

116TH CONGRESS
1ST SESSION

H. R. 865

To provide for the long-term improvement of public school facilities, and
for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 30, 2019

Mr. SCOTT of Virginia (for himself, Ms. ADAMS, Mr. AGUILAR, Ms. BARRAGÁN, Mrs. BEATTY, Mr. BLUMENAUER, Ms. BLUNT ROCHESTER, Ms. BONAMICI, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. BROWN of Maryland, Ms. BROWNLEY of California, Mrs. BUSTOS, Mr. CARBAJAL, Mr. CARSON of Indiana, Mr. CARTWRIGHT, Mr. CASE, Ms. CASTOR of Florida, Mr. CASTRO of Texas, Ms. JUDY CHU of California, Mr. CICILLINE, Mr. CISNEROS, Ms. CLARK of Massachusetts, Ms. CLARKE of New York, Mr. CLAY, Mr. CLEAVER, Mr. COHEN, Mr. COURTNEY, Mr. COSTA, Mrs. CRAIG, Mr. CUMMINGS, Mrs. DAVIS of California, Mr. DEFazio, Mrs. DEMINGS, Mr. DESAULNIER, Mrs. DINGELL, Mr. ENGEL, Ms. ESHOO, Ms. ESCOBAR, Mr. ESPAILLAT, Mr. EVANS, Ms. FUDGE, Mr. GALLEG0, Mr. GARAMENDI, Mr. GARCÍA of Illinois, Mr. GOMEZ, Mr. GONZALEZ of Texas, Mr. GREEN of Texas, Mr. GRIJALVA, Ms. HAALAND, Mrs. HAYES, Mr. HARDER of California, Mr. HECK, Ms. HILL of California, Mr. HIMES, Mr. HORSFORD, Mr. HUFFMAN, Ms. JACKSON LEE, Ms. JAYAPAL, Mr. JEFFRIES, Mr. JOHNSON of Georgia, Ms. JOHNSON of Texas, Ms. KAPTUR, Mr. KEATING, Mr. KENNEDY, Mr. KHANNA, Mr. KILDEE, Mr. KILMER, Mr. KIND, Mr. KRISHNAMOORTH1, Ms. KUSTER of New Hampshire, Mr. LANGEVIN, Mrs. LAWRENCE, Mr. LAWSON of Florida, Ms. LEE of California, Mrs. LEE of Nevada, Mr. LEVIN of Michigan, Mr. TED LIEU of California, Mr. LOEBSACK, Ms. LOFGREN, Mr. LOWENTHAL, Mr. LUJÁN, Mr. LYNCH, Mrs. CAROLYN B. MALONEY of New York, Mr. SEAN PATRICK MALONEY of New York, Ms. MATSUI, Mrs. MCBATH, Ms. MCCOLLUM, Mr. MCEACHIN, Mr. MCGOVERN, Mr. MCNERNEY, Mr. MEEKS, Ms. MENG, Ms. MOORE, Mr. MORELLE, Mr. MOULTON, Mr. NADLER, Mrs. NAPOLITANO, Mr. NEGUSE, Mr. NORCROSS, Ms. NORTON, Ms. OCASIO-CORTEZ, Mr. O'HALLERAN, Ms. OMAR, Mr. PALLONE, Mr. PANETTA, Mr. PASCRELL, Mr. PAYNE, Mr. PERLMUTTER, Ms. PINGREE, Mr. POCAN, Ms. PRESSLEY, Mr. QUIGLEY, Mr. RASKIN, Miss RICE of New York, Mr. RICHMOND, Mr. ROSE of New York, Ms. ROYBAL-ALLARD, Mr. RUSH, Mr. RYAN, Mr. SABLAN, Ms. SÁNCHEZ, Mr. SAN NICOLAS, Mr. SARBANES, Ms. SCANLON, Mr. SCHIFF, Ms. SCHAKOWSKY, Mr. DAVID SCOTT

of Georgia, Ms. SCHRIER, Ms. SHALALA, Mr. SERRANO, Ms. SEWELL of Alabama, Mr. SOTO, Ms. SPANBERGER, Mr. SWALWELL of California, Mr. TAKANO, Mr. THOMPSON of Mississippi, Ms. TLAIB, Mr. TONKO, Mrs. TORRES of California, Mrs. TRAHAN, Mr. TRONE, Ms. UNDERWOOD, Mr. VARGAS, Mr. VELA, Ms. VELÁZQUEZ, Ms. WASSERMAN SCHULTZ, Ms. WATERS, Mrs. WATSON COLEMAN, Mr. WELCH, Ms. WILD, Ms. WILSON of Florida, Mr. YARMUTH, and Ms. STEVENS) introduced the following bill; which was referred to the Committee on Education and Labor, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To provide for the long-term improvement of public school facilities, and for other purposes.

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

3 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the
 5 “Rebuild America’s Schools Act of 2019”.

6 (b) TABLE OF CONTENTS.—The table of contents for
 7 this Act is as follows:

Sec. 1. Short title; table of contents.

Sec. 2. Definitions.

TITLE I—GRANTS FOR THE LONG-TERM IMPROVEMENT OF PUBLIC SCHOOL FACILITIES

Sec. 101. Purpose and reservation.

Sec. 102. Allocation to States.

Sec. 103. Need-based grants to qualified local educational agencies.

Sec. 104. Annual report on grant program.

Sec. 105. Authorization of Appropriations.

TITLE II—SCHOOL INFRASTRUCTURE BONDS

Sec. 201. Restoration of certain qualified tax credit bonds.

Sec. 202. School infrastructure bonds.

Sec. 203. Annual report on bond program.

TITLE III—GENERAL PROVISIONS

Sec. 301. Allowable uses of funds.

Sec. 302. Prohibited uses.

Sec. 303. Green Practices.

Sec. 304. Use of American iron, steel, and manufactured products.

Sec. 305. Comptroller general report.

Sec. 306. Study and report physical condition of public schools.

Sec. 307. Development of data standards.

Sec. 308. Information clearinghouse.

TITLE IV—IMPACT AID CONSTRUCTION

Sec. 401. Temporary increase in funding for impact aid construction.

1 **SEC. 2. DEFINITIONS.**

2 In this Act:

3 (1) APPROPRIATE CONGRESSIONAL COMMIT-
4 TEES.—The term “appropriate congressional com-
5 mittees” means the Committee on Education and
6 Labor of the House of Representatives and the Com-
7 mittee on Health, Education, Labor and Pensions of
8 the Senate.

9 (2) BUREAU-FUNDED SCHOOL.—The term “Bu-
10 reau-funded school” has the meaning given that
11 term in section 1141 of the Education Amendments
12 of 1978 (25 U.S.C. 2021).

13 (3) COVERED FUNDS.—The term “covered
14 funds” means funds received—

15 (A) under title I of this Act;

16 (B) from a school infrastructure bond; or

17 (C) from a qualified zone academy bond

18 (as such term is defined in section 54E of the

1 Internal Revenue Code of 1986 (as restored by
2 section 201)).

3 (4) ESEA TERMS.—The terms “elementary
4 school”, “outlying area”, and “secondary school”
5 have the meanings given those terms in section 8101
6 of the Elementary and Secondary Education Act of
7 1965 (20 U.S.C. 7801).

8 (5) LOCAL EDUCATIONAL AGENCY.—The term
9 “local educational agency” has the meaning given
10 that term in section 8101 of the Elementary and
11 Secondary Education Act of 1965 (20 U.S.C. 7801)
12 except that such term does not include a Bureau-
13 funded school.

14 (6) PUBLIC SCHOOL FACILITIES.—The term
15 “public school facilities” means the facilities of a
16 public elementary school or a public secondary
17 school.

18 (7) QUALIFIED LOCAL EDUCATIONAL AGEN-
19 CY.—The term “qualified local educational agency”
20 means a local educational agency that receives funds
21 under part A of title I of the Elementary and Sec-
22 ondary Education Act of 1965 (20 U.S.C. 6311 et
23 seq.).

24 (8) SCHOOL INFRASTRUCTURE BOND.—The
25 term “school infrastructure bond” has the meaning

1 given such term in section 54BB of the Internal
 2 Revenue Code of 1986 (as added by section 202).

3 (9) SECRETARY.—The term “Secretary” means
 4 the Secretary of Education.

5 (10) STATE.—The term “State” means each of
 6 the 50 States, the District of Columbia, and the
 7 Commonwealth of Puerto Rico.

8 **TITLE I—GRANTS FOR THE**
 9 **LONG-TERM IMPROVEMENT**
 10 **OF PUBLIC SCHOOL FACILI-**
 11 **TIES**

12 **SEC. 101. PURPOSE AND RESERVATION.**

13 (a) PURPOSE.—Funds made available under this title
 14 shall be for the purpose of supporting long-term improve-
 15 ments to public school facilities in accordance with this
 16 Act.

17 (b) RESERVATION FOR OUTLYING AREAS AND BU-
 18 REAU-FUNDED SCHOOLS.—

19 (1) IN GENERAL.—For each of fiscal years
 20 2020 through 2029, the Secretary shall reserve,
 21 from the amount appropriated to carry out this
 22 title—

23 (A) one-half of 1 percent, to provide assist-
 24 ance to the outlying areas; and

1 (B) one-half of 1 percent, for payments to
2 the Secretary of the Interior to provide assist-
3 ance to Bureau-funded schools.

4 (2) USE OF RESERVED FUNDS.—

5 (A) IN GENERAL.—Funds reserved under
6 paragraph (1) shall be used in accordance with
7 sections 301 through 304.

8 (B) SPECIAL RULES FOR BUREAU-FUNDED
9 SCHOOLS.—

10 (i) APPLICABILITY.—Sections 301
11 through 304 shall apply to a Bureau-fund-
12 ed school that receives assistance under
13 paragraph (1)(B) in the same manner that
14 such sections apply to a qualified local edu-
15 cational agency that receives covered
16 funds. The facilities of a Bureau-funded
17 school shall be treated as public school fa-
18 cilities for purposes of the application of
19 such sections.

20 (ii) TREATMENT OF TRIBALLY OPER-
21 ATED SCHOOLS.—The Secretary of the In-
22 terior shall provide assistance to Bureau-
23 funded schools under paragraph (1)(B)
24 without regard to whether such schools are
25 operated by the Bureau of Indian Edu-

cation or by an Indian Tribe. In the case of a Bureau-funded school that is a contract or grant school (as that term is defined in section 1141 of the Education Amendments of 1978 (25 U.S.C. 2021)) operated by an Indian Tribe, the Secretary of the Interior shall provide assistance under such paragraph to the Indian Tribe concerned.

SEC. 102. ALLOCATION TO STATES.

(a) ALLOCATION TO STATES.—

(1) STATE-BY-STATE ALLOCATION.—Of the amount appropriated to carry out this title for each fiscal year and not reserved under section 101(b), each State that has a plan approved by the Secretary under subsection (b) shall be allocated an amount in proportion to the amount received by all local educational agencies in the State under part A of title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311 et seq.) for the previous fiscal year relative to the total such amount received by all local educational agencies in every State that has a plan approved by the Secretary under subsection (b).

1 (2) STATE RESERVATION.—A State may reserve
2 not more than 1 percent of its allocation under para-
3 graph (1) to carry out its responsibilities under this
4 Act, which shall include—

5 (A) providing technical assistance to local
6 educational agencies, including by—

7 (i) identifying which State agencies
8 have programs, resources, and expertise
9 relevant to the activities supported by the
10 allocation under this section; and

11 (ii) coordinating the provision of tech-
12 nical assistance across such agencies;

13 (B) in accordance with the guidance issued
14 by the Secretary under section 307, developing
15 an online, publicly searchable database that
16 contains an inventory of the infrastructure of
17 all public school facilities in the State (including
18 the facilities of Bureau-funded schools, as ap-
19 propriate), including, with respect to each such
20 facility, an identification of—

21 (i) the information described in
22 clauses (i) through (vi) of subparagraph
23 (F);

(ii) the age (including an identification of the date of any retrofits or recent renovations) of—

(I) the facility;

(II) its roof;

(III) its lighting system;

(IV) its windows;

(V) its ceilings;

(VI) its plumbing; and

(VII) its heating, ventilation, and

air conditioning system;

(iii) fire safety inspection results; and

(iv) the proximity of the facilities to toxic sites or the vulnerability of the facilities to natural disasters, including the extent to which facilities that are vulnerable to seismic natural disasters are seismically retrofitted;

(C) updating the database developed under subparagraph (B) not less frequently than once every 2 years;

(D) ensuring that the information in the database developed under subparagraph (B)—

(i) is posted on a publicly accessible State website; and

1 (ii) is regularly distributed to local
2 educational agencies and Tribal govern-
3 ments in the State;

4 (E) issuing and reviewing regulations to
5 ensure the health and safety of students and
6 staff during construction or renovation projects;
7 and

8 (F) issuing or reviewing regulations to en-
9 sure safe, healthy, and high-performing school
10 buildings, including regulations governing—

11 (i) indoor air quality and ventilation,
12 including exposure to carbon monoxide and
13 carbon dioxide;

14 (ii) mold, mildew, and moisture con-
15 trol;

16 (iii) the safety of drinking water at
17 the tap and water used for meal prepara-
18 tion, including regulations that—

19 (I) address the presence of lead
20 and other contaminants in such water;
21 and

22 (II) require the regular testing of
23 the potability of water at the tap;

24 (iv) energy and water efficiency;

1 (v) excessive classroom noise due to
2 activities allowable under section 301; and

3 (vi) the levels of maintenance work,
4 operational spending, and capital invest-
5 ment needed to maintain the quality of
6 public school facilities; and

7 (G) creating a plan to reduce or eliminate
8 exposure to toxins and chemicals, including
9 mercury, radon, PCBs, lead, vapor intrusions,
10 and asbestos.

11 (b) STATE PLAN.—

12 (1) IN GENERAL.—To be eligible to receive an
13 allocation under this section, a State shall submit to
14 the Secretary a plan that—

15 (A) describes how the State will use the al-
16 location to make long-term improvements to
17 public school facilities;

18 (B) explains how the State will carry out
19 each of its responsibilities under subsection
20 (a)(2);

21 (C) explains how the State will make the
22 determinations under subsections (b) and (c) of
23 section 103;

24 (D) identifies how long, and at what levels,
25 the State will maintain fiscal effort for the ac-

1 tivities supported by the allocation after the
2 State no longer receives the allocation; and

3 (E) includes such other information as the
4 Secretary may require.

5 (2) APPROVAL AND DISAPPROVAL.—The Sec-
6 retary shall have the authority to approve or dis-
7 approve a State plan submitted under paragraph
8 (1).

9 (c) CONDITIONS.—As a condition of receiving an allo-
10 cation under this section, a State shall agree to the fol-
11 lowing:

12 (1) MATCHING REQUIREMENT.—The State shall
13 contribute, from non-Federal sources, an amount
14 equal to 10 percent of the amount of the allocation
15 received under this section to carry out the activities
16 supported by the allocation.

17 (2) MAINTENANCE OF EFFORT.—The State
18 shall provide an assurance to the Secretary that the
19 combined fiscal effort per student or the aggregate
20 expenditures of the State with respect to the activi-
21 ties supported by the allocation under this section
22 for fiscal years beginning with the fiscal year for
23 which the allocation is received will be not less than
24 90 percent of the combined fiscal effort or aggregate
25 expenditures by the State for such purposes for the

1 year preceding the fiscal year for which the alloca-
 2 tion is received.

3 (3) SUPPLEMENT NOT SUPPLANT.—The State
 4 shall use an allocation under this section only to
 5 supplement the level of Federal, State, and local
 6 public funds that would, in absence of such alloca-
 7 tion, be made available for the activities supported
 8 by the allocation, and not to supplant such funds.

9 **SEC. 103. NEED-BASED GRANTS TO QUALIFIED LOCAL EDU-**
 10 **CATIONAL AGENCIES.**

11 (a) GRANTS TO LOCAL EDUCATIONAL AGENCIES.—

12 (1) IN GENERAL.—Subject to paragraph (2),
 13 from the amounts allocated to a State under section
 14 102(a) and contributed by the State under section
 15 102(c)(1), the State shall award grants to qualified
 16 local educational agencies, on a competitive basis, to
 17 carry out the activities described in section 301(a).

18 (2) ALLOWANCE FOR DIGITAL LEARNING.—A
 19 State may use up to 10 percent of the amount de-
 20 scribed in paragraph (1) to make grants to qualified
 21 local educational agencies carry out activities to im-
 22 prove digital learning in accordance with section
 23 301(b).

24 (b) ELIGIBILITY.—

1 (1) IN GENERAL.—To be eligible to receive a
2 grant under this section a qualified local educational
3 agency—

4 (A) shall be among the local educational
5 agencies in the State with the highest numbers
6 or percentages of students counted under sec-
7 tion 1124(c) of the Elementary and Secondary
8 Education Act of 1965 (20 U.S.C. 6333(c));

9 (B) shall agree to prioritize the improve-
10 ment of the facilities of public schools that
11 serve the highest percentages of students who
12 are eligible for a free or reduced price lunch
13 under the Richard B. Russell National School
14 Lunch Act (42 U.S.C. 1751 et seq.) (which, in
15 the case of a high school, may be calculated
16 using comparable data from the schools that
17 feed into the high school), as compared to other
18 public schools in the jurisdiction of the agency;
19 and

20 (C) may be among the local educational
21 agencies in the State—

22 (i) with the greatest need to improve
23 public school facilities, as determined by
24 the State, which may include consideration
25 of threats posed by the proximity of the fa-

1 cilities to toxic sites or the vulnerability of
2 the facilities to natural disasters; and

3 (ii) with the most limited capacity to
4 raise funds for the long-term improvement
5 of public school facilities, as determined by
6 an assessment of—

7 (I) the current and historic abil-
8 ity of the agency to raise funds for
9 construction, renovation, moderniza-
10 tion, and major repair projects for
11 schools;

12 (II) whether the agency has been
13 able to issue bonds or receive other
14 funds to support school construction
15 projects; and

16 (III) the bond rating of the agen-
17 cy.

18 (2) GEOGRAPHIC DISTRIBUTION.—The State
19 shall ensure that grants under this section are
20 awarded to qualified local educational agencies that
21 represent the geographic diversity of the State.

22 (c) PRIORITY OF GRANTS.—In awarding grants
23 under this section, the State—

24 (1) shall give priority to qualified local edu-
25 cational agencies that—

1 (A) demonstrate the greatest need for such
2 a grant, as determined by a comparison of the
3 factors described in subsection (b);

4 (B) will use the grant to improve the facili-
5 ties of—

6 (i) elementary schools or middle
7 schools that have an enrollment of stu-
8 dents who are eligible for a free or reduced
9 price lunch under the Richard B. Russell
10 National School Lunch Act (42 U.S.C.
11 1751 et seq.) that constitutes not less than
12 40 percent of the total student enrollment
13 at such schools; or

14 (ii) high schools that have an enroll-
15 ment of students who are eligible for a free
16 or reduced price lunch under such Act that
17 constitutes not less than 30 percent of the
18 total student enrollment at such schools
19 (which may be calculated using comparable
20 data from the schools that feed into the
21 high school); and

22 (C) operate public school facilities that
23 pose a severe health and safety threat to stu-
24 dents and staff, which may include a threat
25 posed by the proximity of the facilities to toxic

1 sites or the vulnerability of the facilities to nat-
2 ural disasters; and

3 (2) may give priority to qualified local edu-
4 cational agencies that—

5 (A) will use the grant to improve access to
6 high-speed broadband sufficient to support dig-
7 ital learning accordance with section 301(b);

8 (B) serve elementary schools or secondary
9 schools, including rural schools, that lack such
10 access; and

11 (C) meet one or more of the requirements
12 set forth in subparagraphs (A) through (C) of
13 paragraph (1).

14 (d) APPLICATION.—To be considered for a grant
15 under this section, a qualified local educational agency
16 shall submit an application to the State at such time, in
17 such manner, and containing such information as the
18 State may require. Such application shall include, at min-
19 imum—

20 (1) the information necessary for the State to
21 make the determinations under subsections (b) and
22 (c);

23 (2) a description of the projects that the agency
24 plans to carry out with the grant;

1 (3) an explanation of how such projects will re-
 2 duce risks to the health and safety of staff and stu-
 3 dents at schools served by the agency; and

4 (4) in the case of a local educational agency
 5 that proposes to fund a repair, renovation, or con-
 6 struction project for a public charter school, the ex-
 7 tent to which—

8 (A) the public charter school lacks access
 9 to funding for school repair, renovation, and
 10 construction through the financing methods
 11 available to other public schools or local edu-
 12 cational agencies in the State; and

13 (B) the charter school operator owns or
 14 has care and control of the facility that is to be
 15 repaired, renovated, or constructed.

16 (e) FACILITIES MASTER PLAN.—

17 (1) PLAN REQUIRED.—Not later than 180 days
 18 after receiving a grant under this section, a qualified
 19 local educational agency shall submit to the State a
 20 comprehensive 10-year facilities master plan.

21 (2) ELEMENTS.—The facilities master plan re-
 22 quired under paragraph (1) shall include, with re-
 23 spect to all public school facilities of the qualified
 24 local educational agency, a description of—

1 (A) the extent to which public school facili-
2 ties meet students' educational needs and sup-
3 port the agency's educational mission and vi-
4 sion;

5 (B) the physical condition of the public
6 school facilities;

7 (C) the current health, safety, and environ-
8 mental conditions of the public school facilities,
9 including—

10 (i) indoor air quality;

11 (ii) the presence of hazardous and
12 toxic substances and chemicals;

13 (iii) the safety of drinking water at
14 the tap and water used for meal prepara-
15 tion, including the level of lead and other
16 contaminants in such water;

17 (iv) energy and water efficiency;

18 (v) excessive classroom noise; and

19 (vi) other health, safety, and environ-
20 mental conditions that would impact the
21 health, safety, and learning ability of stu-
22 dents;

23 (D) how the local educational agency will
24 address any conditions identified under sub-
25 paragraph (C);

1 (E) the impact of current and future stu-
2 dent enrollment levels (as of the date of appli-
3 cation) on the design of current and future pub-
4 lic school facilities, as well as the financial im-
5 plications of such enrollment levels;

6 (F) the dollar amount and percentage of
7 funds the local educational agency will dedicate
8 to capital construction projects for public school
9 facilities, including—

10 (i) any funds in the budget of the
11 agency that will be dedicated to such
12 projects; and

13 (ii) any funds not in the budget of the
14 agency that will be dedicated to such
15 projects, including any funds available to
16 the agency as the result of a bond issue;
17 and

18 (G) the dollar amount and percentage of
19 funds the local educational agency will dedicate
20 to the maintenance and operation of public
21 school facilities, including—

22 (i) any funds in the budget of the
23 agency that will be dedicated to the main-
24 tenance and operation of such facilities;
25 and

1 (ii) any funds not in the budget of the
2 agency that will be dedicated to the main-
3 tenance and operation of such facilities.

4 (3) CONSULTATION.—In developing the facili-
5 ties master plan required under paragraph (1), the
6 qualified local educational agency shall consult with
7 teachers, principals and other school leaders, custo-
8 dial and maintenance staff, emergency first respond-
9 ers, school facilities directors, students and families,
10 community residents, and Indian Tribes.

11 (f) SUPPLEMENT NOT SUPPLANT.—A qualified local
12 educational agency shall use a grant received under this
13 section only to supplement the level of Federal, State, and
14 local public funds that would, in the absence of such grant,
15 be made available for the activities supported by the grant,
16 and not to supplant such funds.

17 **SEC. 104. ANNUAL REPORT ON GRANT PROGRAM.**

18 (a) IN GENERAL.—Not later than September 30 of
19 each fiscal year beginning after the date of the enactment
20 of this Act, the Secretary shall submit to the appropriate
21 congressional committees a report on the projects carried
22 out with funds made available under this title.

23 (b) ELEMENTS.—The report under subsection (a)
24 shall include, with respect to the fiscal year preceding the
25 year in which the report is submitted, the following:

1 (1) An identification of each local educational
2 agency that received a grant under this title.

3 (2) With respect to each such agency, a descrip-
4 tion of—

5 (A) the demographic composition of the
6 student population served by the agency,
7 disaggregated by—

8 (i) race;

9 (ii) the number and percentage of stu-
10 dents counted under section 1124(c) of the
11 Elementary and Secondary Education Act
12 of 1965 (20 U.S.C. 6333(c)); and

13 (iii) the number and percentage of
14 students who are eligible for a free or re-
15 duced price lunch under the Richard B.
16 Russell National School Lunch Act (42
17 U.S.C. 1751 et seq.);

18 (B) the population density of the geo-
19 graphic area served by the agency;

20 (C) the projects for which the agency used
21 the grant received under this title;

22 (D) the demonstrable or expected benefits
23 of the projects; and

24 (E) the estimated number of jobs created
25 by the projects.

1 (3) The total dollar amount of all grants re-
2 ceived by local educational agencies under this title.

3 (c) LEA INFORMATION COLLECTION.—A local edu-
4 cational agency that receives a grant under this title
5 shall—

6 (1) annually compile the information described
7 in subsection (b)(2);

8 (2) make the information available to the pub-
9 lic, including by posting the information on a pub-
10 licly accessible agency website; and

11 (3) submit the information to the State.

12 (d) STATE INFORMATION DISTRIBUTION.—A State
13 that receives information from a local educational agency
14 under subsection (c) shall—

15 (1) compile the information and report it annu-
16 ally to the Secretary at such time and in such man-
17 ner as the Secretary may require;

18 (2) make the information available to the pub-
19 lic, including by posting the information on a pub-
20 licly accessible State website; and

21 (3) regularly distribute the information to local
22 educational agencies and Tribal governments in the
23 State.

1 **SEC. 105. AUTHORIZATION OF APPROPRIATIONS.**

2 There are authorized to be appropriated
3 \$7,000,000,000 for each of fiscal years 2020 through
4 2029 to carry out this title.

5 **TITLE II—SCHOOL**
6 **INFRASTRUCTURE BONDS**

7 **SEC. 201. RESTORATION OF CERTAIN QUALIFIED TAX**
8 **CREDIT BONDS.**

9 (a) ALLOWANCE OF CREDIT.—

10 (1) IN GENERAL.—Section 54A of the Internal
11 Revenue Code of 1986, as in effect before repeal by
12 Public Law 115–97, is restored as if such repeal had
13 not taken effect.

14 (2) CREDIT LIMITED TO CERTAIN BONDS.—Sec-
15 tion 54A(d)(1) of such Code, as restored by para-
16 graph (1), is amended by striking subparagraphs
17 (A), (B), and (C).

18 (b) CREDIT ALLOWED TO ISSUER.—

19 (1) IN GENERAL.—Section 6431 of the Internal
20 Revenue Code of 1986, as in effect before repeal by
21 Public Law 115–97, is restored as if such repeal had
22 not taken effect.

23 (2) SCHOOL INFRASTRUCTURE BONDS.—Sec-
24 tion 6431(f)(3) of such Code, as restored by para-
25 graph (1), is amended by inserting “any school in-

1 frastructure bond (as defined in section 54BB) or”
 2 before “any qualified tax credit bond”.

3 (c) QUALIFIED ZONE ACADEMY BONDS.—

4 (1) IN GENERAL.—Section 54E of the Internal
 5 Revenue Code of 1986, as in effect before repeal by
 6 Public Law 115–97, is restored as if such repeal had
 7 not taken effect.

8 (2) REMOVAL OF PRIVATE BUSINESS CON-
 9 TRIBUTION REQUIREMENT.—Section 54E of the In-
 10 ternal Revenue Code of 1986, as restored by para-
 11 graph (1), is amended—

12 (A) in subsection (a)(3), by inserting
 13 “and” at the end of subparagraph (A), by strik-
 14 ing subparagraph (B), and by redesignating
 15 subparagraph (C) as subparagraph (B);

16 (B) by striking subsection (b); and

17 (C) in subsection (c)(1)—

18 (i) by striking “and \$400,000,0000”
 19 and inserting “\$400,000,000”; and

20 (ii) by striking “and, except as pro-
 21 vided” and all that follows through the pe-
 22 riod at the end and inserting “, and
 23 \$1,400,000,000 for 2020 and each year
 24 thereafter.”.

1 (3) CONSTRUCTION OF A PUBLIC SCHOOL FA-
 2 CILITY.—Section 54E(d)(3)(A) of the Internal Rev-
 3 enue Code of 1986, as restored by paragraph (1), is
 4 amended by striking “rehabilitating or repairing”
 5 and inserting “constructing, rehabilitating, retro-
 6 fitting, or repairing”.

7 (d) EFFECTIVE DATE.—The amendments made by
 8 this section shall apply to obligations issued after Decem-
 9 ber 31, 2019.

10 **SEC. 202. SCHOOL INFRASTRUCTURE BONDS.**

11 (a) IN GENERAL.—The Internal Revenue Code of
 12 1986 is amended by inserting after subpart I (as restored
 13 by section 201) of part IV of subchapter A of chapter 1
 14 the following new subpart:

15 **“Subpart J—School Infrastructure Bonds**

 “Sec. 54BB. School infrastructure bonds.

16 **“SEC. 54BB. SCHOOL INFRASTRUCTURE BONDS.**

17 “(a) IN GENERAL.—If a taxpayer holds a school in-
 18 frastructure bond on one or more interest payment dates
 19 of the bond during any taxable year, there shall be allowed
 20 as a credit against the tax imposed by this chapter for
 21 the taxable year an amount equal to the sum of the credits
 22 determined under subsection (b) with respect to such
 23 dates.

1 “(b) AMOUNT OF CREDIT.—The amount of the credit
2 determined under this subsection with respect to any in-
3 terest payment date for a school infrastructure bond is
4 100 percent of the amount of interest payable by the
5 issuer with respect to such date.

6 “(c) LIMITATION BASED ON AMOUNT OF TAX.—

7 “(1) IN GENERAL.—The credit allowed under
8 subsection (a) for any taxable year shall not exceed
9 the excess of—

10 “(A) the sum of the regular tax liability
11 (as defined in section 26(b)) plus the tax im-
12 posed by section 55, over

13 “(B) the sum of the credits allowable
14 under this part (other than subpart C and this
15 subpart).

16 “(2) CARRYOVER OF UNUSED CREDIT.—If the
17 credit allowable under subsection (a) exceeds the
18 limitation imposed by paragraph (1) for such taxable
19 year, such excess shall be carried to the succeeding
20 taxable year and added to the credit allowable under
21 subsection (a) for such taxable year (determined be-
22 fore the application of paragraph (1) for such suc-
23 ceeding taxable year).

24 “(d) SCHOOL INFRASTRUCTURE BOND.—

1 “(1) IN GENERAL.—For purposes of this sec-
2 tion, the term ‘school infrastructure bond’ means
3 any bond issued as part of an issue if—

4 “(A) 100 percent of the available project
5 proceeds of such issue are to be used for the
6 purposes described in section 301 of the Re-
7 build America’s Schools Act of 2019,

8 “(B) the interest on such obligation would
9 (but for this section) be excludable from gross
10 income under section 103,

11 “(C) the issue meets the requirements of
12 paragraph (3), and

13 “(D) the issuer designates such bond for
14 purposes of this section.

15 “(2) APPLICABLE RULES.—For purposes of ap-
16 plying paragraph (1)—

17 “(A) for purposes of section 149(b), a
18 school infrastructure bond shall not be treated
19 as federally guaranteed by reason of the credit
20 allowed under section 6431(a),

21 “(B) for purposes of section 148, the yield
22 on a school infrastructure bond shall be deter-
23 mined without regard to the credit allowed
24 under subsection (a), and

“(C) a bond shall not be treated as a school infrastructure bond if the issue price has more than a de minimis amount (determined under rules similar to the rules of section 1273(a)(3)) of premium over the stated principal amount of the bond.

“(3) 6-YEAR EXPENDITURE PERIOD.—

“(A) IN GENERAL.—An issue shall be treated as meeting the requirements of this paragraph if, as of the date of issuance, the issuer reasonably expects 100 percent of the available project proceeds to be spent for purposes described in section 301 of the Rebuild America’s Schools Act of 2019 within the 6-year period beginning on such date of issuance.

“(B) FAILURE TO SPEND REQUIRED AMOUNT OF BOND PROCEEDS WITHIN 6 YEARS.—To the extent that less than 100 percent of the available project proceeds of the issue are expended at the close of the period described in subparagraph (A) with respect to such issue, the issuer shall redeem all of the nonqualified bonds within 90 days after the end of such period. For purposes of this paragraph, the amount of the nonqualified bonds required

1 to be redeemed shall be determined in the same
 2 manner as under section 142.

3 “(e) LIMITATION ON AMOUNT OF BONDS DES-
 4 IGNATED.—The maximum aggregate face amount of
 5 bonds issued during any calendar year which may be des-
 6 ignated under subsection (d) by any issuer shall not exceed
 7 the limitation amount allocated under subsection (g) for
 8 such calendar year to such issuer.

9 “(f) NATIONAL LIMITATION ON AMOUNT OF BONDS
 10 DESIGNATED.—The national qualified school infrastruc-
 11 ture bond limitation for each calendar year is—

12 “(1) \$10,000,000,000 for 2020,

13 “(2) \$10,000,000,000 for 2021, and

14 “(3) \$10,000,000,000 for 2022.

15 “(g) ALLOCATION OF LIMITATION.—

16 “(1) ALLOCATIONS.—

17 “(A) STATES.—After application of sub-
 18 paragraph (B) and paragraph (3)(A), the limi-
 19 tation applicable under subsection (f) for any
 20 calendar year shall be allocated by the Sec-
 21 retary among the States in proportion to the re-
 22 spective amounts received by all local edu-
 23 cational agencies in each State under part A of
 24 title I of the Elementary and Secondary Edu-
 25 cation Act of 1965 (20 U.S.C. 6311 et seq.) for

1 the previous fiscal year relative to the total such
2 amount received by all local educational agen-
3 cies in for the most recent fiscal year ending
4 before such calendar year.

5 “(B) CERTAIN POSSESSIONS.—One-half of
6 1 percent of the amount of the limitation appli-
7 cable under subsection (f) for any calendar year
8 shall be allocated by the Secretary to posses-
9 sions of the United States other than Puerto
10 Rico for such calendar year shall be one-half of
11 1 percent.

12 “(2) ALLOCATIONS TO SCHOOLS.—The limita-
13 tion amount allocated to a State or possession under
14 paragraph (1) shall be allocated by the State edu-
15 cational agency (or such other agency as is author-
16 ized under State law to make such allocation) to
17 issuers within such State or possession in accord-
18 ance with the priorities described in section 103(c)
19 the of the Rebuild America’s Schools Act of 2019
20 and the eligibility requirements described in section
21 103(b) of such Act, except that paragraph (1)(C) of
22 such section shall not apply to the determination of
23 eligibility for such allocation.

24 “(3) ALLOCATIONS FOR INDIAN SCHOOLS.—

1 “(A) IN GENERAL.—One-half of 1 percent
2 of the amount of the limitation applicable under
3 subsection (f) for any calendar year shall be al-
4 located by the Secretary to the Secretary of the
5 Interior for schools funded by the Bureau of In-
6 dian Affairs for such calendar year.

7 “(B) ALLOCATION TO SCHOOLS.—The lim-
8 itation amount allocated to the Secretary of the
9 Interior under paragraph (1) shall be allocated
10 by such Secretary to issuers or schools funded
11 as described in paragraph (2). In the case of
12 amounts allocated under the preceding sen-
13 tence, Indian tribal governments (as defined in
14 section 7701(a)(40)) shall be treated as quali-
15 fied issuers for purposes of this subchapter.

16 “(4) DIGITAL LEARNING.—Up to 10 percent of
17 the limitation amount allocated under paragraph (1)
18 or (3)(A) may be allocated by the State to issuers
19 within such State to carry out activities to improve
20 digital learning in accordance with section 301(b) of
21 the Rebuild America’s Schools Act of 2019.

22 “(h) INTEREST PAYMENT DATE.—For purposes of
23 this section, the term ‘interest payment date’ means any
24 date on which the holder of record of the school infrastruc-

1 ture bond is entitled to a payment of interest under such
2 bond.

3 “(i) SPECIAL RULES.—

4 “(1) INTEREST ON SCHOOL INFRASTRUCTURE
5 BONDS INCLUDIBLE IN GROSS INCOME FOR FED-
6 ERAL INCOME TAX PURPOSES.—For purposes of this
7 title, interest on any school infrastructure bond shall
8 be includible in gross income.

9 “(2) APPLICATION OF CERTAIN RULES.—Rules
10 similar to the rules of subsections (f), (g), (h), and
11 (i) of section 54A shall apply for purposes of the
12 credit allowed under subsection (a).”.

13 (b) TRANSITIONAL COORDINATION WITH STATE
14 LAW.—Except as otherwise provided by a State after the
15 date of the enactment of this Act, the interest on any
16 school infrastructure bond (as defined in section 54BB of
17 the Internal Revenue Code of 1986, as added by this sec-
18 tion) and the amount of any credit determined under such
19 section with respect to such bond shall be treated for pur-
20 poses of the income tax laws of such State as being exempt
21 from Federal income tax.

22 (c) APPLICATION OF CERTAIN LABOR STANDARDS
23 TO PROJECTS FINANCED WITH CERTAIN TAX-FAVORED
24 BONDS.—

1 (1) IN GENERAL.—Subchapter IV of chapter 31
2 of the title 40, United States Code, shall apply to
3 projects financed with the proceeds of—

4 (A) any school infrastructure bond (as de-
5 fined in section 54BB of the Internal Revenue
6 Code of 1986); and

7 (B) any qualified zone academy bond (as
8 defined in section 54E of the Internal Revenue
9 Code of 1986) issued after the date of the en-
10 actment of the American Recovery and Rein-
11 vestment Tax Act of 2009.

12 (2) CONFORMING AMENDMENT.—Section 1601
13 of the American Recovery and Reinvestment Tax
14 Act of 2009 is amended by striking paragraph (3)
15 and redesignating paragraphs (4) and (5) as para-
16 graphs (3) and (4), respectively.

17 (d) CLERICAL AMENDMENTS.—The table of subparts
18 for part IV of subchapter A of chapter 1 of such Code
19 is amended by adding at the end the following:

“SUBPART J—SCHOOL INFRASTRUCTURE BONDS”.

20 (e) EFFECTIVE DATE.—The amendments made by
21 this section shall apply to obligations issued after Decem-
22 ber 31, 2019.

23 **SEC. 203. ANNUAL REPORT ON BOND PROGRAM.**

24 (a) IN GENERAL.—Not later than September 30 of
25 each fiscal year beginning after the date of the enactment

1 of this Act, the Secretary of the Treasury shall submit
2 to the appropriate congressional committees a report on
3 the school infrastructure bond program.

4 (b) ELEMENTS.—The report under paragraph (1)
5 shall include, with respect to the fiscal year preceding the
6 year in which the report is submitted, the following:

7 (1) An identification of—

8 (A) each local educational agency that re-
9 ceived funds from a school infrastructure bond;
10 and

11 (B) each local educational agency that was
12 eligible to receive such funds—

13 (i) but did not receive such funds; or

14 (ii) received less than the maximum
15 amount of funds for which the agency was
16 eligible.

17 (2) With respect to each local educational agen-
18 cy described in paragraph (1)—

19 (A) an assessment of the capacity of the
20 agency to raise funds for the long-term im-
21 provement of public school facilities, as deter-
22 mined by an assessment of—

23 (i) the current and historic ability of
24 the agency to raise funds for construction,
25 renovation, modernization, and major re-

1 pair projects for schools, including the abil-
2 ity of the agency to raise funds through
3 imposition of property taxes;

4 (ii) whether the agency has been able
5 to issue bonds to fund construction
6 projects, including—

7 (I) qualified zone academy bonds
8 under section 54E of the Internal
9 Revenue Code of 1986; and

10 (II) school infrastructure bonds
11 under section 54BB of the Internal
12 Revenue Code of 1986; and

13 (iii) the bond rating of the agency;

14 (B) the demographic composition of the
15 student population served by the agency,
16 disaggregated by—

17 (i) race;

18 (ii) the number and percentage of stu-
19 dents counted under section 1124(c) of the
20 Elementary and Secondary Education Act
21 of 1965 (20 U.S.C. 6333(c)); and

22 (iii) the number and percentage of
23 students who are eligible for a free or re-
24 duced price lunch under the Richard B.

1 Russell National School Lunch Act (42
2 U.S.C. 1751 et seq.);

3 (C) the population density of the geo-
4 graphic area served by the agency;

5 (D) a description of the projects carried
6 out with funds received from school infrastruc-
7 ture bonds;

8 (E) a description of the demonstrable or
9 expected benefits of the projects; and

10 (F) the estimated number of jobs created
11 by the projects.

12 (3) The total dollar amount of all funds re-
13 ceived by local educational agencies from school in-
14 frastructure bonds.

15 (4) Any other factors that the Secretary of the
16 Treasury determines to be appropriate.

17 (c) INFORMATION COLLECTION.—A State or local
18 educational agency that receives funds from a school infra-
19 structure bond shall—

20 (1) annually compile the information necessary
21 for the Secretary of the Treasury to determine the
22 elements described in subsection (b); and

23 (2) report the information to the Secretary of
24 the Treasury at such time and in such manner as
25 the Secretary of the Treasury may require.

TITLE III—GENERAL PROVISIONS

SEC. 301. ALLOWABLE USES OF FUNDS.

(a) IN GENERAL.—Except as provided in section 302, a local educational agency that receives covered funds may use such funds to—

(1) develop the facilities master plan required under section 103(e);

(2) construct, modernize, renovate, or retrofit public school facilities, which may include seismic retrofitting for schools vulnerable to seismic natural disasters;

(3) carry out major repairs of public school facilities;

(4) install furniture or fixtures with at least a 10-year life in public school facilities;

(5) construct new public school facilities;

(6) acquire and prepare sites on which new public school facilities will be constructed;

(7) extend the life of basic systems and components of public school facilities;

(8) reduce current or anticipated overcrowding in public school facilities;

1 (9) ensure the building envelopes of public
2 school facilities protect occupants and interiors from
3 the elements and are structurally sound and secure;

4 (10) improve energy and water efficiency to
5 lower the costs of energy and water consumption in
6 public school facilities;

7 (11) improve indoor air quality in public school
8 facilities;

9 (12) reduce or eliminate the presence of—

10 (A) toxins and chemicals, including mer-
11 cury, radon, PCBs, lead, and asbestos;

12 (B) mold and mildew; or

13 (C) rodents and pests;

14 (13) ensure the safety of drinking water at the
15 tap and water used for meal preparation in public
16 school facilities, which may include testing of the po-
17 tability of water at the tap for the presence of lead
18 and other contaminants;

19 (14) bring public school facilities into compli-
20 ance with applicable fire, health, and safety codes;

21 (15) make public school facilities accessible to
22 people with disabilities through compliance with the
23 Americans with Disabilities Act of 1990 (42 U.S.C.
24 12101 et seq.) and section 504 of the Rehabilitation
25 Act of 1973 (29 U.S.C. 794);

1 (16) provide instructional program space im-
2 provements for programs relating to early learning
3 (including early learning programs operated by part-
4 ners of the agency), special education, science, tech-
5 nology, career and technical education, physical edu-
6 cation, the arts, and literacy (including library pro-
7 grams);

8 (17) increase the use of public school facilities
9 for the purpose of community-based partnerships
10 that provide students with academic, health, and so-
11 cial services;

12 (18) ensure the health of students and staff
13 during the construction or modernization of public
14 school facilities; or

15 (19) reduce or eliminate excessive classroom
16 noise due to activities allowable under this section.

17 (b) ALLOWANCE FOR DIGITAL LEARNING.—A local
18 educational agency may use funds received under section
19 103(a)(2) or proceeds from a school infrastructure bond
20 limitation allocated under section 54BB(g) of the Internal
21 Revenue Code of 1986 (as added by section 202) to lever-
22 age existing public programs or public-private partner-
23 ships to expand access to high-speed broadband sufficient
24 for digital learning.

1 **SEC. 302. PROHIBITED USES.**

2 A local educational agency that receives covered
3 funds may not use such funds for—

4 (1) payment of routine and predictable maintenance costs and minor repairs;

6 (2) any facility that is primarily used for athletic contests or exhibitions or other events for which
7 admission is charged to the general public;

9 (3) vehicles; or

10 (4) central offices, operation centers, or other
11 facilities that are not primarily used to educate students.
12

13 **SEC. 303. GREEN PRACTICES.**

14 (a) IN GENERAL.—In a given fiscal year, a local educational agency that uses covered funds for a new construction project or renovation project shall use not less
15 than the applicable percentage (as described in subsection
16 (b)) of the funds used for such project for construction
17 or renovation that is certified, verified, or consistent with
18 the applicable provisions of—
19

21 (1) the United States Green Building Council
22 Leadership in Energy and Environmental Design
23 green building rating standard (commonly known as
24 the “LEED Green Building Rating System”);

25 (2) the Living Building Challenge developed by
26 the International Living Future Institute;

1 (3) a green building rating program developed
 2 by the Collaborative for High-Performance Schools
 3 (commonly known as “CHPS”) that is CHPS-
 4 verified; or

5 (4) a program that—

6 (A) has standards that are equivalent to or
 7 more stringent than the standards of a program
 8 described in paragraphs (1) through (3);

9 (B) is adopted by the State or another ju-
 10 risdiction with authority over the agency; and

11 (C) includes a verifiable method to dem-
 12 onstrate compliance with such program.

13 (b) APPLICABLE PERCENTAGE.—The applicable per-
 14 centage described in this subsection is—

15 (1) for fiscal year 2020, 60 percent;

16 (2) for fiscal year 2021, 70 percent;

17 (3) for fiscal year 2022; 80 percent;

18 (4) for fiscal year 2023, 90 percent; and

19 (5) for each of fiscal years 2024 through 2029,
 20 100 percent.

21 **SEC. 304. USE OF AMERICAN IRON, STEEL, AND MANUFAC-**
 22 **TURED PRODUCTS.**

23 (a) IN GENERAL.—A local educational agency that
 24 receives covered funds shall ensure that any iron, steel,

1 and manufactured products used in projects carried out
2 with such funds are produced in the United States.

3 (b) WAIVER AUTHORITY.—

4 (1) IN GENERAL.—The Secretary may waive
5 the requirement of subsection (a) if the Secretary
6 determines that—

7 (A) applying subsection (a) would be in-
8 consistent with the public interest;

9 (B) iron, steel, and manufactured products
10 produced in the United States are not produced
11 in a sufficient and reasonably available amount
12 or are not of a satisfactory quality; or

13 (C) using iron, steel, and manufactured
14 products produced in the United States will in-
15 crease the cost of the overall project by more
16 than 25 percent.

17 (2) PUBLICATION.—Before issuing a waiver
18 under paragraph (1), the Secretary shall publish in
19 the Federal Register a detailed written explanation
20 of the waiver determination.

21 (c) CONSISTENCY WITH INTERNATIONAL AGREE-
22 MENTS.—This section shall be applied in a manner con-
23 sistent with the obligations of the United States under
24 international agreements.

25 (d) DEFINITIONS.—In this section:

1 (1) PRODUCED IN THE UNITED STATES.—The
2 term “produced in the United States” means the fol-
3 lowing:

4 (A) When used with respect to a manufac-
5 tured product, the product was manufactured in
6 the United States and the cost of the compo-
7 nents of such product that were mined, pro-
8 duced, or manufactured in the United States
9 exceeds 60 percent of the total cost of all com-
10 ponents of the product.

11 (B) When used with respect to iron or
12 steel products, or an individual component of a
13 manufactured product, all manufacturing proc-
14 esses for such iron or steel products or compo-
15 nents, from the initial melting stage through
16 the application of coatings, occurred in the
17 United States, except that the term does not in-
18 clude—

19 (i) steel or iron material or products
20 manufactured abroad from semi-finished
21 steel or iron from the United States; and

22 (ii) steel or iron material or products
23 manufactured in the United States from
24 semi-finished steel or iron of foreign origin.

1 (2) MANUFACTURED PRODUCT.—The term
2 “manufactured product” means any construction
3 material or end product (as such terms are defined
4 in part 25.003 of the Federal Acquisition Regula-
5 tion) that is not an iron or steel product, includ-
6 ing—

7 (A) electrical components; and

8 (B) non-ferrous building materials, includ-
9 ing, aluminum and polyvinylchloride (PVC),
10 glass, fiber optics, plastic, wood, masonry, rub-
11 ber, manufactured stone, any other non-ferrous
12 metals, and any unmanufactured construction
13 material.

14 **SEC. 305. COMPTROLLER GENERAL REPORT.**

15 (a) IN GENERAL.—Not later than 2 years after the
16 date of the enactment of this Act, the Comptroller General
17 of the United States shall submit to the appropriate con-
18 gressional committees a report on the projects carried out
19 with covered funds.

20 (b) ELEMENTS.—The report under subsection (a)
21 shall include an assessment of—

22 (1) the types of projects carried out with cov-
23 ered funds;

24 (2) the geographic distribution of the projects;

1 (3) an assessment of the impact of the projects
2 on the health and safety of school staff and stu-
3 dents; and

4 (4) how the Secretary or States could make
5 covered funds more accessible—

6 (A) to schools with the highest numbers
7 and percentages of students counted under sec-
8 tion 1124(c) of the Elementary and Secondary
9 Education Act of 1965 (20 U.S.C. 6333(c));
10 and

11 (B) to schools with fiscal challenges in
12 raising capital for school infrastructure
13 projects.

14 (c) UPDATES.—The Comptroller General shall up-
15 date and resubmit the report to the appropriate congres-
16 sional committees—

17 (1) on a date that is between 5 and 6 years
18 after the date of the enactment of this Act; and

19 (2) on a date that is between 10 and 11 years
20 after such date of enactment.

21 **SEC. 306. STUDY AND REPORT PHYSICAL CONDITION OF**
22 **PUBLIC SCHOOLS.**

23 (a) STUDY AND REPORT.—Not less frequently than
24 once in each 5-year period beginning after the date of the

1 enactment of this Act, the Secretary, acting through the
2 Director of the Institute of Education Sciences, shall—

3 (1) carry out a comprehensive study of the
4 physical conditions of all public schools in the
5 United States; and

6 (2) submit a report to the appropriate congres-
7 sional committees that includes that results of the
8 study.

9 (b) ELEMENTS.—Each study and report under sub-
10 section (a) shall include an assessment of—

11 (1) the effect of school facility conditions on
12 student and staff health and safety;

13 (2) the effect of school facility conditions on
14 student academic outcomes;

15 (3) the condition of school facilities, set forth
16 separately by geographic region;

17 (4) the condition of school facilities for eco-
18 nomically disadvantaged students as well as students
19 from major racial and ethnic subgroups;

20 (5) the accessibility of school facilities for stu-
21 dents and staff with disabilities; and

22 (6) an explanation of any differences observed
23 with respect to the factors described in paragraphs

24 (1) through (5) between local educational agencies

1 that received covered funds and agencies that did
2 not receive such funds.

3 **SEC. 307. DEVELOPMENT OF DATA STANDARDS.**

4 (a) DATA STANDARDS.—Not later than 120 days
5 after the date of the enactment of this Act, the Secretary,
6 in consultation with the officials described in subsection
7 (b), shall—

8 (1) identify the data that States should collect
9 and include in the databases developed under section
10 102(a)(2)(B);

11 (2) develop standards for the measurement of
12 such data; and

13 (3) issue guidance to States concerning the col-
14 lection and measurement of such data.

15 (b) OFFICIALS.—The officials described in this sub-
16 section are—

17 (1) the Administrator of the Environmental
18 Protection Agency;

19 (2) the Secretary of Energy;

20 (3) the Director of the Centers for Disease
21 Control and Prevention; and

22 (4) the Director of the National Institute for
23 Occupational Safety and Health.

1 **SEC. 308. INFORMATION CLEARINGHOUSE.**

2 (a) IN GENERAL.—Not later than 120 days after the
3 date of the enactment of this Act, the Secretary shall es-
4 tablish a clearinghouse to disseminate information on Fed-
5 eral programs and financing mechanisms that may be
6 used to assist schools in initiating, developing, and financ-
7 ing—

8 (1) energy efficiency projects;

9 (2) distributed generation projects; and

10 (3) energy retrofitting projects.

11 (b) ELEMENTS.—In carrying out subsection (a), the
12 Secretary shall—

13 (1) consult with the officials described in sec-
14 tion 307(b) to develop a list of Federal programs
15 and financing mechanisms to be included in the
16 clearinghouse; and

17 (2) coordinate with such officials to develop a
18 collaborative education and outreach effort to
19 streamline communications and promote the Federal
20 programs and financing mechanisms included in the
21 clearinghouse, which may include the development
22 and maintenance of a single online resource that in-
23 cludes contact information for relevant technical as-
24 sistance that may be used by States, local edu-
25 cational agencies, and schools to effectively access

1 and use such Federal programs and financing mech-
2 anisms.

3 **TITLE IV—IMPACT AID**
4 **CONSTRUCTION**

5 **SEC. 401. TEMPORARY INCREASE IN FUNDING FOR IMPACT**
6 **AID CONSTRUCTION.**

7 Section 7014(d) of the Elementary and Secondary
8 Education Act of 1965 (20 U.S.C. 7714(d)) is amended
9 to read as follows:

10 “(d) CONSTRUCTION.—For the purpose of carrying
11 out section 7007, there are authorized to be appro-
12 priated—

13 “(1) \$18,756,765 for fiscal year 2020;

14 “(2) \$50,406,000 for each of fiscal years 2021
15 and 2022; and

16 “(3) \$52,756,765 for fiscal year 2023.”.

○