

McMorris Rodgers Meehan Mica Miller (FL) Miller (MI) Miller, Gary Mulvaney Murphy (PA) Myrick Neugebauer Noem Nugent Nunes Nunnelee Olson Palazzo Paul Paulsen Pearce Pence Petri Pitts Platts Poe (TX) Pompeo Posey Price (GA) Quayle Reed Rehberg

Reichert Renacci Ribble Rigell Rivera Roby Roe (TN) Rogers (AL) Rogers (KY) Rogers (MI) Rohrabacher Rokita Rooney Ros-Lehtinen Roskam Ross (FL) Royce Runyan Ryan (WI) Scalise Schilling Schmidt Schock Schweikert Scott (SC) Scott, Austin Sensenbrenner Sessions Shimkus Shuster Simpson

Smith (NE) Smith (NJ) Smith (TX) Southerland Stearns Stivers Stutzman Sullivan Terry Thompson (PA) Thornberry Tiberi Tipton Turner Upton Walberg Walden Walsh (IL) Webster West Westmoreland Whitfield Wilson (SC) Wittman Wolf Womack Woodall Yoder Young (AK) Young (FL) Young (IN)

Frelinghuysen Garamendi Giffords Hayworth

Heller Polis Quigley Rangel

Shuler Slaughter

McMorris Rodgers McNeerney Meehan Mica Michaud Miller (FL) Miller (MI) Miller (NC) Miller, Gary Moran Mulvaney Murphy (CT) Murphy (PA) Myrick Nadler Neal Neugebauer Noem Nugent Nunes Nunnelee Olson Owens Palazzo Pascrell Paul Paulsen Payne Pence Petri Pingree (ME) Pitts Platts Polis Pompeo Price (GA) Price (NC) Quayle Quigley Rehberg Reichert Ribble

Richardson Richmond Rigell Rivera Roby Roe (TN) Rogers (AL) Rogers (KY) Rogers (MI) Rohrabacher Rokita Rooney Ros-Lehtinen Roskam Ross (AR) Ross (FL) Rothman (NJ) Royce Runyan Ruppertsberger Ryan (WI) Scalise Schiff Schilling Schmidt Schock Schrader Schwartz Schweikert Scott (SC) Scott, Austin Scott, David Sensenbrenner Serrano Sessions Sewell Sherman Shimkus Shuster Simpson Smith (NE) Smith (NJ) Smith (TX)

Smith (WA) Southerland Speier Stearns Stivers Stutzman Thompson (PA) Thornberry Tiberi Tierney Tonko Tsongas Turner Upton Van Hollen Velázquez Walberg Walden Walsh (IL) Walz (MN) Wasserman Schultz Waters Watt Waxman Webster Welch West Westmoreland Whitfield Wilson (FL) Wilson (SC) Wittman Wolf Womack Woodall Woolsey Yarmuth Young (FL) Young (IN)

□ 1400

So the resolution was agreed to. The result of the vote was announced as above recorded. A motion to reconsider was laid on the table.

THE JOURNAL

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the unfinished business is the question on agreeing to the Speaker's approval of the Journal, on which the yeas and nays were ordered.

The question is on the Speaker's approval of the Journal.

This will be a 5-minute vote. The vote was taken by electronic device, and there were—yeas 309, nays 107, answered "present" 1, not voting 15, as follows:

[Roll No. 201] YEAS—309

ACKERMANS Ackerman Andrews Baca Baldwin Barrow Bass (CA) Becerra Berkley Berman Bishop (GA) Bishop (NY) Blumenauer Boren Boswell Brady (PA) Braley (IA) Brown (FL) Capps Capuano Cardoza Carnahan Carney Castor (FL) Chandler Chu Cicilline Clarke (MI) Clay Clyburn Cohen Connolly (VA) Conyers Cooper Costa Costello Courtney Critz Crowley Cuellar Cummings Davis (CA) DeFazio DeGette DeLauro Deutch Dicks Dingell Doggett Donnelly (IN) Doyle Edwards Ellison Engel Eshoo Farr Fattah Filner Frank (MA) Fudge Gonzalez Green, Al

NAYS—178

Green, Gene Grijalva Gutierrez Hanabusa Hastings (FL) Heinrich Higgins Himes Hinchey Hinojosa Hirono Holden Holt Honda Hoyer Inslee Israel Jackson (IL) Jackson Lee (TX) Johnson (GA) Johnson, E. B. Kaptur Keating Kildee Kind Kissell Kucinich Langevin Larsen (WA) Larson (CT) Lee (CA) Levin Lewis (GA) Loebsock Lofgren, Zoe Lowey Luján Lynch Maloney Markey Matheson Matsui McCarthy (NY) McCollum McDermott McGovern McIntyre McNeerney Meeks Michaud Miller (NC) Miller, George Moore Moran Murphy (CT) Nadler Napolitano Neal Olver Owens

Pallone Pascrell Pastor (AZ) Payne Pelosi Perlmutter Peters Peterson Pingree (ME) Price (NC) Rahall Reyes Richardson Richmond Ross (AR) Rothman (NJ) Roybal-Allard Ruppertsberger Rush Ryan (OH) Sánchez, Linda T. Sanchez, Loretta Sarbanes Schakowsky Schiff Schrader Schwartz Scott (VA) Scott, David Serrano Sewell Sherman Sires Smith (WA) Speier Stark Sutton Thompson (CA) Thompson (MS) Tierney Tonko Towns Tsongas Van Hollen Velázquez Visclosky Walz (MN) Wasserman Schultz Waters Watt Waxman Weiner Welch Wilson (FL) Woolsey Wu Yarmuth

Ackerman Adams Aderholt Akin Alexander Austria Baca Bachmann Bachus Barletta Barrow Bartlett Bass (NH) Berman Berntson Biggart Bilirakis Bishop (GA) Bishop (UT) Black Blackburn Blumener Bonner Bono Mack Boren Boustany Brady (TX) Braley (IA) Brooks Broun (GA) Buchson Buerkle Burton (IN) Calvert Camp Canseco Cantor Capito Capps Carney Carter Cassidy Castor (FL) Chabot Chaffetz Chandler Cicilline Clay Clyburn Coble Coffman (CO) Cohen Cole Conaway Connolly (VA) Conyers Cooper Courtney Crawford Crenshaw

Critz Crowley Culberson Davis (CA) Davis (KY) DeGette DeLauro Denham DesJarlais Diaz-Balart Dingell Doggett Doyle Dreier Duffy Duncan (SC) Duncan (TN) Edwards Ellmers Emerson Engel Eshoo Fattah Fincher Flake Fleischmann Fleming Flores Forbes Fortenberry Frank (MA) Franks (AZ) Gallegly Garamendi Garrett Gerlach Gibson Gingrey (GA) Gonzalez Goodlatte Gosar Gowdy Granger Graves (GA) Green, Al Green, Gene Griffin (AR) Griffith (VA) Grijalva Grimm Guinta Guthrie Hanabusa Harper Hartzler Hastings (WA) Hayworth Heinrich Hensarling Herger Herrera Beutler Higgins

Himes Hinojosa Hirono Holden Holt Huelskamp Huizenga (MI) Hultgren Hurt Inslee Issa Jenkins Johnson (GA) Johnson (IL) Johnson (OH) Johnson, E. B. Johnson, Sam Jones Jordan Kaptur Kelly Kildee Kind King (IA) King (NY) Kingston Kissell Kline Labrador Lamborn Lance Landry Lankford Latham LaTourette Latta Levin Lewis (CA) Loebsock Long Lowey Lucas Luetkemeyer Lummis Lungren, Daniel E. Mack Manzullo Marchant Marino Markey Matheson Matsui McCarthy (CA) McCarthy (NY) McCaul McClintock McCollum McHenry McIntyre McKeon

Altmore Baldwin Bass (CA) Becerra Bilbray Bishop (NY) Boswell Brady (PA) Brown (FL) Burgess Capuano Cardoza Carnahan Chu Clarke (MI) Costa Costello Cravaack Cuellar Cummings Davis (IL) DeFazio Dent Deutch Dicks Dold Donnelly (IN) Ellison Farenthold Farr Filner Fitzpatrick Foxx Fudge Gardner Gibbs Graves (MO)

ANSWERED "PRESENT"—1

Amash

NOT VOTING—15

Carson (IN) Clarke (NY) Cleaver Frelinghuysen Giffords

Olver Pallone Pastor (AZ) Pearce Pelosi Peters Peterson Poe (TX) Rahall Rangel Reed Renacci Reyes Roybal-Allard Rush Ryan (OH) Sánchez, Linda T. Sanchez, Loretta Sarbanes Schakowsky Scott (VA) Sires Stark Sullivan Sutton Terry Thompson (CA) Thompson (MS) Tipton Towns Visclosky Weiner Wu Young (AK)

□ 1408

Ms. BASS of California changed her vote from "yea" to "nay." So the Journal was approved.

NOT VOTING—19

Butterfield Campbell Carson (IN)

Clarke (NY) Cleaver Davis (IL)

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Ms. SLAUGHTER. Mr. Speaker, I was unavoidably detained on official business and missed rollcall vote Nos. 200 and 201. Had I been present, I would have voted "nay" on rollcall vote Nos. 200 and 201.

SCHOLARSHIPS FOR OPPORTUNITY AND RESULTS ACT

Mr. ISSA. Mr. Speaker, pursuant to House Resolution 186, I call up the bill (H.R. 471) to reauthorize the DC opportunity scholarship program, and for other purposes, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER pro tempore (Mr. BASS of New Hampshire). Pursuant to House Resolution 186, the amendment recommended by the Committee on Oversight and Government Reform now printed in the bill is adopted. The bill, as amended, is considered read.

The text of the bill, as amended, is as follows:

H.R. 471

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

SECTION 1. SHORT TITLE.

This Act may be cited as the "Scholarships for Opportunity and Results Act" or the "SOAR Act".

SEC. 2. FINDINGS.

Congress finds the following:

(1) Parents are best equipped to make decisions for their children, including the educational setting that will best serve the interests and educational needs of their child.

(2) For many parents in the District of Columbia, public school choice provided under the Elementary and Secondary Education Act of 1965, as well as under other public school choice programs, is inadequate. More educational options are needed to ensure all families in the District of Columbia have access to a quality education. In particular, funds are needed to provide low-income parents with enhanced public opportunities and private educational environments, regardless of whether such environments are secular or nonsecular.

(3) While the per student cost for students in the public schools of the District of Columbia is one of the highest in the United States, test scores for such students continue to be among the lowest in the Nation. The National Assessment of Educational Progress (NAEP), an annual report released by the National Center for Education Statistics, reported in its 2009 study that students in the District of Columbia were being outperformed by every State in the Nation. On the 2009 NAEP, 56 percent of fourth grade students scored "below basic" in reading, and 44 percent scored "below basic" in mathematics. Among eighth grade students, 49 percent scored "below basic" in reading and 60 percent scored "below basic" in mathematics. On the 2009 NAEP reading assessment, only 17 percent of the District of Columbia fourth grade students could read proficiently, while only 13 percent of the eighth grade students scored at the proficient or advanced level.

(4) In 2003, Congress passed the DC School Choice Incentive Act of 2003 (Public Law 108-199; 118 Stat. 126), to provide opportunity scholarships to parents of students in the District of Columbia to enable them to pursue a high-quality

education at a public or private elementary or secondary school of their choice. The DC Opportunity Scholarship Program (DC OSP) under such Act was part of a comprehensive 3-part funding arrangement that also included additional funds for the District of Columbia public schools, and additional funds for public charter schools of the District of Columbia. The intent of the approach was to ensure that progress would continue to be made to improve public schools and public charter schools, and that funding for the opportunity scholarship program would not lead to a reduction in funding for the District of Columbia public and charter schools. Resources would be available for a variety of educational options that would give families in the District of Columbia a range of choices with regard to the education of their children.

(5) The DC OSP was established in accordance with the Supreme Court decision, *Zelman v. Simmons-Harris*, 536 U.S. 639 (2002), which found that a program enacted for the valid secular purpose of providing educational assistance to low-income children in a demonstrably failing public school system is constitutional if it is neutral with respect to religion and provides assistance to a broad class of citizens who direct government aid to religious and secular schools solely as a result of their genuine and independent private choices.

(6) Since the inception of the DC OSP, it has consistently been oversubscribed. Parents express strong support for the opportunity scholarship program. Rigorous studies of the program by the Institute of Education Sciences have shown significant improvements in parental satisfaction and in reading scores that are more dramatic when only those students consistently using the scholarships are considered. The program also was found to result in significantly higher graduation rates for DC OSP students.

(7) The DC OSP is a program that offers families in need, in the District of Columbia, important alternatives while public schools are improved. This program should be reauthorized as 1 of a 3-part comprehensive funding strategy for the District of Columbia school system that provides new and equal funding for public schools, public charter schools, and opportunity scholarships for students to attend private schools.

SEC. 3. PURPOSE.

The purpose of this Act is to provide low-income parents residing in the District of Columbia, particularly parents of students who attend elementary schools or secondary schools identified for improvement, corrective action, or restructuring under section 1116 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6316), with expanded opportunities for enrolling their children in other schools in the District of Columbia, at least until the public schools in the District of Columbia have adequately addressed shortfalls in health, safety, and security, and the students in the District of Columbia public schools are testing in mathematics and reading at or above the national average.

SEC. 4. GENERAL AUTHORITY.

(a) OPPORTUNITY SCHOLARSHIPS.—

(1) IN GENERAL.—From funds appropriated under section 14(a)(1), the Secretary shall award grants on a competitive basis to eligible entities with approved applications under section 5 to carry out a program to provide eligible students with expanded school choice opportunities. The Secretary may award a single grant or multiple grants, depending on the quality of applications submitted and the priorities of this Act.

(2) DURATION OF GRANTS.—The Secretary may make grants under this subsection for a period of not more than 5 years.

(b) DC PUBLIC SCHOOLS AND CHARTER SCHOOLS.—From funds appropriated under paragraphs (2) and (3) of section 14(a), the Secretary shall provide funds to the Mayor of the District of Columbia, if the Mayor agrees to the requirements described in section 11(a), for—

(1) the District of Columbia public schools to improve public education in the District of Columbia; and

(2) the District of Columbia public charter schools to improve and expand quality public charter schools in the District of Columbia.

SEC. 5. APPLICATIONS.

(a) IN GENERAL.—In order to receive a grant under section 4(a), an eligible entity shall submit an application to the Secretary at such time, in such manner, and accompanied by such information as the Secretary may require.

(b) CONTENTS.—The Secretary may not approve the request of an eligible entity for a grant under section 4(a) unless the entity's application includes—

(1) a detailed description of—

(A) how the entity will address the priorities described in section 6;

(B) how the entity will ensure that if more eligible students seek admission in the program of the entity than the program can accommodate, eligible students are selected for admission through a random selection process which gives weight to the priorities described in section 6;

(C) how the entity will ensure that if more participating eligible students seek admission to a participating school than the school can accommodate, participating eligible students are selected for admission through a random selection process;

(D) how the entity will notify parents of eligible students of the expanded choice opportunities in order to allow the parents to make informed decisions;

(E) the activities that the entity will carry out to provide parents of eligible students with expanded choice opportunities through the awarding of scholarships under section 7(a);

(F) how the entity will determine the amount that will be provided to parents under section 7(a)(2) for the payment of tuition, fees, and transportation expenses, if any;

(G) how the entity will seek out private elementary schools and secondary schools in the District of Columbia to participate in the program;

(H) how the entity will ensure that each participating school will meet the reporting and other program requirements under this Act;

(I) how the entity will ensure that participating schools submit to site visits by the entity as determined to be necessary by the entity, except that a participating school may not be required to submit to more than 1 site visit per school year;

(J) how the entity will ensure that participating schools are financially responsible and will use the funds received under section 7 effectively;

(K) how the entity will address the renewal of scholarships to participating eligible students, including continued eligibility; and

(L) how the entity will ensure that a majority of its voting board members or governing organization are residents of the District of Columbia; and

(2) an assurance that the entity will comply with all requests regarding any evaluation carried out under section 9(a).

SEC. 6. PRIORITIES.

In awarding grants under section 4(a), the Secretary shall give priority to applications from eligible entities that will most effectively—

(1) in awarding scholarships under section 7(a), give priority to—

(A) eligible students who, in the school year preceding the school year for which the eligible students are seeking a scholarship, attended an elementary school or secondary school identified for improvement, corrective action, or restructuring under section 1116 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6316);

(B) students who have been awarded a scholarship in a preceding year under this Act or the DC School Choice Incentive Act of 2003 (sec. 38-