained or placed in seclusion last school year. Over 80 percent of these children were boys; the majority of them children of color, many of them were in elementary school—even as young as preschool—and many of them were on the autism spectrum.

Earlier this year, the Office of the Child Advocate in Connecticut released a report showing that, in the last 3 years, more than 1,300 Connecticut schoolchildren were injured during such restraint or seclusion. Nationwide, the nonpartisan Government Accountability Office found hundreds of cases of alleged child abuse, including at least 20, that is 20 deaths of children related to the use of these harmful methods during the last two decades.

These stories are truly horrific: a 7-year-old dying after being held face down for hours by school staff, 5-year-olds with broken arms and bloody noses after being tied to chairs with bungee cords and duct tape by their teacher, and a 13-year-old who hung himself in the seclusion room after prolonged confinement.

This is absolutely unacceptable. While Congress surely should not micromanage discipline in local schools, we should—we should—step up to set standards to ensure that all our children are safe, and we should fully fund IDEA to ensure support for all children with disabilities.

Now, let me be clear. Many teachers do an outstanding job in what can often be a challenging classroom environment. Having children with disabilities in the classroom can be a rewarding experience for the child and for their classmates.

Children with learning disabilities will learn and excel with the right support. It is just not acceptable to say that we don't have enough time or enough money to provide that support.

Today, let's fully fund IDEA, support special education and services for all children with disabilities, and restrict the dangerous practices of seclusion and restraint. We can do better; we must do better for our children.

I ask all House Members to join me to vote for this amendment, and I yield back the balance of my time.

Mr. KLINE. Mr. Speaker, I withdraw my reservation of a point of order.

The SPEAKER pro tempore. The reservation of the point of order is withdrawn.

Mr. KLINE. Mr. Speaker, I rise in opposition to the motion to recommit.

The SPEAKER pro tempore. The gentleman from Minnesota is recognized for 5 minutes.

Mr. KLINE. Mr. Speaker, we know this is a procedural attempt, a usual procedural attempt, at the eleventh hour to derail this legislation. It is unfortunate because the American people have waited long enough for Congress to fix the problems plaguing our elementary and secondary education system.

My colleagues, because it has been months since we have debated the underlying bill and the challenge we face, I want to remind my colleagues of what is at stake here.

It has been more than 7 years since No Child Left Behind expired—7 years. That means, for 7 years, this Congress has failed to meet its basic responsibility to replace the law. Each year we fail to act is another year States are tied to flawed policies and students are trapped in failing schools. No Child Left Behind continues as the law.

Education is a deeply personal issue for many Americans. It is a topic discussed around kitchen tables, whether it is a child's report card, a change taking place in a local school district, or perhaps even policy changes being debated by Federal officials.

We were reminded of this reality just a few months ago.

□ 1830

In February, we were making progress in advancing the Student Success Act, and we witnessed just how frustrated the American people are with the Federal role in K-12 education and how that frustration has grown worse under this administration.

Rather than work with Congress to replace the law, the Obama administration has spent years imposing its agenda on schools through pet projects and conditional waivers.

Just listen to the national debate raging over Common Core and you will quickly learn about the backlash against the Federal Government that has taken place under this administration.

Because of this administration's unprecedented overreach, public anxiety and opposition to Federal intrusion is greater than it has ever been. The simple fact that Congress was considering changes to the law led countless individuals to speak out and raise concerns.

Unfortunately, some of those concerns were based on misinformation, but they ultimately stem from a strong skepticism about the Federal role in education, a skepticism that I and many others share.

Teachers, principals, parents, and education leaders desperately want

Congress to replace No Child Left Behind, but they are not just concerned with getting rid of a bad law, they also deeply care about what replaces it. The public response we witnessed earlier this year made that clear. We are here today because we are listening to the American people.

The Student Success Act is a strong proposal to replace No Child Left Behind. It would eliminate dozens of ineffective and duplicative programs, repeal Federal mandates dictating State spending, teacher quality, accountability, and school improvement, and provide parents vital support to hold schools accountable and rescue children from underperforming schools.

Throughout this legislative process, we have adopted bipartisan improvements to the bill, thanks to the work of both Republican and Democrat Members. Now it is time to move forward.

We have an urgent responsibility to replace a flawed law with bold solutions that will help provide every child in every school an excellent education. That responsibility grows more urgent each day.

I urge my colleagues to vote “no” on the motion to recommit and to vote “yes” on the Student Success Act.

I yield back the balance of my time.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

RECORDED VOTE

Ms. ESTY. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, this 5-minute vote on the motion to recommit will be followed by 5-minute votes on the passage of the bill, if ordered, and agreeing to the Speaker's approval of the Journal, if ordered.

The vote was taken by electronic device, and there were—ayes 185, noes 244, not voting 4, as follows:

[Roll No. 422]

AYES—185

Adams	Carson (IN)	DeFazio
Aguilar	Cartwright	DeGette
Ashford	Castor (FL)	Delaney
Bass	Castro (TX)	DeLauro
Beatty	Chu, Judy	DeBene
Becerra	Ciциlline	DeSaunier
Bera	Clark (MA)	Deutch
Beyer	Clarke (NY)	Dingell
Bishop (GA)	Clay	Doggett
Blumenauer	Cleaver	Doyle, Michael
Bonamici	Clyburn	F.
Boyle, Brendan	Cohen	Duckworth
F.	Connolly	Edwards
Brady (PA)	Conyers	Ellison
Brown (FL)	Cooper	Engel
Brownley (CA)	Costa	Eshoo
Bustos	Courtney	Esty
Butterfield	Crowley	Farr
Capps	Cuellar	Fattah
Capuano	Cummings	Foster
Cárdenas	Davis (CA)	Frankel (FL)
Carney	Davis, Danny	Fudge

Gabbard	Lowey	Ruppersberger	Perry	Royce	Upton
Gallego	Lujan Grisham	Rush	Pittenger	Russell	Valadao
Garamendi	(NM)	Ryan (OH)	Pitts	Ryan (WI)	Wagner
Graham	Luján, Ben Ray	Sánchez, Linda	Poe (TX)	Salmon	Walberg
Grayson	(NM)	T.	Poliquin	Sanford	Walden
Green, Al	Lynch	Sanchez, Loretta	Pompeo	Scalise	Walker
Green, Gene	Maloney,	Sarbanes	Posey	Schweikert	Walorski
Grijalva	Carolyn	Schakowsky	Price, Tom	Scott, Austin	Walters, Mimi
Hahn	Maloney, Sean	Schiff	Ratcliffe	Sensenbrenner	Weber (TX)
Hastings	Matsui	Schrader	Reed	Sessions	Webster (FL)
Heck (WA)	McCollum	Scott (VA)	Reichert	Shimkus	Wenstrup
Higgins	McDermott	Scott, David	Renacci	Shuster	Westerman
Himes	McGovern	Serrano	Ribble	Simpson	Westmoreland
Hinojosa	McNerney	Sewell (AL)	Rice (SC)	Smith (MO)	Whitfield
Honda	Meeks	Sinema	Rigell	Smith (NE)	Williams
Hoyer	Meng	Sires	Roby	Smith (NJ)	Wilson (SC)
Huffman	Moore	Slaughter	Roe (TN)	Smith (TX)	Wittman
Israel	Moulton	Smith (WA)	Rogers (AL)	Stefanik	Womack
Jackson Lee	Murphy (FL)	Speier	Rogers (KY)	Stewart	Woodall
Jeffries	Nadler	Swalwell (CA)	Rohrabacher	Stivers	Yoder
Johnson (GA)	Napolitano	Takai	Rokita	Stutzman	Yoho
Johnson, E. B.	Neal	Takano	Rooney (FL)	Thompson (PA)	Young (AK)
Kaptur	Nolan	Thompson (CA)	Ros-Lehtinen	Thornberry	Young (IA)
Keating	Norcross	Thompson (MS)	Roskam	Tiberi	Young (IN)
Kelly (IL)	O'Rourke	Titus	Ross	Tipton	Zeldin
Kennedy	Pallone	Tonko	Rothfus	Trott	Zinke
Kildee	Pascrell	Torres	Rouzer	Turner	
Kilmer	Payne	Tsongas			
Kind	Pelosi	Van Hollen			
Kirkpatrick	Perlmutter	Vargas	Culberson	Lofgren	
Kuster	Peters	Veasey	Gutiérrez	Sherman	
Langevin	Peterson	Vela			
Larsen (WA)	Pingree	Velázquez			
Larson (CT)	Pocan	Visclosky			
Lawrence	Polis	Walz			
Lee	Price (NC)	Wasserman			
Levin	Quigley	Schultz			
Lewis	Rangel	Waters, Maxine			
Lieu, Ted	Rice (NY)	Watson Coleman			
Lipinski	Richmond	Welch			
Loeb sack	Roybal-Allard	Wilson (FL)			
Lowenthal	Ruiz	Yarmuth			

NOES—244

Abraham	Duncan (SC)	Jordan
Aderholt	Duncan (TN)	Joyce
Allen	Ellmers (NC)	Katko
Amash	Emmer (MN)	Kelly (MS)
Amodei	Farenthold	Kelly (PA)
Babin	Fincher	King (IA)
Barletta	Fitzpatrick	King (NY)
Barr	Fleischmann	Kinzinger (IL)
Barton	Fleming	Kline
Benishek	Flores	Knight
Bilirakis	Forbes	Labrador
Bishop (MI)	Fortenberry	LaMalfa
Bishop (UT)	Fox	Lamborn
Black	Franks (AZ)	Lance
Blackburn	Frelinghuysen	Latta
Blum	Garrett	LoBiondo
Bost	Gibbs	Long
Boustany	Gibson	Loudermilk
Brady (TX)	Gohmert	Love
Brat	Goodlatte	Lucas
Bridenstine	Gosar	Luetkemeyer
Brooks (AL)	Gowdy	Lummis
Brooks (IN)	Granger	MacArthur
Buchanan	Graves (GA)	Marchant
Buck	Graves (LA)	Marino
Bucshon	Graves (MO)	Massie
Burgess	Griffith	McCarthy
Byrne	Grothman	McCaul
Calvert	Guinta	McClintock
Carter (GA)	Guthrie	McHenry
Carter (TX)	Hanna	McKinley
Chabot	Hardy	McMorris
Chaffetz	Harper	Rodgers
Clawson (FL)	Harris	McSally
Coffman	Hartzler	Meadows
Cole	Heck (NV)	Meehan
Collins (GA)	Hensarling	Messer
Collins (NY)	Herrera Beutler	Mica
Comstock	Hice, Jody B.	Miller (FL)
Conaway	Hill	Miller (MI)
Cook	Holding	Moolenaar
Costello (PA)	Hudson	Mooney (WV)
Cramer	Huelskamp	Mullin
Crawford	Huizenga (MI)	Mulvaney
Crenshaw	Hultgren	Murphy (PA)
Curbelo (FL)	Hunter	Neugebauer
Davis, Rodney	Hurd (TX)	Newhouse
Denham	Hurt (VA)	Noem
Dent	Issa	Nugent
DeSantis	Jenkins (KS)	Nunes
DesJarlais	Jenkins (WV)	Olson
Diaz-Balart	Johnson (OH)	Palazzo
Dold	Johnson, Sam	Palmer
Donovan	Jolly	Paulsen
Duffy	Jones	Pearce

Perry	Royce	Upton
Pittenger	Russell	Valadao
Pitts	Ryan (WI)	Wagner
Poe (TX)	Salmon	Walberg
Poliquin	Sanford	Walden
Pompeo	Scalise	Walker
Posey	Schweikert	Walorski
Price, Tom	Scott, Austin	Walters, Mimi
Ratcliffe	Sensenbrenner	Weber (TX)
Reed	Sessions	Webster (FL)
Reichert	Shimkus	Wenstrup
Renacci	Shuster	Westerman
Ribble	Simpson	Westmoreland
Rice (SC)	Smith (MO)	Whitfield
Rigell	Smith (NE)	Williams
Roby	Smith (NJ)	Wilson (SC)
Roe (TN)	Smith (TX)	Wittman
Rogers (AL)	Stefanik	Womack
Rogers (KY)	Stewart	Woodall
Rohrabacher	Stivers	Yoder
Rokita	Stutzman	Yoho
Rooney (FL)	Thompson (PA)	Young (AK)
Ros-Lehtinen	Thornberry	Young (IA)
Roskam	Tiberi	Young (IN)
Ross	Tipton	Zeldin
Rothfus	Trott	Zinke
Rouzer	Turner	

NOT VOTING—4

□ 1838

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mr. SHERMAN. Mr. Speaker, on rollcall No. 422, had I been present, I would have voted “yes.”

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. SCOTT of Virginia. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 218, noes 213, not voting 3, as follows:

[Roll No. 423]

AYES—218

Abraham	Collins (NY)	Gowdy
Aderholt	Comstock	Granger
Allen	Conaway	Graves (GA)
Amodei	Cook	Griffith
Babin	Costello (PA)	Grothman
Barletta	Cramer	Guinta
Barr	Crawford	Guthrie
Barton	Crenshaw	Hanna
Benishek	Curbelo (FL)	Hardy
Bilirakis	Davis, Rodney	Harper
Bishop (MI)	Denham	Harris
Bishop (UT)	Dent	Hartzler
Black	Diaz-Balart	Heck (NV)
Blackburn	Dold	Hensarling
Blum	Donovan	Herrera Beutler
Boehner	Duffy	Hill
Bost	Duncan (SC)	Holding
Boustany	Duncan (TN)	Hudson
Brady (TX)	Ellmers (NC)	Huizenga (MI)
Brat	Emmer (MN)	Hultgren
Bridenstine	Farenthold	Hunter
Brooks (IN)	Fincher	Hurd (TX)
Buchanan	Fitzpatrick	Hurt (VA)
Bucshon	Fleischmann	Issa
Burgess	Forbes	Jenkins (KS)
Byrne	Fortenberry	Jenkins (WV)
Calvert	Fox	Johnson (OH)
Carter (GA)	Franks (AZ)	Johnson, Sam
Carter (TX)	Frelinghuysen	Jolly
Chabot	Garrett	Katko
Chaffetz	Gibbs	Kelly (MS)
Coffman	Goodlatte	Kelly (PA)
Cole	Gosar	King (IA)
Collins (GA)		King (NY)

Kinzinger (IL) Olson
 Kline Palazzo
 Knight Palmer
 Labrador Paulsen
 LaMalfa Pearce
 Lamborn Perry
 Lance Pittenger
 Latta Pitts
 Long Poe (TX)
 Loudermilk Poliquin
 Love Pompeo
 Lucas Posey
 Luetkemeyer Price, Tom
 Lummis Ratchliffe
 MacArthur Reed
 Marchant Reichert
 Marino Renacci
 McCarthy Ribble
 McCaul Rice (SC)
 McClintock Rigell
 McHenry Roby
 McKinley Roe (TN)
 McMorris Rogers (AL)
 Rodgers Rogers (KY)
 McSally Rokita
 Meehan Rooney (FL)
 Messer Ros-Lehtinen
 Mica Roskam
 Miller (MI) Ross
 Moolenaar Rouzer
 Mooney (WV) Royce
 Mullin Russell
 Mulvaney Ryan (WI)
 Murphy (PA) Salmon
 Neugebauer Scalise
 Newhouse Schweikert
 Noem Scott, Austin
 Nugent Sessions
 Nunes Shimkus

Shuster
 Simpson
 Smith (MO)
 Smith (NE)
 Smith (NJ)
 Smith (TX)
 Stefanik
 Stewart
 Stivers
 Thompson (PA)
 Thornberry
 Tiberi
 Tipton
 Torres
 Serrano
 Sewell (AL)
 Sinema

Rush
 Ryan (OH)
 Sanchez, Linda
 T.
 Sanchez, Loretta
 Sanford
 Sarbanes
 Schakowsky
 Schiff
 Schrader
 Scott (VA)
 Scott, David
 Sensenbrenner
 Serrano
 Sewell (AL)
 Sinema

Sires
 Slaughter
 Smith (WA)
 Speier
 Stutzman
 Swalwell (CA)
 Takai
 Takano
 Thompson (CA)
 Thompson (MS)
 Titus
 Tonko
 Torres
 Tsongas
 Van Hollen
 Vargas

Veasey
 Vela
 Velázquez
 Visclosky
 Walz
 Wasserman
 Schultz
 Waters, Maxine
 Watson Coleman
 Welch
 Wenstrup
 Wilson (FL)
 Yarmuth
 Yoho

NOT VOTING—3

Culberson Lofgren Sherman

□ 1848

Mr. ROGERS of Alabama changed his vote from “no” to “aye.”

So the bill was passed.
 The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated against:
 Mr. SHERMAN. Mr. Speaker, on rollcall No. 423, had I been present, I would have voted “no.”

THE JOURNAL

The SPEAKER pro tempore. The unfinished business is the question on agreeing to the Speaker’s approval of the Journal, which the Chair will put de novo.

The question is on the Speaker’s approval of the Journal.

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

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.

The SPEAKER pro tempore. 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 on 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 Illinois (Mr. HULTGREN) kindly take the chair.

□ 1855

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. HULTGREN (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, an amendment offered by the gentleman from Nevada (Mr. HARDY) had been disposed of, and the bill had been read through page 132, line 24.

AMENDMENT OFFERED BY MR. ELLISON

Mr. ELLISON. 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 in this Act may be used to enter into a contract with any person whose disclosures of a proceeding with a disposition listed in section 2313(c)(1) of title 41, United States Code, in the Federal Awardee Performance and Integrity Information System include the term “Fair Labor Standards Act” and such disposition is listed as “willful” or “repeated”.

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

The Chair recognizes the gentleman from Minnesota.

Mr. ELLISON. Mr. Chairman, before I discuss my amendment, which is to prevent wage theft from violators who commit acts that are repeated and willful and to stop such actors from partaking of Federal procurement in this bill, I would like to set the table just a little bit.

In 1980, Mr. Chair, CEO-to-worker pay ratio for Fortune 500 companies was 20 to 1. Today it is 204 to 1, according to Bloomberg. At the same time, the buying power of the minimum wage is now less than it was in the 1960s.

The Economic Policy Institute found that, in total, the average low-wage worker loses a stunning \$2,634 per year in unpaid wages, representing about 15 percent of their earned income. It is particularly egregious in the fast-food sector. A recent study by Hart Research of fast-food workers found that about 89 percent reported some form of wage theft.

Lastly, in this case, I would like to point out, Mr. Chair, that the recent report by the Committee on Health, Education, Labor, and Pensions of the U.S. Senate revealed that 32 percent of the largest Department of Labor penalties for wage theft were levied against Federal contractors.

As I bring this amendment before the body today, Mr. Chairman, it is simply to recognize that the hard work and the work that workers do who work for Federal contractors must be recognized. We are not debating today over increasing or decreasing the minimum wage. We are just saying the people who work hard ought to get the money that they earned.

I would hope that everyone in this body would be willing to say wage theft is not okay. No hard-working American should ever have to worry that her employer will refuse to pay her when she works overtime or take money out of her paycheck, especially if she works for a Federal contractor.

NOES—213

Adams
 Aguilar
 Amash
 Ashford
 Bass
 Beatty
 Becerra
 Bera
 Beyer
 Bishop (GA)
 Blumenauer
 Bonamici
 Boyle, Brendan
 F.
 Brady (PA)
 Brooks (AL)
 Brown (FL)
 Brownley (CA)
 Buck
 Bustos
 Butterfield
 Capps
 Capuano
 Cárdenas
 Carson (IN)
 Cartwright
 Castor (FL)
 Castro (TX)
 Chu, Judy
 Cicilline
 Clark (MA)
 Clarke (NY)
 Clawson (FL)
 Clay
 Cleaver
 Clyburn
 Cohen
 Connelly
 Conyers
 Cooper
 Costa
 Courtney
 Crowley
 Cuellar
 Cummings
 Davis (CA)
 Davis, Danny
 DeFazio
 DeGette
 Delaney
 DeLauro
 DelBene
 DeSantis
 DeSaulnier
 DesJarlais
 Deutch
 Dingell

Doggett
 Doyle, Michael
 F.
 Duckworth
 Edwards
 Ellison
 Engel
 Eshoo
 Esty
 Farr
 Fattah
 Fleming
 Frankel (FL)
 Fudge
 Gabbard
 Gallego
 Garamendi
 Gibson
 Gohmert
 Graham
 Graves (LA)
 Graves (MO)
 Grayson
 Green, Al
 Green, Gene
 Grijalva
 Gutiérrez
 Hahn
 Hastings
 Heck (WA)
 Hice, Jody B.
 Higgins
 Himes
 Hinojosa
 Honda
 Hoyer
 Huelskamp
 Huffman
 Israel
 Jackson Lee
 Jeffries
 Johnson (GA)
 Johnson, E. B.
 Jones
 Jordan
 Joyce
 Kaptur
 Keating
 Kelly (IL)
 Kennedy
 Kildee
 Kilmer
 Kind
 Kirkpatrick
 Kuster
 Langevin
 Larsen (WA)

Larson (CT)
 Lawrence
 Lee
 Levin
 Lewis
 Lieu, Ted
 Lipinski
 LoBiondo
 Loebsack
 Lowenthal
 Lowey
 Lujan Grisham
 (NM)
 Luján, Ben Ray
 (NM)
 Lynch
 Maloney,
 Carolyn
 Maloney, Sean
 Massie
 Matsui
 McCollum
 McDermott
 McGovern
 McNeerney
 Meadows
 Meeks
 Meng
 Miller (FL)
 Moore
 Moulton
 Murphy (FL)
 Nadler
 Napolitano
 Neal
 Nolan
 Norcross
 O'Rourke
 Pallone
 Pascrell
 Payne
 Pelosi
 Perlmutter
 Peters
 Peterson
 Pingree
 Pocan
 Polis
 Price (NC)
 Quigley
 Rangel
 Rice (NY)
 Richmond
 Rohrabacher
 Rothfus
 Roybal-Allard
 Ruiz
 Ruppertsberger