A BILL

To establish a Green New Deal for public schools.

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

SECTION 1. SHORT TITLE.

This Act may be cited as the “Green New Deal for
Public Schools Act of 2023”.

SEC. 2. TABLE OF CONTENTS.

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1 SEC. 3. DEFINITIONS.

Except as otherwise expressly provided, in this Act:

(1) BIE TERMS.—The terms “BIE schools” and “schools funded by BIE” means—

(A) schools and dormitories operated by the Bureau of Indian Education;

(B) schools and dormitories operated pursuant to a grant under the Tribally Controlled Schools Act of 1988 (25 U.S.C. 2501 et seq.);

and

(C) schools and dormitories operated pursuant to a contract under the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5301 et seq.).

(2) ESEA TERMS.—The terms “child with a disability”, “elementary school”, “English learner”, “paraprofessional”, “secondary school”, “local educational agency”, and “Secretary” have the meanings given those terms in section 8101 of the Ele-

(3) CDC SVI.—The term “CDC SVI” means the Social Vulnerability Index of the Centers for Disease Control and Prevention, which is a composite indicator that includes poverty rate and other variables and is based on the most recent data available from the American Community Survey.

(4) CLIMATE JUSTICE.—The term “climate justice” means the fair treatment and meaningful involvement of all people, regardless of race, color, culture, national origin, or income, with respect to the development, implementation, and enforcement of policies and projects to ensure that each person enjoys the same degree of protection from the adverse effects of climate change.

(5) ENVIRONMENTAL JUSTICE.—The term “environmental justice” means the fair treatment and meaningful involvement of all people, regardless of race, color, culture, national origin, or income, with respect to the development, implementation, and enforcement of environmental laws, regulations, and policies to ensure that each person enjoys—

(A) the same degree of protection from environmental and health hazards; and
(B) equal access to any Federal agency action on justice issues related to the environment in order to have a healthy environment in which to live, learn, work, and recreate.

(6) **NONPROFIT ORGANIZATION.**—The term “nonprofit organization” means an organization described in section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from taxation under 501(a) of that Code.

(7) **VULNERABILITY RANKING.**—The term “vulnerability ranking” means the ranking of each public elementary school and secondary school in the United States based on the CDC SVI of the Census tract in which the school is located.

**TITLE I—CLIMATE CAPITAL FACILITIES GRANTS, RESOURCE BLOCK GRANTS, AND EDUCATIONAL EQUITY GRANTS**

**SEC. 101. GENERAL PROVISIONS.**

(a) **CREATION OF NEW OFFICE AT THE DEPARTMENT OF EDUCATION.**—There is established in the Department of Education, an Office of Sustainable Schools, which shall—
(1) administer the resource block grant program under section 103 and the educational equity grant program under section 104;

(2) in close collaboration with the Department of Energy, the White House Office of Domestic Climate Policy, the Environmental Protection Agency, and the Department of Agriculture, coordinate the activities of those grant programs with—

(A) the activities of the climate capital facilities grant program under section 102, administered by the Secretary of Energy; and

(B) the activities of the climate change resiliency program under title II.

(b) RESOURCE ALLOCATION PLAN.—Each applicant for a grant under this title shall submit with their application a resource allocation plan, which shall include—

(1) a detailed explanation of how the grant funds will be spent; and

(2) a values statement document, which shall be developed after a community-engaged planning process, with representation from educators, principals, administrators, students, parents, school boards, caregivers, Indian Tribes (where applicable), and community organizations that have documented ex-
experience as local providers and partners, and which shall include—

(A) an outline of the applicant’s goals to address environmental, economic, and educational equity in the projects and activities supported by the grant funds;

(B) annual benchmarks to measure the applicant’s progress toward meeting those goals;

(C) a plan to ensure that, to the greatest extent practicable, not less than 30 percent of all jobs funded by the grant will be—

(i) filled by individuals hired through a local community-based hiring process, in a matter that contributes to the stated equity goals, especially individuals who reside in the same catchment area as students attending the school in which those individuals will work, or individuals who previously attended the school in which those individuals will work; or

(ii) filled by individuals who reside in a zip code served by the local educational agency receiving the grant or in a neighboring zip code;
(D) as applicable, a commitment to local hiring from businesses, nonprofit organizations, and cooperatives (including worker cooperatives) in a manner that contributes to the stated equity goals, advances the economic and social empowerment of traditionally disadvantaged individuals and communities (including low-income and low-wealth individuals and communities), and creates opportunities for—

(i) people of color;

(ii) immigrants, regardless of immigrant status;

(iii) formerly incarcerated individuals;

(iv) women;

(v) LGBTQIAP+ individuals;

(vi) individuals with disabilities or chronic illness;

(vii) young or elderly individuals;

(viii) young adults exiting the foster care system; and

(ix) unhoused individuals; and

(E) a plan to ensure the greatest practicable number of training opportunities within schools benefitting from grant funds under this Act.
(c) Documentation.—

(1) In General.—Each recipient of a grant under this title shall document the recipient’s progress toward meeting the resource allocation plan goals over the course of the grant period on a public digitized platform, which may be an existing public dashboard, data center, or information hub of a public website.

(2) Requirements.—A grant recipient shall establish and maintain a public digitized platform for the purposes described in this subsection if one has not already been established on the date of the grant award.

(3) Accessible Data.—Each recipient of a grant under this title shall ensure that data described in this subsection and presented on the public digitized platform is accessible to individuals in multiple languages (as applicable to the relevant community), accessible to individuals with different literacy levels, accessible to those with sensory deficits, and standardized.

(d) Bureau of Indian Education.—

(1) In General.—The Secretary of Education and the Secretary of Energy, as applicable, in conjunction with the Secretary of the Interior, shall re-
serve a sufficient amount of grant funding and addi-
tional administrative expenses, for each grant pro-
gram authorized under this title, for the Bureau of
Indian Education to fully carry out the applicable
grant activities at all BIE schools and schools fund-
ed by BIE, which shall include providing any nec-
essary technical assistance to assist a BIE school or
school funded by BIE in creating a resource alloca-
tion plan or meeting other grant requirements in col-
laboration with the applicable Indian Tribe and com-
munity members.

(2) ENSURING SOVEREIGNTY AND SELF-DETER-
MINATION.—The Secretary of Education, the Sec-
retary of Energy, and the Secretary of the Interior
shall ensure that the administration of funds re-
served under paragraph (1) and provision of tech-
nical assistance under paragraph (1) is carried out
in accordance with principles of Indian Tribal sov-
ereignty and self-determination.

SEC. 102. CLIMATE CAPITAL FACILITIES GRANTS.

(a) DEFINITIONS.—In this section:

(1) HEALTHY GREEN RETROFIT.—The term
“healthy green retrofit”, with respect to a facility,
means the holistic modification of the entire facility
to remove health harms, eliminate greenhouse gas
emissions, and ensure a safe, accessible, and comfortable environment, including through measures that achieve or convert the facility to address the following goals:

(A) Optimal air quality.

(B) Detoxification of air, water, and materials.

(C) Enhanced light quality.

(D) Improved energy efficiency.

(E) Improved water quality and efficiency.

(F) Safe and effective wastewater treatment.

(G) Electrification and decarbonization.

(H) Optimized energy management.

(I) Distributed renewable energy.

(J) Structural integrity.

(K) Resilience to the impacts of climate change and natural hazards.

(L) Comfort and accessibility for all users of the facility, including temperature control.

(2) HEALTHY ZERO-CARBON SCHOOL.—The term “healthy zero-carbon school” means a public school, BIE school, or school funded by BIE—

(A) with highly energy-efficient facilities that produce onsite, or procure, sufficient car-
bon-free and pollution-free renewable energy to meet the total annual energy consumption of the public school, BIE school, or school funded by BIE;

(B) that does not contain any asbestos, mold, fungus, lead, polychlorinated biphenyl (PCB), or other contaminant identified as high-priority by the Office of Sustainable Schools;

(C) the space heating, water heating, and lighting systems of which are all-electric;

(D) the food service facilities of which use all-electric systems that include contemporary induction burners and convection stoves;

(E) that has installed onsite renewable energy, including solar photovoltaic systems, batteries, flywheels, compressed air systems, pumped hydroelectric systems, thermal energy storage systems, and any other technologies that provide distributed renewable energy generation, energy storage, and resilience to extreme weather events, whenever conditions permit;

(F) that continuously provides clean air, clean water, and a comfortable learning and
working environment, including with respect to
temperature;

(G) that integrates natural and mechanical
systems for natural daylight, views to the out-
doors, and operable windows;

(H) that provides full accessibility in com-
pliance with—

(i) the Americans with Disabilities Act
of 1990 (42 U.S.C. 12101 et seq.); and

(ii) applicable provisions of section
504 of the Rehabilitation Act of 1973 (29
U.S.C. 794); and

(I) that is designed to promote a safe, in-
elusive, and welcoming environment for all stu-
dents and staff.

(3) NATIONAL LABORATORY.—The term “Na-
tional Laboratory” has the meaning given the term
in section 2 of the Energy Policy Act of 2005 (42

(4) PUBLIC SCHOOL.—The term “public
school” means—

(A) a public elementary school; and

(B) a public secondary school.

(5) SECRETARY.—The term “Secretary” means
the Secretary of Energy, acting through the Assist-
ant Secretary for Energy Efficiency and Renewable Energy.

(b) Establishment.—Not later than 180 days after the date of enactment of this Act, the Secretary shall establish program under which the Secretary shall provide grants to eligible entities described in subsection (d)(1)—

(1) to conduct healthy green retrofits at facilities of the eligible entities to convert existing public schools, BIE schools, or schools funded by BIE into healthy zero-carbon schools; and

(2) to construct new, healthy zero-carbon schools, subject to the condition that each new, healthy zero-carbon school so constructed shall be located not less than 2,500 feet from any oil or gas wells in the vicinity of the healthy zero-carbon school.

(c) Application.—

(1) In general.—An eligible entity desiring a grant under subsection (b) shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may reasonably require.

(2) Technical assistance.—On request of an eligible entity applying for a grant under this section, the Secretary shall provide to the eligible entity
technical assistance to develop the resource allocation plan required under section 101(b).

(3) Approval.—The Secretary shall approve each application that meets the requirements of this section. In the case of an application that does not meet such requirements, the Secretary shall consult with the eligible entity and shall provide technical assistance, as necessary, to ensure that the eligible entity meets such requirements.

(d) Description of Eligible Entities.—

(1) In general.—Subject to paragraph (2), any of the following shall be eligible to receive a grant under this section:

(A) A public school.

(B) A local educational agency, on behalf of 1 or more public schools.

(C) A BIE school.

(D) A school funded by BIE.

(2) Limitation.—During the 4-year period beginning on the date of establishment of the grant program under subsection (b), only an eligible entity described in paragraph (1) that is a public school ranked as one of the 1/3 most vulnerable schools in the United States, based on the vulnerability ranking, a local educational agency applying on behalf of
such a school, or any BIE school or school funded by BIE, shall be eligible to receive a grant under this section.

(e) ALLOCATION OF GRANT FUNDS.—

(1) IN GENERAL.—Subject to paragraph (2), the Secretary shall provide to each eligible entity that submits an application approved by the Secretary under subsection (c)(3) a grant in accordance with this section.

(2) ALLOCATION.—

(A) IN GENERAL.—The Secretary shall allocate grant funds to eligible entities described in paragraph (1) in accordance with the formula established under paragraph (3), subject to the conditions described in subparagraph (B).

(B) CONDITIONS FOR HEALTHY GREEN RETROFIT PROJECTS.—In allocating grant funding to carry out projects described in subsection (b)(1), the Secretary shall make allocations as follows:

(i) The amount of a grant provided under this section to an eligible entity that uses such amount to serve a public school ranked as one of the 1/3 most vulnerable
schools in the United States, based on the vulnerability ranking, a local educational agency applying on behalf of such a school, or any BIE school or school funded by BIE, shall be sufficient to cover 100 percent of cost of carrying out a project described in subsection (b)(1).

(ii) The amount of a grant provided under this section to an eligible entity that uses such amount to serve a public school ranked as one of middle 1/3 of schools in the United States, based on the vulnerability ranking, or a local educational agency applying on behalf of such a school, shall be sufficient to cover $\frac{2}{3}$ of the cost of carrying out a project described in subsection (b)(1).

(iii) The amount of a grant provided under this section to an eligible entity that uses such amount to serve a public school ranked as one of the 1/3 least vulnerable schools in the United States, based on the vulnerability ranking, or a local educational agency applying on behalf of such a school, shall be sufficient to cover $\frac{1}{3}$ of
the cost of carrying out a project described in subsection (b)(1).

(C) Loans.—

(i) In general.—An eligible entity described in clause (ii) or (iii) of subparagraph (B) may submit to the Secretary an application for a no-interest or low-interest loan to cover any remaining costs of carrying out a project described in subsection (b)(1).

(ii) Limitation.—The total amount of loans provided by the Secretary under clause (i) shall be not more than $446,000,000,000.

(3) Funding formula.—

(A) In general.—Subject to subparagraph (B), the Secretary shall establish a formula for purposes of paragraph (2), based on the results of the initial audit conducted under subsection (h)(1)(A).

(B) Revisions.—After each subsequent audit is conducted under subsection (h)(1)(B), the Secretary shall revise the formula established under subparagraph (A), based on the results of that audit.
(f) Use of Grant Funds.—

(1) In General.—A recipient of a grant under this section shall use the grant—

(A) to conduct healthy green retrofits to convert 1 or more facilities to a healthy zero-carbon school as soon as practicable after receiving the grant funds; or

(B) to construct a new, healthy zero-carbon school.

(2) Activities to Support School Safety, Security, and a Welcoming School Environment.—

(A) In General.—In carrying out activities to comply with paragraph (1), a grant recipient shall—

(i) consider and seek to incorporate, to the greatest extent practicable, design and construction strategies to promote safety and security, support accessibility, prevent violence, promote a sense of belonging, improve student mental health and physical well-being, and foster a positive, inclusive, and welcoming school culture and environment, including through
evidence-based, trauma-informed physical updates, such as—

(I) access control measures;

(II) internal door locks;

(III) appropriate lighting, including natural daylight;

(IV) noise, temperature, and odor control;

(V) spaces for storytelling, collaboration, connection, play, and movement;

(VI) student-curated displays;

(VII) clear wayfinding;

(VIII) design principles to facilitate high-quality emergency response or planning; and

(IX) other design and construction measures; and

(ii) engage students, parents, educators, and school staff early in the design process.

(B) LIMITATION.—A grant recipient may not use grant funds under this section—

(i) for measures that subject students to potential penalties imposed by law en-
forcement, unduly surveil students, or other-
wise detract from a positive, inclusive,
and welcoming school culture and environ-
ment; and

(ii) for measures that would reduce
the accessibility of the school environment
for children with disabilities.

(3) ADDITIONAL AUTHORIZED USES.—After
complying with paragraph (1), a recipient of a grant
under this section may use the grant to pursue other
projects, consistent with the goals of a healthy green
retrofit, and in doing so, is encouraged to install
green rooftops that reduce stormwater runoff and
maximize urban island heat effect reduction benefits.
Such rooftops shall meet the minimum performance
standard specified within the Living Architecture
Performance Tool (LAPT) rating system, and shall
be implemented or completed in consultation with at
least one Green Roof Professional (GRP) as accred-
ited by the Green Roof Industry Association.

(4) SOLAR PV SYSTEMS.—A recipient of a grant
under this section is encouraged to use the grant to
purchase and install 1 or more solar photovoltaic
systems to maximize returns, rather than leasing
roof space to other individuals or entities.
(5) **EFFICIENCY STANDARDS.**—In carrying out a project using a grant provided under this section, an eligible entity shall carry out reasonable measures to meet the following energy efficiency standards, as applicable:

(A) For a new construction project, design and operate the applicable facility—

(i) to achieve—

(I) a site energy use intensity equal to or less than 25 kBtu/sf/year; or

(II) an Energy Star score of 90; and

(ii) to offset not less than 30 percent of energy consumption with onsite renewable energy.

(B) For a project to modify an existing facility, design and operate the facility—

(i) to achieve—

(I) a site energy use intensity equal to or less than 35 kBtu/sf/year; or

(II) an Energy Star score of 70; and
(ii) to offset not less than 20 percent of energy consumption with onsite renewable energy.

(6) ADDITIONAL STANDARDS.—In carrying out a project using a grant provided under this section, an eligible entity shall adhere to the applicable guidance contained in—

(A) the design guide of the American Society of Heating, Refrigeration and Air-Conditioning Engineers (ASHRAE) entitled “Achieving Zero Energy—Advanced Energy Design Guide for K-12 School Buildings”; and

(B) the document of the National Renewable Energy Laboratory entitled “A Guide to Zero Energy and Zero Energy Ready K-12 Schools”.

(g) MEASUREMENTS AND ASSESSMENTS.—

(1) IN GENERAL.—On conclusion of a healthy green retrofit or construction project funded by a grant under this section, the applicable eligible entity shall submit to the Secretary a measurement and assessment of the energy performance of each facility affected by the project, as determined—

(A) before and after the project; and
(B) based on standards agreed to by the eligible entity and the Secretary.

(2) PUBLICATION.—The Secretary shall make all data submitted under paragraph (1) relating to performance changes publicly available to enable subsequent healthy green retrofit project sponsors to learn from, and improve on, the processes and technologies used.

(h) COMPREHENSIVE AUDITS OF HEALTHY GREEN RETROFIT NEEDS.—

(1) AUDITS.—

(A) INITIAL AUDIT.—Not later than 180 days after the date on which the Office of Sustainable Schools is established under section 101(a), the Secretary, working jointly with the head of the Office of Sustainable Schools, shall complete an audit of a representative sample of public schools, BIE schools, and schools funded by BIE across the United States to identify healthy green retrofit needs.

(B) SUBSEQUENT AUDITS.—After the initial audit is completed under subparagraph (A), the Secretary, working jointly with the head of the Office of Sustainable Schools, periodically shall complete an audit of all public schools,
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BIE schools, and schools funded by BIE across the United States to identify healthy green retrofit needs.

(2) REQUIREMENT.—Each audit under paragraph (1) shall take into account—

(A) local climatic conditions;

(B) regional variation;

(C) the high capital needs of public schools served by local educational agencies that enroll a high percentage of low-income children, BIE schools, and schools funded by BIE;

(D) regional labor costs and labor markets;

and

(E) other necessary criteria, as determined by the Secretary.

(i) CONSULTATIONS.—In administering the grant program established under subsection (b) and conducting each audit under subsection (h)(1), the Secretary shall collaborate closely with, and seek technical assistance from—

(1) the National Laboratories, particularly the National Renewable Energy Laboratory;

(2) the Environmental Protection Agency; and

(3) other Federal departments and agencies, as the Secretary determines to be necessary.
(j) Design Guide.—The Secretary shall encourage
the National Renewable Energy Laboratory to develop a
new design guide for schools that takes into account best
practices and lessons learned from the implementation of
the grant program established under subsection (b).

(k) Labor Standards.—

(1) Labor and Buy American Provisions.—

(A) In General.—Each contractor or
subcontractor for a project funded by a grant
under this section shall carry out the following:

(i) Ensure that the materials used by
the contractor or subcontractor are sub-
stantially manufactured, mined, and pro-
duced in the United States in accordance
with chapter 83 of title 41, United States
Code (commonly known as the “Buy
American Act”).

(ii) Ensure that all laborers and me-
chanics employed by the contractor or sub-
contractor in the performance of construc-
tion, alteration, repair, or maintenance
work financed in whole or in part with as-
sistance under this section shall be paid
wages at rates not less than those pre-
vailing on similar construction in the local-
ity, as determined by the Secretary of Labor, in accordance with subchapter IV of chapter 31 of title 40, United States Code (commonly known as the “Davis-Bacon Act”). With respect to the labor standards in this clause, the Secretary of Labor shall have the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 (64 Stat. 1267; 5 U.S.C. App.) and section 3145 of title 40, United States Code.

(iii) With respect to a project or set of projects located in the same local educational agency costing not less than $25,000,000, consent to a project labor agreement.

(iv) Not hire employees through a temporary staffing agency unless the relevant State workforce agency certifies that temporary employees are necessary to address an acute, short-term labor demand.

(v) Have an explicit neutrality policy on any issue involving the organization of employees of the contractor or subcontractor, and all contractors and sub-
contractors, for purposes of collective bar-
gaining.

(vi) For each project related to a
healthy green retrofit or new construction
of a school, demonstrate an ability to use
and to commit to use individuals enrolled
in a registered apprenticeship program who
shall, to the greatest extent practicable,
constitute not less than 20 percent of the
individuals working on the project.

(vii) To the greatest extent prac-
ticable, provide preferential treatment in
hiring laborers and mechanics that are—

(I) hired from within 50 miles of
their official residence;

(II) veterans or active or retired
military;

(III) highly skilled union work-
ers; or

(IV) returning citizens who were
formerly incarcerated individuals.

(viii) Not require mandatory arbitra-
tion for any dispute involving a worker en-
gaged in a service for the contractor or
subcontractor.
(ix) Consider an individual performing any service under the grant as an employee, and not an independent contractor, of the contractor or subcontractor, respectively, unless—

(I) the individual is free from control and direction in connection with the performance of the service, both under the contract for the performance of the service and in fact;

(II) the service is performed outside the usual course of the business of the contractor or subcontractor, respectively; and

(III) the individual is customarily engaged in an independently established trade, occupation, profession, or business of the same nature as that involved in such service.

(B) Action to Enforce Independent Contractor Requirement.—A third party, including a State or local government, may bring an action in any court of competent jurisdiction to enforce the requirements of subparagraph (A)(ix).
(2) Pre-apprenticeship.—To the greatest extent practicable, in carrying out a project funded by a grant under this section, grant recipients shall give preference to contractors or subcontractors that participate in pre-apprenticeship programs that have written agreements with one or more registered apprenticeship programs.

(l) Authorization of Appropriations; Mandatory Appropriations.—Out of funds in the Treasury not otherwise appropriated, there are authorized to be appropriated, and there are appropriated to carry out this section for the 10-fiscal-year period following the date of enactment of this Act —

(1) $446,000,000,000 to the Secretary to carry out grants authorized under subsection (b); and

(2) such sums as are necessary to the Secretary for administrative expenses and the provision of technical assistance in carrying out this section.

SEC. 103. RESOURCE BLOCK GRANTS.

(a) Program Established.—

(1) In general.—The Secretary shall award a grant to each qualified local educational agency with an approved application to enable the qualified local educational agency to bring additional eligible educators and support staff into elementary schools and
secondary schools and establish community partnerships, and carry out other activities described in this section, with the goals of—

(A) expanding social service programming;

(B) developing locally designed and rooted educational programs;

(C) developing and implementing trauma-informed violence prevention strategies;

(D) promoting safe, secure, and welcoming school and community environments;

(E) strengthening the educator pipeline;

(F) diversifying the workforce;

(G) better integrating knowledge of the local community into schools; and

(H) providing support, training, and career pathways for paraprofessionals.

(2) Consultation and integration.—

(A) Consultation by the Secretary.—

The Secretary shall consult with States and Indian Tribes, as appropriate, in administering the grant program under this section. During such consultation, the Secretary shall strongly encourage the States to integrate the locally designed and rooted educational programs, developed under paragraph (1) (as applicable), into
State educational plans and activities, and to support, replicate, and disseminate such educational programs, as appropriate.

(B) Consultation by LEAs.—A local educational agency that receives a grant under this section shall consult with the Secretary, the State educational agency, and Indian Tribes (as applicable) in implementing such grant.

(3) Additional Local Educational Agencies.—Notwithstanding paragraph (1), if funding under this section remains after the Secretary has awarded grants to each qualified local educational agency that submits an application under this section, in amounts that are sufficient to meet the needs of those agencies, the Secretary shall award grants under this section to other local educational agencies that are not qualified local educational agencies, in accordance with the priority requirements described in subsection (b)(3).

(b) Application.—

(1) In General.—A local educational agency desiring a grant under this section shall submit an application to the Secretary, at such time, in such manner, and containing such information as the Sec-
retary may reasonably require, which shall include
the following:

(A) The resource allocation plan described
in section 101.

(B) A description of the local educational
agency’s plan to attempt to hire eligible edu-
cators and support staff who, in accordance
with section 101(b)(2)(C)—

(i) reside in the same catchment area
as students attending the school in which
those eligible educators and support staff
will work, or who previously attended the
school in which the educators and staff will
work; or

(ii) reside in the same zip code, or a
neighboring zip code, as the school in
which the educators and staff will work.

(C) An assurance that after the 10-year
period during which grant funds will pay for
the eligible educator and support staff positions
described in this section, the local educational
agency will—

(i) retain those positions, and a de-
scription of the local educational agency’s
plan to fund those positions after such pe-
period; and

(ii) attempt to maintain and continue
to fund community partnerships supported
by such grant, to the extent that the other
entities in those partnerships desire to con-
tinue the activities supported with grant
funds.

(D) A description of the local educational
agency’s plan to—

(i) aim to meet target student-to-staff
ratios of 12:1 for students in kindergarten
through grade 8, and 15:1 for students in
grades 9 through 12 (where staff is de-
defined broadly to refer to any adult profes-
sional employed in the school whose work
directly relates to education, including the
eligible educators and support staff de-
described in this section);

(ii) aim to place a lead teacher and
paraprofessional in all prekindergarten
through grade 3 classes;

(iii) aim to hire at least 1 full-time
equivalent school psychologist for every
500 students, at least 1 full-time equiva-
lent school counselor for every 250 students, and at least 1 full-time equivalent school social worker for every 250 students served by the agency; and

(iv) where applicable, aim to shift special educators from a caseload model to a workload analysis model to ensure sufficient capacity and time to support students.

(E) A description of the local educational agency’s plan—

(i) to progress toward ending the school-to-prison pipeline and zero tolerance discipline, including by reducing suspensions, expulsions, and referrals to law enforcement;

(ii) for progressing toward reallocating resources spent on punishment to restorative justice practices; and

(iii) to progress toward ending the use of seclusion, restraint, and corporal punishment.

(2) APPROVAL.—
(A) IN GENERAL.—The Secretary shall approve each application that meets the requirements of this section.

(B) CONSULTATION AND TECHNICAL ASSISTANCE.—In the case of an application that does not meet the requirements of this section, the Secretary shall—

(i) consult with the local educational agency and shall provide technical assistance, as necessary, to ensure that the local educational agency meets such requirements; and

(ii) review and approve revised applications that meet such requirements.

(3) PRIORITY.—If the Secretary awards grants under this section to local educational agencies that are not qualified local educational agencies, in accordance with subsection (a)(3), the Secretary shall give priority to local educational agencies that meet one of the following criteria:

(A) Serving a percentage that is higher than the State median of students who are counted under section 1113(a)(5)(A) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6313(a)(5)(A)).
(B) Serving a percentage that is higher than the State median of students who are children with a disability.

(C) Serving a percentage that is higher than the State median of students who are English learners.

(D) Serving schools that have a per-pupil expenditure that is lower than the State median per-pupil expenditure.

(c) Qualified Local Educational Agency.—In this section, the term “qualified local educational agency” means—

(1) a local educational agency that serves one or more schools that are ranked as one of the 1/3 most vulnerable schools in the United States, based on the vulnerability ranking;

(2) a local educational agency that serves elementary schools or secondary schools that are in the bottom 1/3 of all schools in the State when ranked by student-to-staff ratios from lowest to highest ratios based on the most recent data from the National Center for Education Statistics; or

(3) a BIE school or school funded by BIE.

(d) Uses of Funds.—
(1) Support for eligible educators and support staff.—

(A) In general.—A local educational agency receiving a grant under this section shall use not less than 80 percent of grant funds—

(i) to hire, on a full-time basis, and pay the salaries of eligible educators and support staff described in subparagraph (B) for a period of 10 years;

(ii) to increase the salaries of paraprofessionals and promote paraprofessionals who meet the requirements for promotion; and

(iii) to provide or facilitate access for paraprofessionals to affordable training by establishing partnerships with community colleges and local institutions of higher education, establishing tuition reimbursement programs, or offering similar initiatives for training.

(B) Eligible educators and support staff.—The eligible educators and support staff described in this subparagraph are—

(i) paraprofessionals;
(ii) mental health professionals, including psychologists, therapists, and social workers;

(iii) school counselors;

(iv) librarians;

(v) nurses;

(vi) restorative justice specialists;

(vii) community school site coordinators;

(viii) teachers, including special education teachers;

(ix) coordinators for culturally responsive education;

(x) facilities and food service workers;

(xi) learning specialists, including mathematics and reading specialists;

(xii) English as a Second Language instructors;

(xiii) Native language and cultural specialists; and

(xiv) staff to support other social services programming.

(2) Community partnerships, educational programming, and social service programming.
(A) IN GENERAL.—In addition to carrying out the activities described in paragraph (1), a local educational agency receiving a grant under this section shall use not less than 2.5 percent and not more than 20 percent of such funds for community partnerships, educational programming, social service programming, and violence prevention and school safety initiatives, which shall include one or more of the following:

(i) Development of place-based and experiential education and community-driven educational programs, with a focus on educational programs that affirm and explore the underlying principles of the Green New Deal, including the significance of and the connections between racial, economic, and environmental and climate justice, and that are responsive to the impacts of climate change and socioeconomic injustice on youth mental health.

(ii) Programs and spaces that engage students in hands-on, project-based learning across science, technology, engineering, arts, and mathematics instruction, as well as humanities instruction, in the scientific,
technical, design, and social aspects of healthy green retrofits funded by the climate capital facilities grants under section 102, as well as of any other uses of those grants.

(iii) Spaces and programming to advance vocational and career and technical education, including project-based learning opportunities and advancing such education in partnership with career and technical education schools, community colleges, local institutions of higher education, community organizations, and pre-apprenticeship programs, to prepare students for a wide range of careers related to addressing climate change.

(iv) Programming to support extra-curricular, co-curricular, and community-based activities such as arts, music, recreation, organized sports, honor societies, 4-H clubs, foreign and Native languages, college access centers, civic engagement clubs and activities, clubs and activities to support movement and connectedness to nature, early child care centers, and after-
school and summer education programming.

(v) Creating or supporting a school-based youth peer support program.

(vi) Other partnerships with local community organizations and social service providers to expand the scale and scope of on-site services in support of the resource allocation plan for the grant.

(vii) Training and professional development to advance trauma-informed, healing-centered learning models and practices, centering on the whole child and the child’s cognitive, emotional, and social needs, inclusive of culturally responsive pedagogy.

(viii) Providing funding to establish or improve libraries, child care centers, health offices, mental health and wellness centers, cafeteria and dining spaces, gymnasiums, studios and art spaces, outdoor green spaces, or job resource centers in the schools that are served by the local educational agency, which shall be operated by the local educational agency or the local
educational agency in partnership with a nonprofit organization.

(ix) Website development and other communications to share and exchange knowledge and best practices.

(x) Wellness, stress management, and mindfulness training.

(xi) Anti-racist and anti-hate educational programming.

(xii) Training for and implementation of restorative justice practices, including peer mediation, restorative conferences, counseling, and peace circles for students as well as anti-bullying initiatives.

(xiii) Developing and implementing evidence-based practices to support school safety that do not rely on the criminal justice system.

(xiv) Developing and implementing evidence-based, inclusive, and trauma-informed practices to prevent violence and improve school climate and culture, including schoolwide positive behavioral interventions and supports, restorative justice programs and interventions, social and emo-
tional learning programs, community-integrated violence prevention programming, and programs to ensure students have access to one-on-one relationships with mentors or other caring adults.

(xv) Improving school capacity to identify, refer, and provide services to students and families in need of trauma support services or other social services, including with the appropriate technology and spaces to do so.

(xvi) Technical assistance, including contract templates, local data clearing-houses for best practices, and temporary staff to support finding and building initial partnerships to build the capacity to develop and sustain local partnerships with other knowledge centers in the community.

(xvii) Increased parent and student engagement in learning.

(xviii) Increased availability of translation to create accessible learning environments for English learners.

(3) REQUIREMENT.—A local educational agency receiving a grant under this section shall ensure that
if such agency contracts with a third-party to carry out activities under this subsection, such third-party—

(A) is located in the same catchment area as students attending the school in which they will work, or previously attended the school in which they will work; or

(B) is located in a zip code served by the local educational agency receiving the grant or in a neighboring zip code.

(4) Prohibitions on Use of Funds.—A local educational agency receiving a grant under this section may not use grant funds for any of the following:

(A) For measures that subject students to potential penalties imposed by law enforcement, unduly surveil students, or otherwise detract from a positive, inclusive, and welcoming school culture and environment.

(B) For measures that would reduce the accessibility of the school environment for students with disabilities.

(e) Wage and Labor Organization Requirements.—Each local educational agency that receives funds through a grant under this section shall—
(1) ensure that eligible educators and support staff hired with the grant funds are paid wages in accordance with prevailing rates in the locality or any applicable collective bargaining agreement, and on a pathway with regular increases in pay;

(2) ensure that such educators and staff are considered to be part of any existing (as of the date of the hiring) applicable bargaining unit of a labor organization and not considered to be executive employees or employees in other positions exempt from the Fair Labor Standards Act of 1938 (29 U.S.C. 201 et seq.); and

(3) if the local educational agency does not have such a bargaining unit, have an explicit neutrality policy, which covers such educators and staff, on any issue involving the organization of employees for purposes of collective bargaining.

(f) Authorization of Appropriations; Mandatory Appropriations.—Out of funds in the Treasury not otherwise appropriated, there are authorized to be appropriated, and there are appropriated for the 10-fiscal-year period following the date of enactment of this Act—

(1) $250,000,000,000 to the Secretary to provide grants under this section; and
(2) sums as are necessary to the Secretary for the administrative expenses and provision of technical assistance in carrying out this section.

SEC. 104. EDUCATIONAL EQUITY PLANNING GRANTS.

(a) PROGRAM ESTABLISHED.—

(1) IN GENERAL.—The Secretary shall facilitate an inclusive, regional equity planning process and award grants to eligible consortia to eliminate intraregion education inequities by providing Federal funds to assist the eligible consortia in planning and carrying out regional education equity plans, in accordance with this section.

(2) PLANNING GRANT.—The Secretary shall award a planning grant under this section, for a period of not longer than 1 year, to each eligible consortium with an approved application to enable the eligible consortium to develop a regional education equity plan.

(3) IMPLEMENTATION GRANT.—The Secretary shall award an implementation grant under this section to each eligible consortium with an approved regional education equity plan to enable the consortium to carry out activities to implement such plan.

(b) ELIGIBLE CONSORTIUM.—In this section, the term “eligible consortium” means 2 or more local edu-
cational agencies that are located within the same metropolitan or micropolitan statistical area and that have formed a regional consortium.

(c) Provision of Data.—The Secretary, the Secretary of Housing and Urban Development, the Administrator of the Environmental Protection Agency, and the Secretary of Transportation shall provide each eligible consortium that receives a planning grant under this section with data relevant to that particular eligible consortium about demographic trends, the spatial distribution of poverty, environmental hazards, and access to education, transportation, and economic opportunities across the consortium’s region, to assist the eligible consortium in developing the regional education equity plan.

(d) Community Outreach.—Each eligible consortium that receives a planning grant shall engage in extensive community outreach to solicit comments from diverse stakeholders on issues related to education equity in the region of the consortium, as part of the process of developing the regional education equity plan.

(e) Regional Education Equity Plan.—

(1) In General.—Upon receipt of the data described in subsection (c) and completion of the outreach described in subsection (d), each eligible consortium that receives a planning grant under this
section shall use such data and the results of such outreach to develop a 5-year regional education equity plan. The regional education equity plan shall—

(A) identify racial, class, gender, and disability-related inequities in education access within the region at the time of the plan’s development;

(B) identify the historic causes of those inequities; and

(C) describe activities to redress those inequities.

(2) EQUITY ASSESSMENT TOOL.—The Secretary shall provide each eligible consortium receiving a planning grant under this section with an equity assessment tool, which shall be a structured list of questions to guide the consortium in the development of the regional education equity plan. The structured list of questions shall be developed in consultation with representatives of impacted communities and education equity groups in a manner that aligns and is consistent with the principles entitled “Jemez Principles for Democratic Organizing” and dated December 1996.

(f) APPLICATION; EQUITY PLAN.—
(1) APPLICATION.—Each eligible consortium desiring a planning grant under this section shall submit an application to the Secretary, at such time, in such manner, and containing such information as the Secretary may reasonably require.

(2) EQUITY PLAN.—Each eligible consortium desiring an implementation grant under this section shall submit a regional education equity plan to the Secretary, at such time, in such manner, and containing such information as the Secretary may reasonably require, which shall include, at a minimum, the information described in subsection (e). If the Secretary does not approve the plan, the Secretary shall work with the eligible consortium and provide technical assistance to assist the eligible consortium in revising the regional education equity plan until the Secretary determines that such plan will be approved.

(g) USE OF FUNDS FOR IMPLEMENTATION.—An eligible consortium receiving an implementation grant under this section shall—

(1) distribute such grant funds to elementary schools and secondary schools that are served by local educational agencies in the eligible consortium
in accordance with the regional education equity plan; and

(2) may use grant funds for resource sharing and the centralization of administration, planning, and procurement among the local educational agencies in the consortium, with the aim of ensuring an equitable distribution of funding and staffing and equitable access to high-quality educational opportunities for students, including students who are children with disabilities and low-income students.

(h) **Accountability.**—An eligible consortium that receives an implementation grant under this section shall post on a publicly available website data about annual benchmarks that are achieved during the 5-year grant period.

(i) **Authorization of Appropriations; Mandatory Appropriations.**—Out of funds in the Treasury not otherwise appropriated, there are authorized to be appropriated, and there are appropriated for the 10-fiscal-year period following the date of enactment of this Act—

(1) $100,000,000 to the Secretary to carry out this section; and

(2) sums as are necessary the Secretary for the administrative expenses and provision of technical assistance in carrying out this section.
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SEC. 105. IDEA FUNDING.

Out of funds in the Treasury not otherwise appropriated, there are appropriated to carry out part B of the Individuals with Disabilities in Education Act (20 U.S.C. 1411 et seq.), $44,000,000,000 for each of the 10 fiscal years following the date of enactment of this Act.

SEC. 106. ELEMENTARY AND SECONDARY EDUCATION FUNDING.

Out of funds in the Treasury not otherwise appropriated, there are appropriated to carry out part A of title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311 et seq.), $74,000,000,000 for each of the 10 fiscal years following the date of enactment of this Act.

TITLE II—CLIMATE CHANGE RESILIENCY

SEC. 201. DEFINITIONS.

In this Act:

(1) Community resiliency center.—The term “community resiliency center” means a center that provides community resources and improves disaster preparedness, response, or recovery in the community and—

(A) may conduct, or provide space for, targeted activities such as helping reach community members not well-served by existing resources or preparedness programs, and serving
as a shelter or communications center in emergencies, distributing food, energy and other basic needs during or after a disaster, providing trauma-informed care and mental health services during or after a disaster, and enabling faster recovery through connecting community members with services; and

(B) may distribute food, energy, or other basic needs on an ongoing basis.

(2) Environmental Justice Community.— The term “environmental justice community” means a community with significant representation of communities of color, low-income communities, or Tribal and indigenous communities that experiences, or is at risk of experiencing, higher or more adverse human health or environmental effects as compared to other communities.

SEC. 202. CLIMATE CHANGE RESILIENCY PROGRAM.

The Secretary shall establish a Climate Change Resiliency Program to—

(1) increase the resiliency of the United States public school system, BIE schools, and schools funded by BIE during—

(A) climate change-related events and natural disasters, including extreme weather
events, droughts, hurricanes, coastal and inland flooding, sea level rise, increased storm surge, wildfires, mudslides, extreme temperatures, tornadoes, earthquakes, and volcanos; and

(B) public health crises;

(2) increase the ability of the United States public school system, BIE schools, and schools funded by BIE to advance climate justice and environmental justice by serving as community resiliency centers;

(3) build partnerships among local businesses, labor unions, apprenticeship programs, nonprofit organizations, and educators to facilitate applied STEAM and social science learning opportunities related to climate resiliency for students and create local jobs; and

(4) prioritize public educational institutions, BIE schools, and schools funded by BIE as centers of innovation and pathways to green collar jobs through investments in vocational and technical education in public schools that connect to labor organization registered apprenticeships and other high-road jobs.
SEC. 203. GRANT PROGRAM.

(a) IN GENERAL.—As part of the Climate Change Resiliency Program established under section 202, the Secretary shall establish a program to make grants to State educational agencies, in partnership with local educational agencies and local nonprofit organizations, for the development and implementation of Statewide, regional, or local climate resiliency plans or climate resiliency projects for public elementary schools and secondary schools, BIE schools, and schools funded by BIE, with the aim of enabling public schools to serve as community resiliency centers.

(b) CLIMATE RESILIENCY PLANS AND PROJECTS.—Each climate resiliency plan or climate resiliency project under subsection (a) shall include 1 or more of the following depending on the needs of the schools and surrounding communities to be served:

(1) Improvements to school buildings and grounds, including projects such as—

(A) installing on-site distributed generation that combines energy efficient devices, energy storage, and renewable energy to allow the school to access essential energy during power outages and optimize use of on-site and off-site energy sources for emissions reductions;
(B) upgrading school kitchen facilities to support the preparation of scratch-cooked student meals that use whole ingredients and are rich in fruits, vegetables, legumes, and whole grains;

(C) projects that generate and maintain publicly accessibly integrated sustainability data and building management platforms;

(D) improving walkability and accessibility on school grounds and in all school buildings;

(E) acquiring relevant disaster response equipment and carrying out disaster response training;

(F) procuring electric school buses;

(G) installing public charging infrastructure for electric school buses and electric vehicles;

(H) establishing or improving dedicated infrastructure for safe transportation by bicycle, including bicycle lanes and parking spots;

(I) enhancing multi-modal access to support the needs of all students, families, and staff, whether they walk, bike, use transit, or use other means of transportation to and from school;
(J) establishing or improving vehicle speed
reduction infrastructure; and

(K) a project involving the installation of
high-speed internet infrastructure, in coordina-
tion with the E-rate program of the Federal
Communications Commission set forth under
subpart F of part 54 of title 47, Code of Fed-
eral Regulations (or any successor regula-
tion)—

(i) in order to provide universal inter-
net access for schools served by the grant-
ee, BIE schools, and schools funded by
BIE;

(ii) with an upload speed that allows
for the full execution of activities related to
virtual teaching and learning, including the
access and use of interactive online learn-
ing modules and textbooks, online profes-
sional learning courses, videoconferencing,
and assistive technology;

(iii) including the ongoing costs asso-
ciated with providing that internet infra-
structure and access;

(iv) with respect to which, schools are
encouraged to partner with municipal and
other public or nonprofit entities to support internet access; and

(v) with respect to which the school will ensure that all internet service providers with which the school contracts for the project include open access infrastructure.

(2) Green infrastructure projects and projects to increase food supply resiliency, such as—

(A) wetlands, drainage ponds, and any other green infrastructure to protect schools from projected severe effects with respect to extreme weather, natural disasters, or climate change-related events, including sea-level rise, flooding, and increased risk of wildfire;

(B) green rooftops and walls that meet the minimum performance standard specified within the Living Architecture Performance Tool (LAPT) rating system, implemented or completed in consultation with at least one Green Roof Professional (GRP) as accredited by the Green Roof Industry Association, particularly those that can provide temperature management and air quality improvements and reduce stormwater runoff;
(C) indoor plantings, particularly those that can provide air quality improvements;
(D) tree plantings and green playgrounds that, at appropriate times, can act as a green space for the community;
(E) community gardens that may be used by the school to provide healthy food for students or by the community to provide healthy food for community residents;
(F) procurement of local, organic, and sustainably produced food, including a focus on healthy, plant-based options; and
(G) large scale food composting operations, and other projects to reduce single-use plastic and promote zero-waste options.

(3) Projects to enable remote learning in the event that a school building is unusable due to a natural disaster, climate- or climate-change related event, severe weather, or infectious disease outbreaks.

(4) Projects for climate resiliency education, including STEAM and social science education and career preparation, such as projects that combine upgrades to school buildings and grounds with career and technical education opportunities.
(5) Any other type of plan or project carried out by the State educational agency that the Secretary determines will increase the resiliency of a school or school infrastructure provided, operated, or owned by the State educational agency with respect to the events described in section 202(1).

(e) PRIORITY.—The Secretary shall develop metrics to evaluate grant applications and give priority to applications for climate resiliency plans or climate resiliency projects that focus on improving schools in neighborhoods that experience low air quality, lack green space and healthy food, bear higher cumulative pollution burdens, or are at high risk of experiencing the adverse effects of climate change.

(d) COMPONENTS.—The Secretary, directly or through partnerships with States and nonprofit organizations, shall provide technical assistance to support grantees in developing and implementing climate resiliency plans or climate resiliency projects that—

(1) provide hands-on education and applied STEAM and social science learning opportunities to students;

(2) demonstrate a commitment to provide job training, registered apprenticeship programs, and contracting opportunities to residents and small
businesses owned by residents of the community that
the school serves;

(3) identify and further community priority ac-
tions and conduct robust community engagement;

(4) utilize climate change and community
health data for proactive solutions;

(5) employ nature-based solutions that focus on
protection, restoration, or management of ecological
systems to safeguard public health, provide clean air
and water, increase natural hazard resilience, and
sequester carbon;

(6) increase equitable outcomes for and support
strong partnerships with environmental justice com-
munities and climate vulnerable populations;

(7) achieve broad and multiple community ben-
nets; and

(8) monitor project success and maintaining the
project into the future.

(e) EXISTING INITIATIVES.—The Secretary may en-
courage and give priority to climate resiliency plans or cli-
mate resiliency projects that integrate with and inform ex-
isting sustainability initiatives, such as the Department of
Education Green Ribbon Schools program.

(f) ENVIRONMENTAL HEALTH.—The Secretary may
develop and encourage metrics to support consistent re-
porting of environmental health best practices and other outcomes.

(g) COORDINATION.—

(1) ENVIRONMENTAL PROTECTION AGENCY AND AGRICULTURE.—The Secretary shall coordinate with the Administrator of the Environmental Protection Agency and the Secretary of Agriculture to provide technical guidance or assistance to State educational agencies in designing and carrying out climate resiliency plans or climate resiliency projects funded by the grant program as they relate to healthy schools.

(2) DEPARTMENT OF ENERGY.—The Secretary shall coordinate with the Secretary of Energy to develop metrics to evaluate grant applications and provide technical assistance to State and local educational agencies in designing and carrying out climate resiliency plans or climate resiliency projects.

(h) PARTNERS.—A recipient of a grant under this section to carry out a project described in subsection (b)(1)(K) shall, to the extent practicable, partner with local government and other public or nonprofit entities to support internet access, and all service providers shall use open access infrastructure.

(i) ENVIRONMENTAL JUSTICE COMMUNITIES.—The Secretary shall ensure that not less than 50 percent of
funds awarded under this section are used for projects located in environmental justice communities.

(j) Wage Rate Requirements.—

(1) In general.—Notwithstanding any other provision of law, all laborers and mechanics employed by contractors and subcontractors on projects funded directly by a grant under this section shall be paid wages at rates not less than those prevailing on projects of a similar character in the locality, as determined by the Secretary of Labor in accordance with subchapter IV of chapter 31 of title 40, United States Code (commonly referred to as the “Davis-Bacon Act”).

(2) Authority.—With respect to the labor standards specified in paragraph (1), the Secretary of Labor shall have the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 (64 Stat. 1267; 5 U.S.C. App.) and section 3145 of title 40, United States Code.

(k) Use of American Iron, Steel, and Manufactured Products.—

(1) Definitions.—In this subsection:

(A) Manufactured Product.—The term “manufactured product” means any construction material or end product (as those terms
are defined in part 25.003 of the Federal Acquisition Regulation) that is not an iron or steel product, including—

(i) electrical components; and

(ii) non-ferrous building materials, including aluminum, polyvinylchloride, glass, fiber optics, plastic, wood, masonry, rubber, manufactured stone, any other non-ferrous metals, and any unmanufactured construction material.

(B) PRODUCED IN THE UNITED STATES.—

The term “produced in the United States” means the following:

(i) When used with respect to a manufactured product, the product was manufactured in the United States and the cost of the components of that product that were mined, produced, or manufactured in the United States exceeds 60 percent of the total cost of all components of the product.

(ii) When used with respect to iron or steel products, or an individual component of a manufactured product, all manufacturing processes for those iron or steel
products or components, from the initial melting stage through the application of coatings, occurred in the United States, except that the term does not include—

(I) steel or iron material or products manufactured abroad from semi-finished steel or iron from the United States; or

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

(2) REQUIREMENTS.—A State that receives funds under this section shall ensure that any iron, steel, and manufactured products used in a project carried out with those funds are produced in the United States.

(3) WAIVER AUTHORITY.—

(A) IN GENERAL.—The Secretary may waive the requirement under paragraph (2) if the Secretary determines that—

(i) applying the requirement would be inconsistent with the public interest;

(ii) iron, steel, and manufactured products produced in the United States are
not produced in a sufficient and reasonably available quantity or are not of a satisfactory quality; or

(iii) using iron, steel, and manufactured products produced in the United States will increase the cost of the applicable overall project by more than 25 percent.

(B) Publication.—Before issuing a waiver under subparagraph (A), the Secretary shall publish in the Federal Register a detailed written explanation of the waiver determination.

(4) Consistency with international agreements.—This subsection shall be applied in a manner consistent with the obligations of the United States under international agreements.

SEC. 204. REPORT.

Not later than 2 years after the date of enactment of this Act, and annually thereafter, the Secretary shall submit to Congress a report that evaluates the effectiveness of the activities carried out under this title.

SEC. 205. AUTHORIZATION OF APPROPRIATIONS; MANDATORY APPROPRIATIONS.

(a) In General.—Out of funds in the Treasury not otherwise appropriated, there are authorized to be appro-
appropriated, and there are appropriated for each of fiscal years 2024 through 2034, $4,000,000,000 to the Secretary of Education to carry out this title.

(b) LIMITATION.—Not more than 5 percent of the funds appropriated to carry out this title shall be used for projects described in section 203(b)(3).