

PROVIDING FOR CONSIDERATION OF THE BILL (H.R. 3036) TO AMEND THE
ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965 REGARDING
ENVIRONMENTAL EDUCATION, AND FOR OTHER PURPOSES

SEPTEMBER 16, 2008.—Referred to the House Calendar and ordered to be printed

Ms. CASTOR, from the Committee on Rules,
submitted the following

R E P O R T

[To accompany H. Res. 1441]

The Committee on Rules, having had under consideration House Resolution 1441, by a record vote of 5-3, report the same to the House with the recommendation that the resolution be adopted.

SUMMARY OF PROVISIONS OF THE RESOLUTION

The resolution provides for consideration of H.R. 3036, the “No Child Left Inside Act of 2008,” under a structured rule. The rule provides one hour of general debate equally divided and controlled by the chairman and ranking minority member of the Committee on Education and Labor. The rule waives all points of order against consideration of the bill except clauses 9 and 10 of rule XXI. The rule provides that the amendment in the nature of a substitute recommended by the Committee on Education and Labor now printed in the bill shall be considered as an original bill for the purpose of amendment and shall be considered as read. The rule waives all points of order against the amendment in the nature of a substitute except for clause 10 of rule XXI. This waiver does not affect the point of order available under clause 9 of rule XXI (regarding earmark disclosure).

The rule makes in order only those amendments printed in this report. The amendments made in order may be offered only in the order printed in this report, may be offered only by a Member designated in this report, shall be considered as read, shall be debatable for the time specified in this report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for a division of the question in the House or in the Committee of the Whole. All points of order against the amendments except for clauses 9 and 10 of rule XXI are waived. The rule provides one motion to recommit with or without instructions. The rule provides that, notwith-

standing the operation of the previous question, the Chair may postpone further consideration of the bill to a time designated by the Speaker.

EXPLANATION OF WAIVERS

Although the rule waives all points of order against consideration of the bill (except for clauses 9 and 10 of rule XXI) and waives all points of order against the amendment in the nature of a substitute (except clause 10 of rule XXI), the Committee is not aware of any points of order. The waivers of all points of order are prophylactic.

COMMITTEE VOTES

The results of each record vote on an amendment or motion to report, together with the names of those voting for and against, are printed below:

Rules Committee record vote No. 593

Date: September 16, 2008.

Measure: H.R. 3036.

Motion by: Mr. Diaz-Balart.

Summary of motion: To grant an open rule.

Results: Defeated 3–5.

Vote by Members: Cardoza—Nay; Welch—Nay; Castor—Nay; Arcuri—Nay; Diaz-Balart—Yea; Hastings (WA)—Yea; Sessions—Yea; Slaughter—Nay.

Rules Committee record vote No. 594

Date: September 16, 2008.

Measure: H.R. 3036.

Motion by: Mr. Diaz-Balart.

Summary of motion: To make in order and provide appropriate waivers for an amendment by Rep. Bishop (UT), #1, which strikes language that directs grant funds towards “developing and implementing new policy approaches to advancing environmental education at the State and local level,” replacing it with language that directs grant funds towards developing and implementing new policy approaches to advance the understanding of the environmental benefits of energy produced from clean coal and oil shale, the effects of such production on energy usage, the impact of greater usage on the environment, and any corresponding effects on the price of gasoline.

Results: Defeated 3–5.

Vote by Members: Cardoza—Nay; Welch—Nay; Castor—Nay; Arcuri—Nay; Diaz-Balart—Yea; Hastings (WA)—Yea; Sessions—Yea; Slaughter—Nay.

Rules Committee record vote No. 595

Date: September 16, 2008.

Measure: H.R. 3036.

Motion by: Mr. Hastings (WA).

Summary of motion: To make in order and provide appropriate waivers for an amendment by Rep. McKeon (CA), #5, which strikes language that directs grant funds towards “developing and implementing new policy approaches to advancing environmental edu-

cation at the State and local level,” replacing it with language that directs grant funds towards developing and implementing new policy approaches to advance the understanding of the environmental benefits of an “all of the above” energy plan, the effects of such a plan on energy usage, the impact of greater energy usage on the environment, and any corresponding effects on the price of gasoline.

Results: Defeated 3–5.

Vote by Members: Cardoza—Nay; Welch—Nay; Castor—Nay; Arcuri—Nay; Diaz-Balart—Yea; Hastings (WA)—Yea; Sessions—Yea; Slaughter—Nay.

Rules Committee record vote No. 596

Date: September 16, 2008.

Measure: H.R. 3036.

Motion by: Mr. Sessions.

Summary of motion: To make in order and provide appropriate waivers for an amendment by Rep. Bishop (UT), #2, which strikes language that directs grant funds towards “developing and implementing new policy approaches to advancing environmental education at the State and local level,” replacing it with language that directs grant funds toward developing and implementing new policy approaches to advance the understanding of the history of congressional and Presidential environmental action on the Arctic National Wildlife Refuge, the effects of such actions on energy usage, the impact that such actions could have had on the environment, and any corresponding effects on the price of gasoline.

Results: Defeated 3–5.

Vote by Members: Cardoza—Nay; Welch—Nay; Castor—Nay; Arcuri—Nay; Diaz-Balart—Yea; Hastings (WA)—Yea; Sessions—Yea; Slaughter—Nay.

Rules Committee record vote No. 597

Date: September 16, 2008.

Measure: H.R. 3036.

Motion by: Mr. Cardoza.

Summary of motion: To report the rule.

Results: Adopted 5–3.

Vote by Members: Cardoza—Yea; Welch—Yea; Castor—Yea; Arcuri—Yea; Diaz-Balart—Nay; Hastings (WA)—Nay; Sessions—Nay; Slaughter—Yea.

SUMMARY OF AMENDMENTS MADE IN ORDER

(Summaries derived from information provided by sponsors.)

1. Miller, George (CA): The amendment clarifies that funds issued under the National Capacity Environmental Education Grant Program may be used to address environmental justice issues that may arise in low income communities. The amendment also provides that funds may be used to develop and implement policy approaches to environmental education including specified topics. (10 minutes)

2. Duncan (TN): The amendment reduces funding in the bill for the National Environmental Education Act to \$9 million. (10 minutes)

3. Duncan (TN): The amendment strikes Section 11, regarding the new environmental education grant program administered by the Department of Education under the National Environmental Education Act. (10 minutes)

4. Welch (VT): The amendment allows municipalities to be eligible for the National Capacity Environmental Education Grant Program. (10 minutes)

5. Courtney (CT): The amendment adds that applicants may describe on their application for federal grant funds how they have partnered, or intend to partner, with a State and local park and recreation department. (10 minutes)

TEXT OF AMENDMENTS MADE IN ORDER

1. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE GEORGE MILLER OF CALIFORNIA, OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 10, strike lines 1 through 8 and insert the following:

“(D) address issues of environmental justice, including policies and methods for eliminating disparate enforcement of environmental laws and regulations, including with respect to low-income communities.

Page 10, strike lines 9 through 11 and insert the following:

“(3) Developing and implementing new policy approaches to environmental education, which shall include a discussion of—

“(A) the benefits and costs to the environment and to consumers regarding increasing the supply of energy produced in the United States from—

“(i) oil and gas drilling;

“(ii) nuclear power;

“(iii) new coal technologies; and

“(iv) clean renewable and alternative sources of energy, including wind, solar, geothermal, hydropower, and advanced biofuels; and

“(B) the best strategies for reducing energy consumption through an enhanced emphasis on efficiency and conservation.

2. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE DUNCAN OF TENNESSEE, OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 7, line 18, strike “14,000,000” and insert “9,000,000”.

3. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE DUNCAN OF TENNESSEE, OF HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 7, beginning on line 19, strike “NATIONAL CAPACITY ENVIRONMENTAL EDUCATION GRANT PROGRAM;”.

Page 7, line 23, strike “13” and insert “12”.

Page 8, strike line 1 through page 17, line 17.

Page 17, line 18, strike “12” and insert “11”.

Page 19, line 4, strike “14” and insert “13”.

Page 20, strike line 18 and all that follows before the title amendment and insert the following:

(f) CONFORMING AMENDMENT.—The table of contents in section 1(b) of the National Environmental Education Act (20 U.S.C. 5501 note) is amended by striking the item relating to section 11 and inserting the following:

“Sec. 11. Accountability.

“Sec. 12. Authorization.

“Sec. 13. Restrictions on Federal Government and use of Federal funds.”.

4. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE WELCH OF VERMONT, OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 8, line 7, insert “municipalities,” after “agencies,”.

Page 8, line 15, insert “a municipality,” after “education,”.

Page 12, line 8, insert “municipality,” after “Each”.

5. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE COURTNEY OF CONNECTICUT, OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 12, line 19, after “section.” insert the following: “Such application may describe how the applicant has partnered, or intends to partner, with a State and local park and recreation department.”.