

SALAZAR) was added as a cosponsor of S. 1125, a bill to amend the Internal Revenue Code of 1986 to provide incentives to encourage investment in the expansion of freight rail infrastructure capacity and to enhance modal tax equity.

S. 1146

At the request of Mr. SALAZAR, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. 1146, a bill to amend title 38, United States Code, to improve health care for veterans who live in rural areas, and for other purposes.

S. 1173

At the request of Mrs. BOXER, the names of the Senator from Montana (Mr. TESTER) and the Senator from Connecticut (Mr. LIEBERMAN) were added as cosponsors of S. 1173, a bill to protect, consistent with *Roe v. Wade*, a woman's freedom to choose to bear a child or terminate a pregnancy, and for other purposes.

S. CON. RES. 26

At the request of Mrs. CLINTON, the names of the Senator from Idaho (Mr. CRAPO) and the Senator from Maine (Ms. SNOWE) were added as cosponsors of S. Con. Res. 26, a concurrent resolution recognizing the 75th anniversary of the Military Order of the Purple Heart and commending recipients of the Purple Heart for their courageous demonstrations of gallantry and heroism on behalf of the United States.

S. CON. RES. 27

At the request of Mrs. CLINTON, the names of the Senator from Idaho (Mr. CRAPO) and the Senator from Maine (Ms. SNOWE) were added as cosponsors of S. Con. Res. 27, a concurrent resolution supporting the goals and ideals of "National Purple Heart Recognition Day".

S. RES. 82

At the request of Mr. HAGEL, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. Res. 82, a resolution designating August 16, 2007 as "National Airborne Day".

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. BINGAMAN (for himself, Mr. BURR, and Mr. KENNEDY):

S. 1185. A bill to provide grants to States to improve high schools and raise graduation rates while ensuring rigorous standards, to develop and implement effective school models for struggling students and dropouts, and to improve State policies to raise graduation rates, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

Mr. BINGAMAN. Mr. President, I wanted to take a few minutes of the Senate's time to talk about a bill that I introduced, along with Senator BURR and Senator KENNEDY, entitled the Graduation Promise Act of 2007, or GPA.

This bill would create a Federal-State-local partnership to improve the

Nation's graduation rates and help transform our lowest performing high schools. This is a bill we just introduced today.

I thank Senator BURR and Senator KENNEDY for their commitment to improving our high schools and for increasing graduation rates in this country. I am very pleased to be working with both of them on this legislation. I am also very glad that GPA, this legislation we have introduced, is supported by the Alliance for Excellent Education, by the Center for American Progress, by Jobs for the Future, by the National Council of La Raza, by First Focus, and many other education groups.

Nearly 20 years ago, the Nation's Governors met for the first education summit and, as far as I know, for the only national education summit in our country's history. They met with the first President Bush in Charlottesville, VA. They agreed to set high expectations for education for the coming decade. That was the decade following 1989.

One of those standards they set was for an increase in high school graduation rates to 90 percent by the year 2000. Today, we are not even close to achieving that goal. In fact, the Nation's graduation rate has stagnated at around 70 percent instead of 90 percent. Graduation rates for Hispanic and African-American students are lower than that. In my home State of New Mexico, by some estimates, the graduation rate is less than 60 percent in some high schools.

Many students are entering the ninth grade significantly behind in their reading and mathematics skills. They are ill-prepared to master the challenges of the typical high school curriculum. Not surprisingly, these students are more prone to academic failure and grade retention and, accordingly, the dropout rates among these students are disturbingly high, specifically in the ninth grade.

But low graduation rates are only one broad indicator of the crisis affecting our Nation's high schools. Even if a student makes it to graduation, only a third of all students who enter the ninth grade will graduate with the skills and the knowledge necessary to go on to college or to succeed in the modern workplace. They are not receiving the kind of quality education that permits a seamless transition to a job or postsecondary education. Again, this problem disproportionately affects minority students. Only 16 percent of Hispanic students and 23 percent of African-American students graduate prepared for college, compared to 40 percent for other students.

This situation is simply unacceptable. In the global technology-based economy we live in today, a high school diploma is a minimum qualification for most jobs in our fastest growing sectors. The United States ranks 19th in high school graduation rates among major industrial democracies.

The Federal Government recognized that investments in early childhood and elementary grades are critical to a student's academic growth and success. Still, attention and resources must be sustained throughout the middle and high school years as well if the national goal of leaving no child behind is to be met. Unfortunately, we have not been doing this. Only about 8 percent of all title I dollars go to our high schools today.

Our continued economic security hinges on preparing our young people to enter college and to enter the 21st century workforce. In fact, our national security depends on it.

Fortunately, research has come to light that will help us to better understand the factors behind the low graduation and student performance data. For instance, we can identify the high schools that are producing the majority of dropouts in this country. These schools—roughly 2,000 schools I am referring to—represent about 15 percent of all high schools in the country, and they have persistently low rates of graduation and low rates of grade promotion.

If we look at the typical senior class at one of these high schools, it will have decreased in size by at least 40 percent since the students entered the school 4 years earlier. These high schools are in every State. They tend to be concentrated in urban areas, and they serve more than a third of our African-American and Hispanic students nationwide. Unfortunately, there are 23 of these high schools in my home State of New Mexico.

Research has also shed light on the specific factors that allow us to predict who is going to drop out of high school. We can identify with up to 80 percent accuracy the future dropouts as early as the ninth grade. We can do so by looking at such predictors as course failure, poor attendance, behavior problems, and retention in earlier grades. Students who enter high school significantly lagging behind in their academics and who show signs of becoming disengaged from the school are prone to drop out unless additional support is put in place.

Finally, research-based solutions with solid evidence of success are transforming of our high schools with low graduation rates. Restructuring schools into smaller, more personalized learning environments ensures that students become engaged from the time they enter the ninth grade on. Sustained efforts to boost attendance ensure they will not fall further behind.

Schools that have combined these efforts with a high-quality curriculum and structural improvements have been very successful at improving student performance and improving graduation rates. They have done so with transitional math and English for ninth graders that will help them catch up by offering challenging curricula and tangible contextual applications of

learning in order to rekindle the interests of these students and creating teaching teams, targeting professional development for the teachers to help them meet this challenge. A combination of these interventions has improved student performance and increased graduation rates. We know this problem can be solved to meet the goal.

This legislation has been introduced by Senators BURR and KENNEDY, and I hope very much this legislation and many of its provisions can be included when we get to a markup of the No Child Left Behind legislation later this year.

I submit we cannot afford to let the estimated 2,000 failing high schools continue to push students off the path to prosperity. Collectively, these schools serve about 2.4 million students. We need to ensure for the continued prosperity of the country that these students remain in school and graduate with the skills needed to become productive citizens.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 1185

*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 "Graduation Promise Act of 2007".

**SEC. 2. DEFINITIONS.**

In this Act:

(1) IN GENERAL.—The terms "local educational agency", "secondary school", and "State educational agency" have the meanings given the terms in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

(2) GRADUATION RATE.—The term "graduation rate" (except when used as part of the term "averaged freshmen graduation rate") has the meaning given the term in section 1111(b)(2)(C)(vi) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311(b)(2)(C)(vi)).

(3) HIGH-PRIORITY.—The term "high-priority", when used with respect to a secondary school, means a school that—

(A) has low student achievement; and  
(B)(i) has a low graduation rate; or  
(ii) feeds students into a high school that has a low graduation rate.

(4) HIGH SCHOOL.—The term "high school" means a secondary school in which the—

(A) entering grade of the school is not lower than grade 6; and

(B) highest grade of the school is—  
(i) grade 12; or  
(ii) in the case of a secondary school approved by a State to issue a regular diploma concurrently with a postsecondary degree or with not more than 2 years' worth of postsecondary academic credit, grade 13.

(5) INSTITUTION OF HIGHER EDUCATION.—The term "institution of higher education" has the meaning given the term in section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a)).

(6) SECRETARY.—The term "Secretary" means the Secretary of Education.

(7) STATE.—The term "State" means each of the several States of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the United States Virgin Islands, Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, and the Republic of Palau.

**TITLE I—HIGH SCHOOL IMPROVEMENT AND DROPOUT REDUCTION FUND**

**SEC. 101. FINDINGS.**

The Senate finds the following:

(1) About a third of our Nation's high school students fail to graduate in 4 years, and another third graduate without the skills and knowledge needed to succeed in college or the workplace. The outcomes for minority students are even worse: only about 52 percent of Hispanic, 56 percent of African-American, and 57 percent of Native-American students graduate on time, compared to 78 percent of white students.

(2) More than a decade after Congress declared a national goal that 90 percent of American high school students graduate from high school we are far from that target and graduation rates have stagnated.

(3) Half of the Nation's dropouts attend a "dropout factory"—schools where 40 percent or more of the freshman class has disappeared by the time the students reach their senior year. These schools, which are located in nearly every State, primarily serve minority and poor students, and have fewer resources and less qualified teachers than schools in more affluent neighborhoods with larger numbers of white students. In fact, almost half of African-American students and nearly 40 percent of Latino students—compared to only 11 percent of white students—attend high schools in which graduation is not the norm.

(4) If the Nation's high schools and colleges raise the graduation rates of Hispanic, African-American, and Native-American students to the levels of white students by 2020, the potential increase in personal income across the Nation would add, conservatively, more than \$310,000,000,000 to the United States economy.

(5) If the high school graduation rate for male students increased by just 5 percent, the Nation could save almost \$5,000,000,000 a year in reduced spending on crime-related expenses such as prisons and medical costs for victims. An additional \$2,700,000,000 could be generated in income if these high school graduates went on to college at the same rate as other male students.

(6) A high school diploma is increasingly important for success in the 21st century economy. In fact, an estimated 80 percent of current jobs and approximately 90 percent of the fastest-growing, highest-paying jobs require some sort of education beyond high school.

(7) The Nation spends more than \$1,400,000,000 a year to provide remedial courses to community college students who recently completed high school. And that figure does not include the almost \$2,300,000,000 that the economy loses because students who take remedial courses, particularly in reading, are more likely to leave college without getting a degree, and thereby reduce their earning potential. Across the Nation, 42 percent of community college freshmen and 20 percent of freshmen in 4-year institutions enroll in at least 1 remedial course.

(8) Business and higher education consistently report that students are leaving high school unprepared for the demands of college and the workplace. According to a survey of the National Association of Manufacturers, more than 80 percent of manufacturing companies are experiencing a shortage of qualified workers. More than two-thirds of manufacturing companies said that businesses train employees to raise basic skills, a sure sign that a high school education is deficient even for the few jobs that require nothing further. Forty percent of employers considered graduates deficient in their overall preparation for the workplace.

(9) For decades, Federal funding has largely been spent on grades Pre-K to 6 and higher education, with dramatically less given the middle and high school grades. While children in their early years must build a strong foundation for learning, research also clearly demonstrates the need to continue the investment at each stage of the education process or risk losing much of the benefit of the early effort.

(10) The United States has made some progress in education outcomes in the early years of education and in higher education, but has seen decline in the middle and high school years. In terms of demonstrating return on investment, where Federal educational commitment has been made, positive outcomes have resulted.

(11) Only 8 percent of title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.) participants are high school students, leaving millions of title I-eligible, high school students in low-performing schools without the focused support, external assistance, and resources for improvement that title I was created to provide. Because title I funds serve as the trigger for school improvement requirements in the Elementary and Secondary Education Act of 1965, this also means that most low-income, low-performing high schools are not required to (or supported to) implement school improvement activities.

(12) While the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.) includes a strong focus on identifying low-performing schools, America still needs a comprehensive strategy to support and improve chronically low-performing schools and districts. School improvement strategies should be tailored based on a variety of indicators and data, so that educators can create and implement successful school improvement strategies to address the needs of the individual schools.

(13) Most districts and State educational agencies do not necessarily have the capacity or infrastructure to guide, support, and fund school improvement strategies where they are needed, but good models for turning around low-performing high schools do exist. Federal support should be used to build this capacity based on evidence from successful high schools.

(14) If the Nation is to maintain and increase its competitiveness in the global economy, it must invest in a systemic approach to improving its high schools so that every child graduates prepared for success.

**SEC. 102. PURPOSES.**

The purposes of this title are to—

(1) improve high school student academic achievement and graduation rates;

(2) help States develop a high school improvement system to deliver support and technical assistance to high-priority high schools;

(3) ensure students graduate from high school with the education and skills necessary to compete in a global economy; and

(4) help build the capacity to develop and implement research-based, sustainable, and replicable high school improvement models and interventions for high-priority high schools that engage the whole community.

**SEC. 103. DEFINITIONS.**

In this title:

(1) ADEQUATE YEARLY PROGRESS.—The term "adequate yearly progress" has the meaning given the term in section 1111(b)(2)(B) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311(b)(2)(B)).

(2) **AVERAGED FRESHMEN GRADUATION RATE.**—The term “averaged freshmen graduation rate” means the estimate of the percentage of high school students who graduate on time by dividing the number of graduates with regular diplomas by the estimated size of the incoming freshman class 4 years earlier, expressed as a percentage, as calculated and reported by the National Center for Education Statistics.

(3) **LOW-INCOME LOCAL EDUCATIONAL AGENCY.**—The term “low-income local educational agency” means a local educational agency in which not less than 15 percent of the students served by such agency are from families with incomes below the poverty line.

(4) **MIDDLE GRADES.**—The term “middle grades” means grades 6 through 8.

(5) **POVERTY LINE.**—The term “poverty line” means the poverty line described in section 673 of the Community Services Block Grant Act (42 U.S.C. 9902), applicable to a family of the size involved.

(6) **TECHNICAL ASSISTANCE PROVIDER.**—The term “technical assistance provider” means a nonprofit entity with a proven track record of significantly improving student achievement and outcomes in high-priority high schools.

#### SEC. 104. GRANTS AUTHORIZED.

The Secretary is authorized to make grants to State educational agencies with applications approved under section 109 to establish or expand a differentiated high school improvement system that can improve student achievement and graduation rates, and effectively target resources and technical assistance to high-priority high schools.

#### SEC. 105. ALLOTMENT TO STATES.

(a) **IN GENERAL.**—The Secretary shall make grants to State educational agencies with applications approved under section 109 to enable the States to carry out the activities specified in section 110. Each grant shall consist of the allotment determined for a State under subsection (b)(2).

(b) **DETERMINATION OF ALLOTMENTS.**—

(1) **RESERVATION OF FUNDS.**—From the total amount appropriated for this Act, the Secretary shall reserve—

(A) 4 percent to—

(i) evaluate activities authorized under this title, including supporting large-scale randomized studies of planned variations in school time, such as length of school day, week, and year, teacher effectiveness, class size, teacher training, performance or placement incentives, and other major school improvement inputs, in order to determine the most effective strategies for improving student achievement and outcomes for students attending high-priority high schools; and

(ii) disseminate findings of such evaluations;

(B) 2 percent to provide technical assistance and ongoing regional training programs—

(i) to build the capacity of State educational agencies and local educational agencies to provide technical assistance to improve high-priority high schools;

(ii) to develop the capacity of State educational agencies to effectively manage a differentiated high school improvement system and analyze the capacity of local educational agencies and high schools to effectively implement proven high school reform strategies; and

(iii) to develop, in middle schools served by a local educational agency whose students go on to attend high schools identified by the local educational agency as in need of whole school reforms or replacement, middle grade early indicator warning systems consisting of factors used to identify students who are struggling academically and have poor at-

tendance records or have been suspended in or before the middle grades or are likely to struggle in high school or to not graduate and provide supports to get such students back on track; and

(C) 2 percent to enter into contracts with or provide grants to technical assistance providers to build their capacity to serve more high schools and to support the development or enhancement of research-based whole secondary school reform or new secondary school models.

(2) **STATE ALLOTMENT.**—From the total amount appropriated under section 114 for a fiscal year and not reserved under paragraph (1), the Secretary shall make allotments as follows:

(A) **LOW-INCOME LOCAL EDUCATIONAL AGENCIES.**—From such amount, the Secretary shall allot to each State an amount that bears the same ratio to 50 percent of the sums being allotted as the percentage of students enrolled in schools served by low-income local educational agencies in the State bears to the total of such percentages for all the States.

(B) **LOWEST CALCULATION.**—From such amount, the Secretary shall allot to each State within the lowest one-third averaged freshman graduation rate an amount that bears the same ratio to 25 percent of the sums being allotted as the number of students enrolled in high schools in the State bears to the total of such students in all of such States within the lowest one-third averaged freshman graduation rate.

(C) **MIDDLE CALCULATION.**—From such amount, the Secretary shall allot to each State within the middle one-third averaged freshman graduation rate an amount that bears the same ratio to 15 percent of the sums being allotted as the number of students enrolled in high schools in the State bears to the total of such students in all of such States within the middle one-third averaged freshman graduation rate.

(D) **HIGHEST CALCULATION.**—From such amount, the Secretary shall allot to each State within the highest one-third averaged freshman graduation rate an amount that bears the same ratio to 10 percent of the sums being allotted as the number of students enrolled in high schools in the State bears to the total of such students in all of such States within the highest one-third averaged freshman graduation rate.

(3) **REALLOTMENT.**—If any State does not apply for an allotment under this subsection for any fiscal year, the Secretary shall reallocate the amount of the allotment to the remaining States in accordance with this subsection.

(4) **MATCHING FUNDS.**—A State educational agency that receives a grant under this title shall provide matching funds, from non-Federal sources, in an amount equal to 25 percent of the amount of grant funds provided to the State under this title (which may be provided in cash or in-kind, but not more than 10 percent of the amount of grant funds may be provided in-kind) to carry out the activities supported by the grant. In-kind contributions shall be directed toward supporting State educational agency technical assistance efforts or the operation of the State's differentiated high school improvement system.

#### SEC. 106. SECRETARIAL PEER REVIEW AND APPROVAL.

(a) **IN GENERAL.**—The Secretary shall—

(1) establish a peer-review process to assist in the review and approval of State plans;

(2) appoint individuals to the peer-review process who are educators and experts in educational standards, assessments, accountability, high school improvement, dropout prevention, and other educational needs of high school students;

(3) approve a State plan submitted under this title not later than 120 days after the date of the submission of the plan unless the Secretary determines that the plan does not meet the requirements of this title;

(4) if the Secretary determines that the State plan does not meet the requirements of this title, immediately notify the State of such determination and the reasons for such determination;

(5) not decline to approve a State's plan before—

(A) offering the State an opportunity to revise the State's plan;

(B) providing the State with technical assistance in order to submit a successful application; and

(C) providing a hearing to the State; and

(6) have the authority to disapprove a State plan for not meeting the requirements of this title.

(b) **STATE REVISIONS.**—A State plan shall be revised by the State educational agency if required to do so by the Secretary to satisfy the requirements of this title.

(c) **ACCURACY.**—In approving a State plan, the Secretary shall ensure that—

(1) the process the State educational agency proposes for differentiating school improvement actions under section 109(b)(4) will assign high schools to each category in such a way that accurately identifies schools and leads to the implementation of the interventions necessary to meet student needs; and

(2) the minimum expected growth targets proposed by the State educational agency under section 109(b)(2)(B) are meaningful, achievable, and demonstrate continuous and substantial progress.

#### SEC. 107. TECHNICAL ASSISTANCE.

If the Secretary determines that a State does not have the capacity to carry out high school improvement activities, the Secretary shall offer technical assistance to carry out such activities to States directly or through contracts with technical assistance providers.

#### SEC. 108. DIFFERENTIATED HIGH SCHOOL IMPROVEMENT SYSTEM.

(a) **IN GENERAL.**—A State educational agency that receives a grant under this title shall use such funds to establish or expand differentiated high school improvement systems.

(b) **SYSTEM REQUIREMENTS.**—The systems described in subsection (a) shall be designed to do the following:

(1) **IDENTIFY HIGH-PRIORITY HIGH SCHOOLS.**—The system shall be designed to identify high-priority high schools within the State.

(2) **DIFFERENTIATE SCHOOL IMPROVEMENT ACTIONS.**—The system shall be designed to differentiate school improvement actions based on the amount and type of supports necessary to improve student achievement and graduation rates in high schools within the State.

(3) **LOCALLY DRIVEN IMPROVEMENT PLANS.**—The system shall be designed to provide resources to support evidence-based activities chosen by local school improvement teams and based on school performance data.

(4) **TARGET FUNDS.**—The system shall be designed to target resources and support to those high-priority high schools within the State.

(5) **RECOGNIZE PROGRESS.**—The system shall be designed to ensure that high schools making progress on school performance indicators continue to implement effective school improvement strategies identified in their current school improvement plan.

(6) **DEMONSTRATE COMMITMENT.**—The system shall be designed to ensure that high-priority high schools making progress on school performance indicators continue to

have the resources and supports necessary to continue improving high school graduation rates and student achievement.

(7) **BUILD CAPACITY.**—The system shall be designed to build the capacity of the State educational agencies and local educational agencies to assist in improving student achievement and graduation rates in high-priority high schools.

**SEC. 109. STATE APPLICATION TO DEVELOP DIFFERENTIATED HIGH SCHOOL IMPROVEMENT SYSTEMS.**

(a) **IN GENERAL.**—

(1) **IN GENERAL.**—For a State to be eligible to receive a grant under this title, the State educational agency shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may reasonably require.

(2) **REVISED APPLICATION.**—The State educational agency shall submit a revised application every 5 years based on an evaluation of the activities conducted under this title.

(b) **CONTENTS.**—Each application submitted under this section shall include the following:

(1) **SCHOOL IMPROVEMENT PROCESS.**—The State educational agency shall describe how the State educational agency will use funds authorized under this title to establish or expand a high school improvement system described in sections 108 and 110.

(2) **SCHOOL PERFORMANCE INDICATORS.**—

(A) **IN GENERAL.**—The State educational agency shall define a set of comprehensive school performance indicators that shall be used, in addition to the indicators used to determine adequate yearly progress, to analyze school performance, determine the amount and type of support the school needs, and guide the school improvement process, such as—

- (i) student attendance rates;
- (ii) earned on-time promotion rates from grade to grade;
- (iii) percent of students who have on-time credit accumulation at the end of each grade;
- (iv) percent of students failing a core, credit-bearing mathematics, reading or language arts, or science course, or failing 2 or more of any course;
- (v) percent of students taking a college preparatory curriculum, which may include percent of students taking Advanced Placement, International Baccalaureate courses, or college courses taken for dual credit;
- (vi) teacher quality and attendance measures;
- (vii) student rates of college enrollment, persistence, and attainment; and
- (viii) additional indicators proposed by the State educational agency and approved by the Secretary as part of the peer-review process described in section 110.

(B) **EXPECTED GROWTH.**—The State educational agency shall define a minimum percent of expected annual growth for each school performance indicator that demonstrates continuous and substantial progress.

(3) **CAPACITY EVALUATIONS.**—

(A) **STATE EDUCATIONAL AGENCY AND LOCAL EDUCATIONAL AGENCY CAPACITY.**—The State educational agency shall describe how it will evaluate and ensure that the State educational agency and local educational agency have sufficient capacity to improve high-priority high schools.

(B) **HIGH SCHOOL CAPACITY AND NEEDS ASSESSMENT.**—The State educational agency shall describe how it will ensure that each high school that does not make adequate yearly progress for 2 consecutive years will undergo a capacity and needs assessment as described in section 111(e) and use such information to assist in determining the amount of the subgrant awarded under section 110(f).

(4) **DIFFERENTIATED SCHOOL IMPROVEMENT.**—The State educational agency shall describe how data from the school performance indicators described in paragraph (2) and indicators used to determine adequate yearly progress will be used by local educational agencies as criteria for placing high schools that do not make adequate yearly progress for 2 consecutive years into 1 of the following school improvement categories:

(A) **SCHOOLS NEEDING TARGETED INTERVENTIONS.**—High schools whose school performance indicators demonstrate a need for targeted interventions to improve student outcomes and make adequate yearly progress.

(B) **SCHOOLS NEEDING WHOLE SCHOOL REFORMS.**—High schools whose school performance indicators demonstrate a need for comprehensive schoolwide reform to improve student outcomes and make adequate yearly progress.

(C) **SCHOOLS NEEDING REPLACEMENT.**—High schools whose school performance indicators demonstrate a need for replacement, as described in section 112(d).

(D) **SPECIAL RULE.**—States may propose systems of differentiation aligned with their existing State accountability systems that include additional categories.

(E) **RULE OF CONSTRUCTION.**—Notwithstanding any other provision of law, for purposes of this title, a high school shall be designated as a school in need of whole school reform or as a school in need of replacement in the case that such high school has—

- (i) a graduation rate of 60 percent or less; or
- (ii) achievement levels below the initial baseline for measuring the percentage of students meeting or exceeding the State's proficient level of academic achievement in either mathematics or English or language arts in accordance with section 111(b)(2)(E) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311(b)(2)(E)).

(5) **STATE REVIEW OF LOCAL EDUCATIONAL AGENCY PLANS.**—The State educational agency shall describe the following:

(A) **REVIEW LOCAL EDUCATIONAL AGENCY PLANS.**—The State educational agency shall describe how it will collect and review high school improvement plans of local educational agencies using the peer-review process described in section 110(b) submitted by local educational agencies in accordance with section 111(e).

(B) **ALLOCATION OF SUBGRANTS.**—The State educational agency shall describe how it will award subgrants to local educational agencies using the peer-review process described in section 110(b) in accordance with section 110(f).

(C) **MONITORING OF SCHOOL IMPROVEMENT PLANS.**—The State educational agency shall describe how it will review and monitor the implementation of high school improvement plans of high schools that do not meet the expected growth targets set in accordance with paragraph (2)(B) and defined in the school improvement plan described in section 111(d).

(D) **PROVIDE TECHNICAL ASSISTANCE.**—

(i) **IN GENERAL.**—The State educational agency shall describe how it will provide technical assistance to local educational agencies and high schools that need support to implement high school improvement plans described in section 111(d) and improve graduation rates and student achievement, including through the use of technical assistance providers, where appropriate.

(ii) **SCHOOL IMPROVEMENT TEAMS.**—The State educational agency shall describe how it will assist school improvement teams described in section 111(b), when needed, including how it will—

- (1) support and provide resources and training to school improvement teams;

(II) allocate staff to participate on school improvement teams;

(III) provide technical assistance to the school improvement teams; and

(IV) ensure that the school improvement teams have access to technical assistance providers when needed.

(6) **DEMONSTRATION OF COMMITMENT.**—The State educational agency shall demonstrate how it will provide ongoing support to high schools that need targeted interventions, whole school reforms and replacement, and are making progress on school performance indicators, to ensure continued improvement, including the availability of funds from non-Federal sources.

(7) **MIDDLE GRADE EARLY INDICATOR WARNING SYSTEM.**—The State educational agency shall demonstrate how it will work with local educational agencies with low graduation rates to develop middle grade early indicator warning systems consisting of factors used to identify students who are struggling academically and have poor attendance records or have been suspended in or before the middle grades or are likely to struggle in high school or to not graduate and, where appropriate, provide supports to get such students back on track.

(8) **EVALUATION OF SUCCESS.**—The State educational agency shall describe how, every 5 years, it will evaluate how the activities assisted under this title have been successful in improving student achievement and outcomes of the cohort of students that entered 9th grade 4 years earlier.

**SEC. 110. STATE EDUCATIONAL AGENCY USE OF FUNDS.**

(a) **IN GENERAL.**—A State educational agency that receives a grant under section 105—

(1) may reserve not more than 10 percent of the grant funds to carry out the activities under this title; and

(2) shall use not less than 90 percent of the grant funds to make subgrants to local educational agencies in accordance with subsection (b).

(b) **STATE EDUCATIONAL AGENCY PEER REVIEW.**—A State educational agency that receives a grant under this title shall review applications submitted under section 111 and make awards in accordance with subsection (f) with the assistance and advice of a panel who are educators and experts in—

- (1) educational standards, assessments, and accountability;
- (2) high school improvement;
- (3) dropout prevention; and
- (4) other educational needs of high school students.

(c) **ACCURACY.**—The State educational agency, in consultation with the panel described in subsection (b), shall ensure the local educational agency has designated the school improvement category described in section 109(b)(4) for each high school served by the local educational agency that did not make adequate yearly progress for 2 consecutive years in such a way that accurately identifies schools and leads to the implementation of the interventions necessary to meet student needs.

(d) **OPPORTUNITY TO REVISE.**—If the State educational agency, in consultation with the panel described in subsection (b), determines that the local educational agency's application does not meet the requirements of this title, the State educational agency shall immediately notify the local educational agency of such determination and the reasons for such determination, and offer—

- (1) the local educational agency an opportunity to revise the application; and
- (2) technical assistance to the local educational agency to revise the application.

(e) **TECHNICAL ASSISTANCE.**—The State educational agency shall provide technical assistance to a local educational agency requesting such assistance in preparing the application and needs assessment required under section 111.

(f) **AWARD OF SUBGRANTS TO LOCAL EDUCATIONAL AGENCIES.**—

(1) **IN GENERAL.**—A State educational agency that receives a grant under this title shall award subgrants to local educational agencies with applications approved on the basis of—

(A) the quality of the plan to improve student graduation rates and student achievement in high schools that have not made adequate yearly progress for 2 consecutive years; and

(B) the capacity of the local educational agency to implement the plan.

(2) **AMOUNT.**—A subgrant under this section shall be awarded in an amount that is based on—

(A) the number and size of high schools served by the local educational agency needing—

- (i) targeted interventions;
- (ii) whole school reforms; and
- (iii) replacement;

(B) the types of reforms or interventions proposed;

(C) the resources available to the high schools to implement the reforms or interventions proposed; and

(D) the resources available to the local educational agency to implement the reforms or interventions proposed.

(3) **PRIORITY.**—The State educational agency shall first award subgrants to local educational agencies serving high schools needing whole school reforms and replacement. The State educational agency shall award remaining subgrant funds to local educational agencies serving high schools needing targeted interventions.

(g) **AUTHORITY TO INTERVENE.**—If the State educational agency determines that a local educational agency does not have the capacity to implement high school improvement activities described in the school improvement plan, the State educational agency may intervene to implement the high school improvement plans or enter into contracts with technical assistance providers to assist local educational agencies with the implementation of high school improvement plans.

(h) **IMPLEMENTATION OF STATE EDUCATIONAL AGENCY APPLICATION.**—The State educational agency shall use funds under this title to carry out the activities included in the application described in section 109.

(i) **SUPPLEMENT, NOT SUPPLANT.**—A State educational agency that receives a grant under this title shall use the grant funds to supplement, and not supplant, Federal and non-Federal funds available to high schools.

**SEC. 111. LOCAL EDUCATIONAL AGENCY IMPLEMENTATION OF SCHOOL IMPROVEMENT SYSTEM.**

(a) **DIFFERENTIATE HIGH SCHOOLS.**—A local educational agency that applies for a subgrant under this title shall designate the category of high school improvement, as described in section 109(b)(4), using data from the school performance indicators as criteria, as prescribed by the State educational agency, for each high school served by such agency that does not make adequate yearly progress for 2 consecutive years.

(b) **SCHOOL IMPROVEMENT TEAMS.**—

(1) **IN GENERAL.**—To be eligible to receive a subgrant under this title, a local educational agency shall convene a school improvement team for each high school served by such agency that does not make adequate yearly progress for 2 consecutive years and is assigned to 1 of the school improvement categories defined in section 109(b)(4), which—

(A) shall include—

- (i) the building principal;
- (ii) teachers representing different grade levels or disciplines;
- (iii) local educational agency staff;
- (iv) parents, including parents of students who have low graduation rates;
- (v) community representatives, including representatives of nonprofit organizations serving young people and the business community; and
- (vi) pupil service representatives; and

(B) may include—

- (i) technical assistance providers, where appropriate; and
- (ii) State educational agency staff when requested by the local educational agency or assigned by the State educational agency.

(2) **COLLABORATION.**—A local educational agency shall ensure collaboration—

(A) of school improvement teams with personnel of middle schools served by the local educational agency whose students go on to attend high schools that are designated as in need of targeted assistance, whole school reform, or replacement, where appropriate; and

(B) between school improvement teams working at different high schools served by the local educational agency, to the extent appropriate.

(c) **DEVELOP STUDENT INDICATORS.**—To be eligible to receive a subgrant under this title, a local educational agency shall develop a set of indicators to determine the number and percent of students who begin high school at high risk for not graduating high school with a regular diploma and describe how the school improvement team will use such indicators to determine the type and intensity of supports each student needs. Such indicators shall include the number and percent of 9th grade students who—

- (1) in the 8th grade—
  - (A) failed a credit-bearing mathematics or reading or language arts course, or 2 or more of any course;
  - (B) attended school less than 90 percent of the required time; and
  - (C) received an out-of-school suspension;
- (2) repeat the 9th grade;
- (3) enter the 9th grade over the average age; or
- (4) have experienced interrupted formal education.

(d) **DEVELOP HIGH SCHOOL IMPROVEMENT PLANS.**—The school improvement team convened under subsection (b) shall use data from the school performance indicators, the student indicators, measures used to determine adequate yearly progress, the capacity and needs assessment described in subsection (e), and other relevant data and knowledge of the school to develop a multiyear school improvement plan for each school. Such plan shall—

- (1) identify annual benchmarks for school performance indicators that meet or exceed the minimum percentage of expected growth defined by the State educational agency in section 109(b)(2)(B);
- (2) define the evidence-based academic and nonacademic interventions and resources necessary to meet annual benchmarks and make adequate yearly progress;
- (3) identify the roles of the State educational agency, the local educational agency, the school, and technical assistance providers and service providers, as appropriate, in providing identified interventions and resources necessary to meet annual benchmarks and make adequate yearly progress;
- (4) provide for the involvement of business and community organizations and other entities, including parents and institutions of higher education, in the activities to be assisted under this title; and
- (5) describe and direct the use of—

(A) any additional funding to be provided by the State educational agency, the local educational agency, or other sources; and

(B) technical assistance providers, where appropriate.

(e) **HIGH SCHOOL CAPACITY AND NEEDS ASSESSMENT.**—

(1) **IN GENERAL.**—To be eligible to receive a subgrant under this title, a local educational agency shall submit, with the application described in subsection (f), to the State educational agency a capacity and needs assessment for each high school served by such agency that does not make adequate yearly progress for 2 consecutive years.

(2) **ASSESSMENT.**—The assessment under paragraph (1) shall be conducted by a school improvement team described in subsection (b) and the local educational agency and shall include—

(A) a description and analysis of the school's capacity to implement needed school improvement activities identified in the school improvement plan, including an analysis of—

(i) the number, experience, training level, responsibilities, and stability of existing administrative, instructional, and noninstructional staff for each high school to be assisted;

(ii) a review of the budget, including how Federal, State, and local funds are currently being spent for instruction and operations at the school level for staff salaries, instructional materials, professional development, and student support services to establish the extent to which existing resources need to and can be reallocated to support the needed school improvement activities; and

(iii) additional resources and staff necessary to implement the needed school improvement activities described in section 112; and

(B) an analysis of the local educational agency's capacity to provide technical assistance, additional staff, and resources to implement the school improvement plan to improve high school performance.

(3) **REQUIREMENTS.**—The information provided in the capacity and needs assessment in coordination with the school improvement plan shall be used to determine the level and direct the use of—

(A) funds requested by the local educational agency for each high school to be assisted under this title;

(B) any additional funding to be provided by the State educational agency, the local educational agency, or other sources; and

(C) technical assistance providers, where appropriate.

(f) **APPLICATION.**—

(1) **IN GENERAL.**—To be eligible to receive a subgrant under this title, a local educational agency—

(A) shall submit an application to the State educational agency at such time, in such manner, and containing such information as the State educational agency may reasonably require; and

(B) may request technical assistance from the State educational agency in preparing the application and the capacity and needs assessment required under this section.

(2) **CONTENTS.**—Each application submitted under this section shall use data from the capacity and needs assessment required in subsection (e) and shall include the following:

(A) A description of how the local educational agency used data from the school performance indicators as criteria to designate the school improvement category described in section 109(b)(4) for each high school served by such agency that did not make adequate yearly progress for 2 consecutive years.

(B) An identification of each high school served by the local educational agency that

did not make adequate yearly progress for 2 consecutive years and the designation of the school improvement category for each such school, as described in section 109(b)(4).

(C) A description of the activities to be carried out by the local educational agency under this title and a description of how the activities will be research-based and an explanation of why the activities are expected to improve student achievement and increase graduation rates.

(D) An assurance that the local educational agency will use funds authorized under this title and received from the State educational agency first to meet the needs of high schools served by the local educational agency that need whole school reforms or high schools served by the local educational agency that need replacement.

(E) A description of how the local educational agency will provide for the involvement of parents, business and community organizations, including institutions of higher education, in the activities to be assisted under this title, and the resources such entities will make available to assist in such activities.

(F) An assurance that the local educational agency shall provide ongoing support and resources to high schools that need whole school reforms and that need replacement, and are making progress on school performance indicators, to ensure continued improvement.

(G) A description of how the local educational agency will increase its capacity to improve high schools with low student achievement and graduation rates.

(H) A description of the options that will be provided to high school students served by the local educational agency, such as—

(i) programs for credit recovery for overage or under-credited students; and

(ii) secondary-postsecondary learning opportunities, including dual enrollment programs and early college high schools.

(g) IMPLEMENT HIGH SCHOOL IMPROVEMENT PLANS.—The local educational agency shall use funds to ensure the implementation of school improvement plans.

(h) ENSURE CONTINUOUS HIGH SCHOOL IMPROVEMENT.—

(1) IN GENERAL.—The local educational agency shall ensure the continuous improvement of high schools by evaluating the progress of high schools in making the continuous and substantial progress as defined in the school improvement plan in accordance with the minimum expected growth set by the State educational agency in section 109(b)(2)(B) and determining whether the high school is on track or not on track as provided in paragraphs (2) and (3).

(2) ON TRACK.—Each high school that is meeting the annual benchmarks as defined in the school improvement plan shall continue to implement school improvement activities in accordance with the school improvement plan.

(3) NOT ON TRACK.—For each high school that is not meeting the annual benchmarks as defined in the school improvement plan, the local educational agency shall—

(A) after 1 year, review the school improvement plan, and develop and implement a new plan, as appropriate;

(B) after 2 years, redesignate the school into a different school improvement category, as described in section 109(b)(4), either—

(i) as a school in need of whole school reform; or

(ii) as a school in need of replacement; and

(C) develop and submit to the State educational agency for review a new school improvement plan, as appropriate.

(i) TARGETED INTERVENTIONS FOR FEEDER MIDDLE SCHOOLS.—A local educational agen-

cy that receives a subgrant under this title, consistent with subsection (f)(2)(D), may use funds to—

(1) implement research- and evidence-based interventions to improve middle schools served by such agency whose students go on to attend high schools served by the local educational agency that need whole school reforms or high schools served by the local educational agency that need replacement; and

(2) establish an early indicator warning system consisting of factors used to identify students who are struggling academically and have poor attendance records or have been suspended in or before the middle grades or are likely to struggle in high school or to not graduate and provide supports to get such students back on track.

(j) SUPPLEMENT, NOT SUPPLANT.—A local educational agency that receives a subgrant under this title shall use the subgrant funds to supplement, and not supplant, Federal and non-Federal funds available for high schools.

(k) MATCHING FUNDS.—

(1) IN GENERAL.—A local educational agency receiving a grant under this title shall provide matching funds, from non-Federal sources, in an amount equal to not less than 15 percent of the total subgrant award for the local educational agency, which may be provided in cash or in-kind, to provide technical assistance to high schools served by the local educational agency in developing their high school improvement plans, conducting the capacity and needs assessment, and in implementing and monitoring the implementation of the high school improvement plans.

(2) WAIVER.—The Secretary may waive all or part of the matching requirement described in paragraph (1) for any fiscal year for a local educational agency if the Secretary determines that applying the matching requirement to such local educational agency would result in serious hardship or an inability to carry out the authorized activities described in section 110.

#### SEC. 112. SCHOOL IMPROVEMENT ACTIVITIES.

(a) IN GENERAL.—Each school improvement team convened as described in section 111 shall ensure that the school improvement activities developed under the school improvement plan are implemented.

(b) TARGETED INTERVENTIONS.—A high school or local educational agency, as determined by the school improvement team, shall implement research-based targeted interventions, using data from the school performance and student indicators and capacity evaluations for schools identified for such interventions pursuant to section 111. The targeted interventions shall be designed, at a minimum, to address the specific problems identified by the indicators.

(c) WHOLE SCHOOL REFORMS.—The local educational agency or State educational agency, with technical assistance from technical assistance providers, as determined by the school improvement team, shall implement research-based whole school reforms, using data from the school performance indicators (as described in section 109(b)(2)) and capacity evaluations (as described in section 109(b)(3)), to schools designated as needing whole school reform pursuant to section 111. Such reforms—

(1) shall address the comprehensive aspects of high school reform, such as—

(A) attendance;

(B) student engagement, behavior, and effort;

(C) academic success; and

(D) teacher and administrator skill and collaboration;

(2) shall address resource allocation, including—

(A) student supports;

(B) teacher and staff support;

(C) materials and equipment;

(D) time for collaboration; and

(E) the use of data;

(3) shall be designed to address—

(A) the multiple layers of school improvement demonstrated by research and best practice;

(B) schoolwide needs;

(C) students who need targeted assistance; and

(D) students who need intensive interventions;

(4) shall include activities that serve to—

(A) personalize the school experience, increase student engagement, attendance, and effort, and enable schools to provide the level and intensity of student support needed, by creating constructs, such as—

(i) smaller schools or smaller units within schools with their own leadership, such as 9th grade transition programs or academies, and upper grade programs or academies, including career academies;

(ii) thematic small-learning communities;

(iii) teams of teachers who work exclusively with small groups of students; or

(iv) using extended periods, such as block scheduling, to reduce the number of students for whom teachers are responsible and the number of courses students are taking at any one time;

(B) improve curriculum and instruction, such as—

(i) implementing a college- and work-ready curriculum for all students;

(ii) adopting well-designed curriculum and instructional materials aligned to high academic standards for all students, including students with diverse learning needs;

(iii) offering extended learning opportunities, both in school and through after-school and summer programs;

(iv) emphasizing intensive core academic preparation and college and work-ready skills development;

(v) increasing rigor through advanced placement courses, international baccalaureate courses, dual enrollment, and early college high schools opportunities;

(vi) creating contextual learning opportunities aligned with college and work readiness, such as through a high-quality career and technical education (as defined in section 3 of the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2302)) option for upper grades;

(vii) collecting and using comprehensive data, including formative assessments;

(viii) offering mentoring and tutoring; and

(ix) implementing pedagogies that actively engage students in the learning process;

(C) increase teacher and principal effectiveness through activities such as—

(i) providing teacher and administrator supports and research-based, ongoing professional development tied to needs identified in the school improvement plan;

(ii) providing regular opportunities for teachers of core academic subjects to—

(I) meet together in both subject area and interdisciplinary groups;

(II) review student achievement data; and

(III) plan instruction;

(iii) implementing a schoolwide literacy or mathematics plan that may include hiring literacy or mathematics coaches; and

(iv) developing administrator learning networks and supports;

(D) increase student supports, such as—

(i) student advisories;

(ii) 9th grade transition programs;

(iii) credit completion recovery programs;

(iv) additional counselors, social workers, and mental and behavioral health service providers;

(v) student advocates;

(vi) strengthening involvement of parents in the academic life of students;

(vii) school-family-community partnerships;

(viii) wraparound social services;

(ix) before and after school programs; or

(x) additional supports for students with diverse learning needs, including students with disabilities and English language learners;

(E) improve middle schools within a local educational agency whose students go on to attend such high schools and establish an early indicator warning system consisting of factors used to identify students who are struggling academically and have poor attendance records or have been suspended in or before the middle grades or are likely to struggle in high school or not to graduate and provide supports to get them back on track; and

(F) provide the local educational agency or high school with flexible budget and hiring authority where needed to implement improvements; and

(5) may include other activities designed to address whole school needs, such as implementing a comprehensive reform model.

(d) REPLACEMENT.—The local educational agency or the State educational agency, with assistance from technical assistance providers, shall replace high schools, using data from the school performance indicators and high school capacity and needs assessment (described in paragraphs (2) and (3) of section 109(b), respectively) designated as needing replacement pursuant to section 111. Replacement shall be implemented—

(1) by replacing such schools with 1 or more new small schools using effective school models with evidence of success with students with similar academic challenges and outcomes to those attending the school being replaced;

(2) by reopening such schools after combining the assignment of a new administrative team that has the authority to select a new teaching staff with the use of research-based strategies through—

(A) the implementation of a whole school reform model with evidence of success with students with similar academic outcomes to those attending the school being replaced; and

(B) increasing learning time;

(3) by closing such schools and reassigning the students to high schools that have made adequate yearly progress for the past 2 years; or

(4) by otherwise replacing such schools.

#### SEC. 113. EVALUATION AND REPORTING.

(a) LOCAL EDUCATIONAL AGENCY REPORTING.—On an annual basis, each local educational agency receiving funds under this title shall report to the State educational agency and to the public on—

(1) the designated category of school improvement for each high school served by the local educational agency under this title;

(2) the school performance indicators (as described in section 109(b)(2)) for each school served under this title, in the aggregate and disaggregated by the subgroups described in section 111(b)(2)(C)(v)(II) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311(b)(2)(C)(v)(II));

(3) progress in meeting the benchmarks for each high school served pursuant to this title; and

(4) the use of funds by the local educational agency and each such school.

(b) STATE EDUCATIONAL AGENCY REPORTING.—On an annual basis, each State educational agency receiving funds under this title shall report to the Secretary and to the public on—

(1) the school performance indicators (as described in section 109(b)(2)), in the aggregate

and disaggregated by the subgroups described in section 111(b)(2)(C)(v)(II) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311(b)(2)(C)(v)(II));

(2) progress in meeting the benchmarks for each high school served pursuant to this title;

(3) the high schools that have changed school improvement categories in accordance with section 111(h); and

(4) the use of funds by each local educational agency and each school served with such funds.

(c) REPORT TO CONGRESS.—Every 2 years, the Secretary shall report to Congress and to the public—

(1) a summary of the State reports; and

(2) on the use of funds by each State under this title.

#### SEC. 114. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated to carry out the activities authorized under this title, \$2,400,000,000 for fiscal year 2008 and each of the 4 succeeding fiscal years.

#### TITLE II—DEVELOPMENT OF EFFECTIVE SCHOOL MODELS

##### SEC. 201. FINDINGS AND PURPOSES.

(a) FINDINGS.—The Senate finds the following:

(1) With close to a third of our Nation's high school students failing to graduate in 4 years, and another third graduating without the skills and knowledge needed to succeed in college or the workplace, new models of high school are clearly needed, especially for struggling students who are not on track to a high school diploma.

(2) Researchers have identified leading indicators that, taken together, are as much as 85 percent predictive of which 9th graders will not graduate from high school 4 years later.

(3) In the 2000 high schools nationwide with estimated 4-year graduation rates of 60 percent or lower, 80 percent of the 9th graders are significantly behind in skills or credits. By a conservative estimate, this adds up to not fewer than 500,000 students who are not on track to graduation.

(4) Poor outcomes for struggling students are endemic in cities, towns, and rural areas across the country. Graduation rates for students who are not on-track to an on-time graduation in ninth grade are as low as 20 percent.

(5) Schools designed to accelerate students' learning and get them on track to a college-ready diploma make a difference. The Early College High School Initiative has started 130 schools serving approximately 16,000 students in 23 States. Early results indicate that in the first programs to graduate students, over 95 percent earned a high school diploma, over 57 percent earned an associate's degree, and over 80 percent were accepted at a 4-year college

(6) Most States and districts have limited capacity to expand and spread proven practices and models for improving graduation rates within a high standards environment.

(7) The Nation's young people understand the value of education and will persist, often against considerable odds, to further their education. From 1980 to 2002, a period of time with no discernible increase in the country's graduation rates, the percentage of 10th graders aspiring to a bachelor's degree or higher increased from 40 percent to 80 percent, with the largest increase among low-income youth.

(8) Young people who fall behind and drop out of high school often report that they regret leaving and wish they had been encouraged and supported to work harder while they were in school. Many persevere despite a lack of school options or pathways designed to help them succeed. Close to 60 per-

cent of dropouts eventually earn a high school credential—in most cases a GED certificate. Almost half of these students—44 percent—later enroll in 2-year or 4-year colleges, but despite their efforts fewer than 10 percent earn a postsecondary degree.

(b) PURPOSES.—The purposes of this title are—

(1) to facilitate the development and implementation of effective secondary school models for struggling students and dropouts; and

(2) to build the capacity of State educational agencies, local educational agencies, nonprofit organizations, and institutions of higher education to implement effective secondary school models for struggling students and dropouts.

#### SEC. 202. DEFINITIONS.

In this title:

(1) DROPOUT.—The term “dropout” means an individual who—

(A) is not older than 21;

(B)(i) is not attending any school; or

(ii) prior to attending a school based on an effective school model, was not attending any school; and

(C) has not received a secondary school regular diploma or its recognized equivalent.

(2) EFFECTIVE SCHOOL MODEL.—The term “effective school model” means—

(A) an existing secondary school model with demonstrated effectiveness in improving student academic achievement and outcomes for struggling students or dropouts; or

(B) a proposed new secondary school model design that is based on research-based organizational and instructional practices for improving student academic achievement and outcomes for struggling students or dropouts.

(3) ELIGIBLE ENTITY.—The term “eligible entity” means—

(A) a local educational agency, nonprofit organization, or institution of higher education—

(i) that proposes to enhance or expand an existing effective school model for struggling students or dropouts; or

(ii) that has a track record of serving struggling students or dropouts and proposes to develop a new effective school model for struggling students or dropouts; or

(B) a partnership involving 2 or more entities described in subparagraph (A).

(4) STRUGGLING STUDENT.—The term “struggling student”—

(A) means a high school-aged student who is not making sufficient progress toward graduating from secondary school with a regular diploma in the standard number of years; and

(B) includes a student who—

(i) has been retained in grade level;

(ii) is under-credited, defined as a high school student who lacks either the necessary credits or courses, as determined by the relevant local educational agency and State educational agency, to graduate from secondary school with a regular diploma in the standard number of years; or

(iii) is a late entrant English language learner, defined as a high school student who—

(I) enters a school served by a local educational agency at grade 9 or higher; and

(II) is identified by the local educational agency as being limited English proficient and as having experienced interrupted formal education.

#### SEC. 203. GRANTS AUTHORIZED.

(a) IN GENERAL.—The Secretary is authorized to award grants, on a competitive basis, to eligible entities to enable the eligible entities to develop and implement, or replicate, effective school models for struggling students and dropouts.

(b) PERIOD OF GRANT.—A grant awarded under this section shall be for a period of 3 years.

**SEC. 204. APPLICATION.**

(a) IN GENERAL.—Each eligible entity desiring a grant under this title shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require.

(b) CONTENTS.—Each application submitted under this section shall include a description of—

(1) how the eligible entity will carry out the mandatory activities under section 206(a);

(2) the research or evidence concerning the effective school model that the eligible entity proposes to develop and implement or replicate, including—

(A) for an existing effective school model described in section 203(2)(A), the evidence that the model has improved academic outcomes for struggling students or dropouts; or

(B) for a proposed effective school model described in section 203(2)(B), the research that supports the key organizational and instructional practices of the proposed effective school model;

(3) the eligible entity's school design elements and principles that will be used in the effective school model, including—

(A) the academic program;

(B) the instructional practices;

(C) the methods of assessment; and

(D) student supports and services, such as those provided by the school or offered by other organizations and agencies in the community, to support positive student academic achievement and outcomes;

(4) how the eligible entity will use student data from the local educational agency or State educational agency—

(A) to demonstrate the need for and projected benefits of the effective school model; and

(B) in the implementation of the model, in order to improve academic outcomes for struggling students or dropouts;

(5) for each school in which the eligible entity implements or replicates an effective school model under this title, how the eligibility entity will sustain the implementation or replication of the effective school model, including the financing mechanism to be used;

(6) how the eligible entity will collect data and information to assess the performance of the effective school model and will make necessary adjustments to ensure continuous and substantial improvement in student academic achievement and outcomes; and

(7) how the eligible entity will make the performance data available to State educational agencies, local educational agencies, and schools serving struggling students or dropouts.

**SEC. 205. SECRETARIAL PEER REVIEW AND APPROVAL.**

The Secretary shall—

(1) establish a peer-review process to assist in the review and approval of applications submitted by eligible entities under section 204; and

(2) appoint individuals to the peer-review process who are experts in high school reform, dropout prevention and recovery, new school development for struggling students and dropouts, and adolescent and academic development.

**SEC. 206. USE OF FUNDS.**

(a) MANDATORY USE OF FUNDS.—An eligible entity receiving a grant under this title shall use grant funds to—

(1) enhance and expand, or replicate, an existing effective school model described in section 202(2)(A), or develop a proposed effective school model described in section

202(2)(B), for struggling students and dropouts;

(2) assess the progress of the implementation or replication of the effective school model and make necessary adjustments to ensure continuous improvement;

(3) provide opportunities for professional development associated with the continuous improvement and implementation or replication of the effective school model;

(4) collect data and information on the school model's effectiveness in improving student academic achievement and outcomes for struggling students and dropouts and disseminate such data and information to State educational agencies, local educational agencies, and schools; and

(5) build the capacity of the eligible entity to—

(A) sustain the implementation or replication of the effective school model assisted under paragraph (1) after the grant period has ended; and

(B) replicate the effective school model.

(b) OPTIONAL USE OF FUNDS.—An eligible entity receiving a grant under this title may use grant funds to—

(1) identify and create partnerships needed to improve the academic achievement and outcomes of the students attending a school assisted under this title;

(2) support family and community engagement in the effective school model; and

(3) carry out any additional activities that the Secretary determines are within the purposes described in section 201.

**SEC. 207. EVALUATION AND REPORTING.**

(a) CONTENTS OF REPORT.—Each eligible entity receiving a grant under this title shall annually report to the Secretary on—

(1) the data and information being gathered to assess the effective school model's effectiveness in improving student academic achievement and outcomes for struggling students and dropouts;

(2) the implementation status of the models, any barriers to implementation, and actions taken to overcome the barriers;

(3) any professional development activities to build the capacity of—

(A) the eligible entity to sustain or replicate the effective school model; or

(B) the staff of a school assisted under this title to implement or improve the effective school model;

(4) the progress made in improving student academic achievement and outcomes in the effective school models for struggling students and dropouts; and

(5) the use of grant funds by the eligible entity.

(b) INDEPENDENT EVALUATIONS.—The Secretary shall reserve not more than \$5,000,000 to carry out an independent evaluation of the grant program under this title and the progress of the eligible entities receiving grants under this title.

**SEC. 208. AUTHORIZATION OF APPROPRIATIONS.**

There is authorized to be appropriated to carry out this title \$60,000,000 for fiscal year 2008 and each of the 4 succeeding fiscal years.

**TITLE III—STRENGTHENING STATE POLICIES**

**SEC. 301. FINDINGS AND PURPOSES.**

(a) FINDINGS.—The Senate finds the following:

(1) Frontrunner States have begun to move more aggressively on the dual challenge of raising high school graduation rates while also raising the standards to the level of a college and work-ready diploma.

(2) Seven States are publicly reporting 4-year cohort graduation rates and 20 States plan to publicly report by 2008.

(3) Thirteen States now require students to take a college-and work-ready course of study to earn a diploma, up from just 3 in

2006. Another 16 States report that they plan to raise requirements during 2007.

(4) States that act aggressively to raise graduation rates without conceding ground on academic proficiency are gaining traction in such cutting-edge policy areas as: dual enrollment to support early college high schools that lead to high school diplomas and 2 years of postsecondary credit; expanding high school accountability to include indicators to reward schools for keeping struggling students in school and on track to proficiency; the development of new secondary educational options, including both small school models and recovery or alternative models for struggling students and dropouts.

(5) Even frontrunner States have not yet adopted a comprehensive set of policies to support high standards and high graduation rates. They lack the supports and resources to track implementation of the policies they have put in place or to partner with districts to build further capacity to carry out evidence-based practices and programming.

(6) Past Federal educational initiatives have been effective in supporting and accelerating bolder, more strategic action with positive results, for example the National Science Foundation State Systemic Initiative.

(7) Supporting frontrunner States to become laboratories of innovation and models for other States will accelerate the number of young people graduating from high schools across the Nation who are college and career ready.

(b) PURPOSES.—The purposes of this title are to—

(1) provide incentives for States to strengthen and develop new State policies in order to substantially raise the graduation rate in the State while ensuring rigorous secondary education content standards and assessments; and

(2) evaluate the effectiveness of such changes to the State policies.

**SEC. 302. SYSTEMIC INITIATIVE TO IMPROVE HIGH SCHOOL GRADUATION RATE.**

(a) GRANT PROGRAM AUTHORIZED.—The Secretary is authorized to award grants, on a competitive basis, to States that meet the requirements of section 303 to enable such States to design and align State policies in order to act as laboratories of innovation by reducing barriers and creating incentives to improve outcomes for high school students.

(b) NUMBER OF GRANTS; DURATION.—

(1) NUMBER OF GRANTS.—For each of the first 3 consecutive years of the grant program under this title, the Secretary shall award 4 or more grants under this title, except that the Secretary shall award a total of not more than 20 grants under this title for all 3 such years.

(2) DURATION OF GRANT.—Each grant awarded under this title shall be for a period of 5 years.

**SEC. 303. ELIGIBLE STATE.**

To be eligible to receive a grant under this title, a State shall comply with each of the following:

(1) The State shall receive a grant under title I and carry out the activities required under such title.

(2) The State shall have implemented, or be in the process of developing, a statewide longitudinal data system with individual student identifiers.

(3) The Governor of the State and any individual, entity, or agency designated under section 304(a) by the Governor shall regularly consult with each other and with the State board of education, the State educational agency, the head of the State higher education entity, the head of career and technical education in the State, and other agencies as appropriate, regarding carrying out the activities required under this title.



(4) The State shall meet any additional criteria determined by the Secretary to be necessary to carry out the purposes of this title.

**SEC. 304. APPLICATION.**

(a) **IN GENERAL.**—If a State desires a grant under this title, the Governor of the State, or an individual, entity, or agency designated by the Governor, shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require.

(b) **CONTENTS.**—Each application submitted under this section shall include the following:

(1) A description of the State's plan to conduct the policy gap and impact analysis described in section 305(1).

(2) A description of the State's plan for using the findings of the policy gap and impact analysis to strengthen the policies of the State in effect as of the date of enactment of this Act.

(3) A description of how the State will ensure that the State elementary and secondary education content standards and academic assessments described in section 1111(b) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311(b)) are aligned to college and work readiness.

(4) A description of how the State will ensure that all students have access to a college preparatory curriculum.

(5) A plan to ensure the statewide longitudinal student data system, other statewide data systems, and data protocols are designed and implemented in such a way that allows for data interoperability and portability across local educational agencies and among pre-kindergarten through grade 12 systems, institutions of higher education, and systems that identify whether students enter the Armed Forces.

(6) A plan to grant additional flexibility and autonomy to schools and local educational agencies working to increase the graduation rates and college readiness of secondary school students.

(7) A plan to stimulate the development of multiple pathways and expanded educational options to help secondary students, including struggling students and dropouts, attain a secondary school diploma that prepares the student with the necessary skills to succeed in higher education and work.

(8) An assurance that the following stakeholders are committed to achieving the goals and objectives set forth in the grant application:

- (A) The Governor of the State.
- (B) The chief executive officer of the State higher education coordinating board.
- (C) The chief State school officer.
- (D) The head of the State Board of Education.
- (E) The head of career and technical education in the State.
- (F) Other agency heads, as determined appropriate by the Governor and the individuals, entities, and agencies involved in the consultation under section 303(3).

**SEC. 305. USE OF FUNDS.**

A State receiving a grant under this title shall carry out the following:

(1) Conduct, or enter into a contract with a third party to conduct, a policy gap and impact analysis to determine how to strengthen the policies of the State in order to substantially raise the graduation rate in the State while ensuring rigorous secondary education content standards and assessments. Such analysis shall—

- (A) examine the policies of the State, and of the local educational agencies within the State, affecting—
  - (i) school funding;
  - (ii) data capacity;
  - (iii) accountability systems;

(iv) interventions in high-priority secondary schools;

(v) new school development; and  
 (vi) the dissemination and implementation of effective local school improvement activities throughout the State; and

(B) provide recommendations regarding how the State can strengthen the policies of the State to substantially raise the graduation rate in the State while ensuring rigorous postsecondary and work-ready academic standards, including recommendations on—

(i) innovative finance models, such as weighted student funding;

(ii) data capacity that enables longitudinal and cross-sectoral analysis of State education and other systems, such as juvenile justice, social services, and early childhood;

(iii) improving a differentiated system of supports, sanctions, and interventions for high-priority high schools;

(iv) the development of additional secondary educational options, including both the development of small school models and recovery or alternative models for struggling students and dropouts;

(v) additional accountability measures in the State accountability system;

(vi) dual student enrollment in secondary schools and institutions of higher education; and

(vii) the development of school-family-community partnerships to improve student achievement.

(2) Implement or enact—

(A) the changes to the policies of the State recommended by the policy gap and impact analysis under paragraph (1)(B); and

(B) any additional changes to the policies of the State necessary to enable the State to carry out all of the plans described in the application under subsection (b).

(3) Develop a system to—

(A) measure how the changes to the policies of the State carried out under this title improve student outcomes at the State and local levels; and

(B) adjust the policies of the State accordingly in order to achieve the desired policy targets and student outcomes at the State and local levels.

(4) Devote resources to ensure the sustainability of the activities carried out under this title and the long-term success of the secondary schools within the State.

**SEC. 306. EVALUATION AND REPORTING.**

(a) **EVALUATION AND REPORT.**—Not later than 180 days after the date of enactment of this Act, and annually thereafter for the period of the grant, each State receiving a grant under this title shall—

(1) conduct an evaluation of the State's progress regarding the impact of the changes made to the policies of the State in accordance with this title, on substantially raising the graduation rate in the State while ensuring rigorous postsecondary and work-ready academic standards, including—

(A) a description of the specific changes made, or in the process of being made, to policies as a result of the grant;

(B) a discussion of any barriers hindering the identified changes in policies, and strategies to overcome such barriers;

(C) evidence of the impact of changes to policies on desired behavior and actions at the local educational agency and school level;

(D) after the first year of the grant period, a description of how the results of the previous year's evaluation were used to adjust policies of the State as necessary to achieve the purposes of this title; and

(E) evidence of the impact of the changes to policies in accordance with this title on improving graduation rates or other meas-

ures, such as percent of students who are making sufficient progress toward graduating secondary school in the standard number of years;

(2) use the results of the evaluation conducted under paragraph (1) to adjust the policies of the State as necessary to achieve the purposes of this title; and

(3) submit the results of the evaluation to the Secretary.

(b) **AVAILABILITY.**—The Secretary shall make the results of each State's evaluation under subsection (a) available to other States and local educational agencies.

**SEC. 307. AUTHORIZATION OF APPROPRIATIONS.**

There is authorized to be appropriated to carry out this title \$40,000,000 for fiscal year 2008 and the 4 succeeding fiscal years.

Mr. KENNEDY. Mr. President, while many measures are being taken at the Federal, State and local levels to improve student achievement in America, our high school students are still being left behind. High school students continue to lag in both math and reading. In 12th grade, less than a quarter of students scored proficient or better on the math assessment, and only 35 percent were proficient or better on the reading assessment.

Furthermore, Federal funding is not currently going to the high schools that are in the most need. The main source of Federal funds is through the title I program. Yet only 8 percent of students who benefit from these funds are in high school. Ninety percent of high schools with very low graduation rates have many low-income students.

The statistics on high school graduation rates are staggering. About 1,000 high schools across the country only graduate half their students, and only about 70 percent of high school students graduate on time. Among African Americans and Latinos, only 55 percent graduate on time. It is clear that high schools need more assistance in supporting and retaining students.

The continued partnership between local, State and the Federal Government is essential in improving secondary education in America. That is why the Graduation Promise Act provides the necessary funding to improve the capacity of low-performing high schools, decrease dropout rates and increase student achievement. The act speaks directly to the root of the problem, providing support to high schools and middle schools to both assist and retain students who may have fallen between the cracks.

The Graduation Promise Act would make great strides in helping high school students achieve to their fullest potential. The act would provide \$2.5 billion to build capacity for secondary school improvement, and at the same time provide States and local school districts with the resources to ensure high schools with the greatest challenges receive the support they need to implement research-based interventions.

Research shows that we can identify students who are most at-risk for not completing high school as early as sixth grade. With early intervention, quality teachers, small classes, and

data-driven instruction we can ensure that these students make progress, stay in school and succeed.

The act assists these efforts by supporting the development and dissemination of highly effective secondary school models for students most at risk of being left behind. It would also strengthen state improvement systems to identify, differentiate among, and target the level of reform and resources necessary to improve low-performing high schools, while ensuring transparency and accountability. Finally, the act would support states' continuing efforts to align State policies and systems to meet the goal of college and career-ready graduation for all students.

Bringing our schools into the 21st century is the ultimate goal of this important piece of legislation. Local schools, States and the Federal Government must continue to work together to modernize the practices and models that are being used to ensure success from all of our high school students. Updating the system for the current times is a difficult process, but with the assistance of the Graduation Promise Act, all high school students can be given the tools necessary to succeed both in school and beyond.

I thank my colleagues, Senator BINGAMAN and Senator BURR, for their good work on this initiative and their leadership on this issue. I look forward to working with them on this and many other important issues as we move forward with the reauthorization of the Elementary and Secondary Act. I urge my colleagues to support this legislation.

By Mr. FEINGOLD:

S. 1186. A bill to amend the Congressional Budget and Impoundment Control Act of 1974 to provide for the expedited consideration of certain proposed rescissions of budget authority; to the Committee on the Budget.

Mr. FEINGOLD. Mr. President, I am delighted to join my colleague in the other body, Congressman PAUL RYAN of Wisconsin, in introducing the Congressional Accountability and Line-Item Veto Act of 2007. Congressman RYAN and I belong to different political parties, and differ on many important issues. But we do share at least two things in common—our hometown of Janesville, WI, and an abiding respect for Wisconsin's tradition of fiscal responsibility.

The measure we are each introducing today would grant the President specific authority to rescind or cancel congressional earmarks, including earmarked spending, tax breaks, and tariff benefits. This new authority would sunset at the end of 2012, ensuring that Congress will have a chance to review its use under two different Administrations before considering whether or not to extend it. While not a true line-item veto bill, our measure provides for fast-track consideration of the President's proposed cancellation of earmarks.

Thus, unlike current law, it ensures that for the specific category of congressional earmarks, the President will get an up or down vote on his proposed cancellations.

There have been a number of so-called line-item veto proposals offered in the past several years. But the measure Congressman RYAN and I propose today is unique in that it specifically targets the very items that every line-item veto proponent cites when promoting a particular measure, namely earmarks. When President Bush asked for this kind of authority, the examples he gave when citing wasteful spending he wanted to target were congressional earmarks. When Members of the House or Senate tout a new line-item veto authority to go after government waste, the examples they give are congressional earmarks. When editorial pages argue for a new line-item veto, they, too, cite congressional earmarks as the reason for granting the President this new authority.

That is exactly what our bill does. It provides the President with new expedited rescission authority—what has been commonly referred to as a line-item veto—to cancel congressional earmarks. The definitions of earmarks that we use are the very definitions upon which each house has agreed in passing legislation earlier this year.

Unauthorized congressional earmarks are a growing problem. By one estimate, in 2004 alone more than \$50 billion in earmarks were passed. There is no excuse for a system that allows that kind of wasteful spending year after year, and while I have opposed granting the President line-item veto authority to effectively reshape programs like Medicare and Medicaid, for this specific category, I support giving the President this additional tool.

Under our proposal, wasteful spending doesn't have anywhere to hide. It's out in the open, so that both Congress and the President have a chance to get rid of wasteful projects before they would become law.

The taxpayers—who pay the price for these projects—deserve a process that shows some real fiscal discipline, and that's what we are trying to get at with this legislation.

I ask unanimous consent that the text of this legislation be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 1186

*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 "Congressional Accountability and Line-Item Veto Act of 2007".

**SEC. 2. LEGISLATIVE LINE ITEM VETO.**

(a) IN GENERAL.—Title X of the Congressional Budget and Impoundment Control Act of 1974 (2 U.S.C. 621 et seq.) is amended by striking all of part B (except for sections 1016 and 1013, which are redesignated as sections 1019 and 1020, respectively) and part C and inserting the following:

"PART B—LEGISLATIVE LINE-ITEM VETO

"LINE ITEM VETO AUTHORITY

"SEC. 1011. (a) PROPOSED CANCELLATIONS.—Within 30 calendar days after the enactment of any bill or joint resolution containing any congressional earmark or providing any limited tariff benefit or targeted tax benefit, the President may propose, in the manner provided in subsection (b), the repeal of the congressional earmark or the cancellation of any limited tariff benefit or targeted tax benefit. If the 30 calendar-day period expires during a period where either House of Congress stands adjourned sine die at the end of Congress or for a period greater than 30 calendar days, the President may propose a cancellation under this section and transmit a special message under subsection (b) on the first calendar day of session following such a period of adjournment.

"(b) TRANSMITTAL OF SPECIAL MESSAGE.—

"(1) SPECIAL MESSAGE.—

"(A) IN GENERAL.—The President may transmit to the Congress a special message proposing to repeal any congressional earmark or to cancel any limited tariff benefits or targeted tax benefits.

"(B) CONTENTS OF SPECIAL MESSAGE.—Each special message shall specify, with respect to the congressional earmarks, limited tariff benefits, or targeted tax benefits to be repealed or canceled—

"(i) the congressional earmark that the President proposes to repeal or the limited tariff benefit or the targeted tax benefit that the President proposes to be canceled;

"(ii) the specific project or governmental functions involved;

"(iii) the reasons why such congressional earmark should be repealed or such limited tariff benefit or targeted tax benefit should be canceled;

"(iv) to the maximum extent practicable, the estimated fiscal, economic, and budgetary effect (including the effect on outlays and receipts in each fiscal year) of the proposed repeal or cancellation;

"(v) to the maximum extent practicable, all facts, circumstances, and considerations relating to or bearing upon the proposed repeal or cancellation and the decision to propose the repeal or cancellation, and the estimated effect of the proposed repeal or cancellation upon the objects, purposes, or programs for which the congressional earmark, limited tariff benefit, or the targeted tax benefit is provided;

"(vi) a numbered list of repeals and cancellations to be included in an approval bill that, if enacted, would repeal congressional earmarks and cancel limited tariff benefits or targeted tax benefits proposed in that special message; and

"(vii) if the special message is transmitted subsequent to or at the same time as another special message, a detailed explanation why the proposed repeals or cancellations are not substantially similar to any other proposed repeal or cancellation in such other message.

"(C) DUPLICATIVE PROPOSALS PROHIBITED.—The President may not propose to repeal or cancel the same or substantially similar congressional earmark, limited tariff benefit, or targeted tax benefit more than one time under this Act.

"(D) MAXIMUM NUMBER OF SPECIAL MESSAGES.—The President may not transmit to the Congress more than one special message under this subsection related to any bill or joint resolution described in subsection (a), but may transmit not more than 2 special messages for any omnibus budget reconciliation or appropriation measure.

"(2) ENACTMENT OF APPROVAL BILL.—

"(A) DEFICIT REDUCTION.—Congressional earmarks, limited tariff benefits, or targeted tax benefits which are repealed or canceled

pursuant to enactment of a bill as provided under this section shall be dedicated only to reducing the deficit or increasing the surplus.

“(B) ADJUSTMENT OF LEVELS IN THE CONCURRENT RESOLUTION ON THE BUDGET.—Not later than 5 days after the date of enactment of an approval bill as provided under this section, the chairs of the Committees on the Budget of the Senate and the House of Representatives shall revise allocations and aggregates and other appropriate levels under the appropriate concurrent resolution on the budget to reflect the repeal or cancellation, and the applicable committees shall report revised suballocations pursuant to section 302(b), as appropriate.

“(C) ADJUSTMENTS TO STATUTORY LIMITS.—After enactment of an approval bill as provided under this section, the Office of Management and Budget shall revise applicable limits under the Balanced Budget and Emergency Deficit Control Act of 1985, as appropriate.

“(D) TRUST FUNDS AND SPECIAL FUNDS.—Notwithstanding subparagraph (A), nothing in this part shall be construed to require or allow the deposit of amounts derived from a trust fund or special fund which are canceled pursuant to enactment of a bill as provided under this section to any other fund.

“PROCEDURES FOR EXPEDITED CONSIDERATION

“SEC. 1012. (a) EXPEDITED CONSIDERATION.—

“(1) IN GENERAL.—The majority leader or minority leader of each House or his designee shall (by request) introduce an approval bill as defined in section 1017 not later than the third day of session of that House after the date of receipt of a special message transmitted to the Congress under section 1011(b). If the bill is not introduced as provided in the preceding sentence in either House, then, on the fourth day of session of that House after the date of receipt of the special message, any Member of that House may introduce the bill.

“(2) CONSIDERATION IN THE HOUSE OF REPRESENTATIVES.—

“(A) REFERRAL AND REPORTING.—Any committee of the House of Representatives to which an approval bill is referred shall report it to the House without amendment not later than the seventh legislative day after the date of its introduction. If a committee fails to report the bill within that period or the House has adopted a concurrent resolution providing for adjournment sine die at the end of a Congress, such committee shall be automatically discharged from further consideration of the bill and it shall be placed on the appropriate calendar.

“(B) PROCEEDING TO CONSIDERATION.—After an approval bill is reported by or discharged from committee or the House has adopted a concurrent resolution providing for adjournment sine die at the end of a Congress, it shall be in order to move to proceed to consider the approval bill in the House. Such a motion shall be in order only at a time designated by the Speaker in the legislative schedule within two legislative days after the day on which the proponent announces his intention to offer the motion. Such a motion shall not be in order after the House has disposed of a motion to proceed with respect to that special message. The previous question shall be considered as ordered on the motion to its adoption without intervening motion. A motion to reconsider the vote by which the motion is disposed of shall not be in order.

“(C) CONSIDERATION.—The approval bill shall be considered as read. All points of order against an approval bill and against its consideration are waived. The previous question shall be considered as ordered on an approval bill to its passage without intervening

motion except five hours of debate equally divided and controlled by the proponent and an opponent and one motion to limit debate on the bill. A motion to reconsider the vote on passage of the bill shall not be in order.

“(D) SENATE BILL.—An approval bill received from the Senate shall not be referred to committee.

“(3) CONSIDERATION IN THE SENATE.—

“(A) REFERRAL AND REPORTING.—Any committee of the Senate to which an approval bill is referred shall report it to the Senate without amendment not later than the seventh legislative day after the date of its introduction. If a committee fails to report the bill within that period or the Senate has adopted a concurrent resolution providing for adjournment sine die at the end of a Congress, such committee shall be automatically discharged from further consideration of the bill and it shall be placed on the appropriate calendar.

“(B) MOTION TO PROCEED TO CONSIDERATION.—After an approval bill is reported by or discharged from committee or the Senate has adopted a concurrent resolution providing for adjournment sine die at the end of a Congress, it shall be in order to move to proceed to consider the approval bill in the Senate. A motion to proceed to the consideration of a bill under this subsection in the Senate shall not be debatable. It shall not be in order to move to reconsider the vote by which the motion to proceed is agreed to or disagreed to.

“(C) LIMITS ON DEBATE.—Debate in the Senate on a bill under this subsection, and all debatable motions and appeals in connection therewith (including debate pursuant to subparagraph (D)), shall not exceed 10 hours, equally divided and controlled in the usual form.

“(D) APPEALS.—Debate in the Senate on any debatable motion or appeal in connection with a bill under this subsection shall be limited to not more than 1 hour, to be equally divided and controlled in the usual form.

“(E) MOTION TO LIMIT DEBATE.—A motion in the Senate to further limit debate on a bill under this subsection is not debatable.

“(F) MOTION TO RECOMMEND.—A motion to recommend a bill under this subsection is not in order.

“(G) CONSIDERATION OF THE HOUSE BILL.—

“(i) IN GENERAL.—If the Senate has received the House companion bill to the bill introduced in the Senate prior to a vote under subparagraph (C), then the Senate may consider, and the vote under subparagraph (C) may occur on, the House companion bill.

“(ii) PROCEDURE AFTER VOTE ON SENATE BILL.—If the Senate votes, pursuant to subparagraph (C), on the bill introduced in the Senate, then immediately following that vote, or upon receipt of the House companion bill, the House bill shall be deemed to be considered, read the third time, and the vote on passage of the Senate bill shall be considered to be the vote on the bill received from the House.

“(b) AMENDMENTS PROHIBITED.—No amendment to, or motion to strike a provision from, a bill considered under this section shall be in order in either the Senate or the House of Representatives.

“PRESIDENTIAL DEFERRAL AUTHORITY

“SEC. 1013. (a) TEMPORARY PRESIDENTIAL AUTHORITY TO WITHHOLD CONGRESSIONAL EARMARKS.—

“(1) IN GENERAL.—At the same time as the President transmits to the Congress a special message pursuant to section 1011(b), the President may direct that any congressional earmark to be repealed in that special message shall not be made available for obliga-

tion for a period of 45 calendar days of continuous session of the Congress after the date on which the President transmits the special message to the Congress.

“(2) EARLY AVAILABILITY.—The President shall make any congressional earmark deferred pursuant to paragraph (1) available at a time earlier than the time specified by the President if the President determines that continuation of the deferral would not further the purposes of this Act.

“(b) TEMPORARY PRESIDENTIAL AUTHORITY TO SUSPEND A LIMITED TARIFF BENEFIT.—

“(1) IN GENERAL.—At the same time as the President transmits to the Congress a special message pursuant to section 1011(b), the President may suspend the implementation of any limited tariff benefit proposed to be canceled in that special message for a period of 45 calendar days of continuous session of the Congress after the date on which the President transmits the special message to the Congress.

“(2) EARLY AVAILABILITY.—The President shall terminate the suspension of any limited tariff benefit at a time earlier than the time specified by the President if the President determines that continuation of the suspension would not further the purposes of this Act.

“(c) TEMPORARY PRESIDENTIAL AUTHORITY TO SUSPEND A TARGETED TAX BENEFIT.—

“(1) IN GENERAL.—At the same time as the President transmits to the Congress a special message pursuant to section 1011(b), the President may suspend the implementation of any targeted tax benefit proposed to be repealed in that special message for a period of 45 calendar days of continuous session of the Congress after the date on which the President transmits the special message to the Congress.

“(2) EARLY AVAILABILITY.—The President shall terminate the suspension of any targeted tax benefit at a time earlier than the time specified by the President if the President determines that continuation of the suspension would not further the purposes of this Act.

“IDENTIFICATION OF TARGETED TAX BENEFITS

“SEC. 1014. (a) STATEMENT.—The chairman of the Committee on Ways and Means of the House of Representatives and the chairman of the Committee on Finance of the Senate acting jointly (hereafter in this subsection referred to as the ‘chairmen’) shall review any revenue or reconciliation bill or joint resolution which includes any amendment to the Internal Revenue Code of 1986 that is being prepared for filing by a committee of conference of the two Houses, and shall identify whether such bill or joint resolution contains any targeted tax benefits. The chairmen shall provide to the committee of conference a statement identifying any such targeted tax benefits or declaring that the bill or joint resolution does not contain any targeted tax benefits. Any such statement shall be made available to any Member of Congress by the chairmen immediately upon request.

“(b) STATEMENT INCLUDED IN LEGISLATION.—

“(1) IN GENERAL.—Notwithstanding any other rule of the House of Representatives or any rule or precedent of the Senate, any revenue or reconciliation bill or joint resolution which includes any amendment to the Internal Revenue Code of 1986 reported by a committee of conference of the two Houses may include, as a separate section of such bill or joint resolution, the information contained in the statement of the chairmen, but only in the manner set forth in paragraph (2).

“(2) APPLICABILITY.—The separate section permitted under subparagraph (A) shall read as follows: ‘Section 1021 of the Congressional

Budget and Impoundment Control Act of 1974 shall \_\_\_\_\_ apply to \_\_\_\_\_, with the blank spaces being filled in with—

“(A) in any case in which the chairmen identify targeted tax benefits in the statement required under subsection (a), the word ‘only’ in the first blank space and a list of all of the specific provisions of the bill or joint resolution in the second blank space; or

“(B) in any case in which the chairmen declare that there are no targeted tax benefits in the statement required under subsection (a), the word ‘not’ in the first blank space and the phrase ‘any provision of this Act’ in the second blank space.

“(c) IDENTIFICATION IN REVENUE ESTIMATE.—With respect to any revenue or reconciliation bill or joint resolution with respect to which the chairmen provide a statement under subsection (a), the Joint Committee on Taxation shall—

“(1) in the case of a statement described in subsection (b)(2)(A), list the targeted tax benefits in any revenue estimate prepared by the Joint Committee on Taxation for any conference report which accompanies such bill or joint resolution, or

“(2) in the case of a statement described in 13 subsection (b)(2)(B), indicate in such revenue estimate that no provision in such bill or joint resolution has been identified as a targeted tax benefit.

“(d) PRESIDENT’S AUTHORITY.—If any revenue or reconciliation bill or joint resolution is signed into law—

“(1) with a separate section described in subsection (b)(2), then the President may use the authority granted in this section only with respect to any targeted tax benefit in that law, if any, identified in such separate section; or

“(2) without a separate section described in subsection (b)(2), then the President may use the authority granted in this section with respect to any targeted tax benefit in that law.

#### “TREATMENT OF CANCELLATIONS

“SEC. 1015. The repeal of any congressional earmark or cancellation of any limited tariff benefit or targeted tax benefit shall take effect only upon enactment of the applicable approval bill. If an approval bill is not enacted into law before the end of the applicable period under section 1013, then all proposed repeals and cancellations contained in that bill shall be null and void and any such congressional earmark, limited tariff benefit, or targeted tax benefit shall be effective as of the original date provided in the law to which the proposed repeals or cancellations applied.

#### “REPORTS BY COMPTROLLER GENERAL

“SEC. 1016. With respect to each special message under this part, the Comptroller General shall issue to the Congress a report determining whether any congressional earmark is not repealed or limited tariff benefit or targeted tax benefit continues to be suspended after the deferral authority set forth in section 1013 of the President has expired.

#### “DEFINITIONS

“SEC. 1017. As used in this part:

“(1) APPROPRIATION LAW.—The term ‘appropriation law’ means an Act referred to in section 105 of title 1, United States Code, including any general or special appropriation Act, or any Act making supplemental, deficiency, or continuing appropriations, that has been signed into law pursuant to Article I, section 7, of the Constitution of the United States.

“(2) APPROVAL BILL.—The term ‘approval bill’ means a bill or joint resolution which only approves proposed repeals of congressional earmarks or cancellations of limited tariff benefits or targeted tax benefits in a

special message transmitted by the President under this part and—

“(A) the title of which is as follows: ‘A bill approving the proposed repeals and cancellations transmitted by the President on \_\_\_\_\_’, the blank space being filled in with the date of transmission of the relevant special message and the public law number to which the message relates;

“(B) which does not have a preamble; and

“(C) which provides only the following after the enacting clause: ‘That the Congress approves of proposed repeals and cancellations \_\_\_\_\_’, the blank space being filled in with a list of the repeals and cancellations contained in the President’s special message, ‘as transmitted by the President in a special message on \_\_\_\_\_’, the blank space being filled in with the appropriate date, ‘regarding \_\_\_\_\_’, the blank space being filled in with the public law number to which the special message relates;

“(D) which only includes proposed repeals and cancellations that are estimated by CBO to meet the definition of congressional earmark or limited tariff benefits, or that are identified as targeted tax benefits pursuant to section 1014; and

“(E) if no CBO estimate is available, then the entire list of legislative provisions proposed by the President is inserted in the second blank space in subparagraph (C).

“(3) CALENDAR DAY.—The term ‘calendar day’ means a standard 24-hour period beginning at midnight.

“(4) CANCEL OR CANCELLATION.—The terms ‘cancel’ or ‘cancellation’ means to prevent—

“(A) a limited tariff benefit from having legal force or effect, and to make any necessary, conforming statutory change to ensure that such limited tariff benefit is not implemented; or

“(B) a targeted tax benefit from having legal force or effect, and to make any necessary, conforming statutory change to ensure that such targeted tax benefit is not implemented and that any budgetary resources are appropriately canceled.

“(5) CBO.—The term ‘CBO’ means the Director of the Congressional Budget Office.

“(6) CONGRESSIONAL EARMARK.—The term ‘congressional earmark’ means a provision or report language included primarily at the request of a Member, Delegate, Resident Commissioner, or Senator providing, authorizing or recommending a specific amount of discretionary budget authority, credit authority, or other spending authority for a contract, loan, loan guarantee, grant, loan authority, or other expenditure with or to an entity, or targeted to a specific State, locality or Congressional district, other than through a statutory or administrative formula-driven or competitive award process.

“(7) ENTITY.—As used in paragraph (6), the term ‘entity’ includes a private business, State, territory or locality, or Federal entity.

“(8) LIMITED TARIFF BENEFIT.—The term ‘limited tariff benefit’ means any provision of law that modifies the Harmonized Tariff Schedule of the United States in a manner that benefits 10 or fewer entities (as defined in paragraph (12)(B)).

“(9) OMB.—The term ‘OMB’ means the Director of the Office of Management and Budget.

“(10) OMNIBUS RECONCILIATION OR APPROPRIATION MEASURE.—The term ‘omnibus reconciliation or appropriation measure’ means—

“(A) in the case of a reconciliation bill, any such bill that is reported to its House by the Committee on the Budget; or

“(B) in the case of an appropriation measure, any such measure that provides appropriations for programs, projects, or activities

falling within 2 or more section 302(b) suballocations.

“(11) TARGETED TAX BENEFIT.—The term ‘targeted tax benefit’ means—

“(A) any revenue provision that—

“(i) provides a Federal tax deduction, credit, exclusion, or preference to a particular beneficiary or limited group of beneficiaries under the Internal Revenue Code of 1986; and

“(ii) contains eligibility criteria that are not uniform in application with respect to potential beneficiaries of such provision; or

“(B) any Federal tax provision which provides one beneficiary temporary or permanent transition relief from a change to the Internal Revenue Code of 1986.

#### “EXPIRATION

“SEC. 1018. This title shall have no force or effect on or after December 31, 2012”.

### SEC. 3. TECHNICAL AND CONFORMING AMENDMENTS.

(a) EXERCISE OF RULEMAKING POWERS.—Section 904 of the Congressional Budget Act of 1974 (2 U.S.C. 621 note) is amended—

(1) in subsection (a), by striking “1017” and inserting “1012”; and

(2) in subsection (d), by striking “section 1017” and inserting “section 1012”.

(b) ANALYSIS BY CONGRESSIONAL BUDGET OFFICE.—Section 402 of the Congressional Budget Act of 1974 is amended by inserting “(a)” after “402.” and by adding at the end the following new subsection:

“(b) Upon the receipt of a special message under section 1011 proposing to repeal any congressional earmark, the Director of the Congressional Budget Office shall prepare an estimate of the savings in budget authority or outlays resulting from such proposed repeal relative to the most recent levels calculated consistent with the methodology used to calculate a baseline under section 257 of the Balanced Budget and Emergency Deficit Control Act of 1985 and included with a budget submission under section 1105(a) of title 31, United States Code, and transmit such estimate to the chairmen of the Committees on the Budget of the House of Representatives and Senate.”.

(c) CLERICAL AMENDMENTS.—(1) Section 1(a) of the Congressional Budget and Impoundment Control Act of 1974 is amended by striking the last sentence.

(2) Section 1022(c) of such Act (as redesignated) is amended is amended by striking “rescinded or that is to be reserved” and insert “canceled” and by striking “1012” and inserting “1011”.

(3) TABLE OF CONTENTS.—The table of contents set forth in section 1(b) of the Congressional Budget and Impoundment Control Act of 1974 is amended by deleting the contents for parts B and C of title X and inserting the following:

#### “PART B—LEGISLATIVE LINE-ITEM VETO

“Sec. 1011. Line item veto authority

“Sec. 1012. Procedures for expedited consideration

“Sec. 1013. Presidential deferral authority

“Sec. 1014. Identification of targeted tax benefits

“Sec. 1015. Treatment of cancellations

“Sec. 1016. Reports by comptroller general

“Sec. 1017. Definitions

“Sec. 1018. Expiration

“Sec. 1019. Suits by Comptroller General

“Sec. 1020. Proposed Deferrals of budget authority”.

(d) EFFECTIVE DATE.—The amendments made by this Act shall take effect on the date of its enactment and apply only to any congressional earmark, limited tariff benefit, or targeted tax benefit provided in an Act enacted on or after the date of enactment of this Act.

**SEC. 4. SENSE OF CONGRESS ON ABUSE OF PROPOSED REPEALS AND CANCELLATIONS.**

It is the sense of Congress no President or any executive branch official should condition the inclusion or exclusion or threaten to condition the inclusion or exclusion of any proposed repeal or cancellation in any special message under this section upon any vote cast or to be cast by any Member of either House of Congress.

By Mr. PRYOR (for himself and Mrs. LINCOLN):

S. 1189. A bill to designate the Federal building and United States Courthouse located at 100 East 8th Avenue in Pine Bluff, Arkansas, as the "George Howard, Jr. Federal Building and United States Courthouse"; to the Committee on Environment and Public Works.

Mr. PRYOR. Mr. President, I rise today to commemorate the life and achievements of Arkansas native George Howard, Jr., who died Saturday, April 21, 2007 at Jefferson Regional Medical Center in Pine Bluff, AR. Howard, a remarkable lawyer and civil-rights leader, was Arkansas's first black Federal judge. I am pleased to honor his legacy today by introducing legislation to designate the Pine Bluff Federal building and courthouse the "George Howard, Jr. Federal Building and United States Courthouse."

Judge Howard will be remembered for a number of remarkable professional accomplishments. He was named by President Carter to a lifetime appointment as U.S. District Court Judge for Arkansas's Eastern and Western districts in 1980. Prior to taking office as a Federal judge, Mr. Howard worked as an attorney in private practice and served as President of the State Council of Branches of the NAACP.

He graduated from law school at the University of Arkansas at Fayetteville in 1954. Though not the first black student to graduate from the U of A law school, he was one of the earliest and was the first black student to live in campus housing. Judge Howard also served in the U.S. Navy during World War II.

His hard work, dedication to his country and profession, and historic contribution to the State of Arkansas should be celebrated and remembered. For this reason, I urge the Senate to adopt this legislation honoring Judge George Howard, Jr.

**SUBMITTED RESOLUTIONS**

**SENATE RESOLUTION 165—RELATIVE TO THE DEATH OF REPRESENTATIVE JUANITA MILLENDER-MCDONALD, OF CALIFORNIA**

Mr. REID (for himself, Mr. McCONNELL, Mrs. FEINSTEIN, Mrs. BOXER, Mr. AKAKA, Mr. ALEXANDER, Mr. ALLARD, Mr. BAUCUS, Mr. BAYH, Mr. BENNETT, Mr. BIDEN, Mr. BINGAMAN, Mr. BOND, Mr. BROWN, Mr. BROWNBACK, Mr. BUNNING, Mr. BURR, Mr. BYRD, Ms.

CANTWELL, Mr. CARDIN, Mr. CARPER, Mr. CASEY, Mr. CHAMBLISS, Mrs. CLINTON, Mr. COBURN, Mr. COCHRAN, Mr. COLEMAN, Ms. COLLINS, Mr. CONRAD, Mr. CORKER, Mr. CORNYN, Mr. CRAIG, Mr. CRAPO, Mr. DEMINT, Mr. DODD, Mrs. DOLE, Mr. DOMENICI, Mr. DORGAN, Mr. DURBIN, Mr. ENSIGN, Mr. ENZI, Mr. FEINGOLD, Mr. GRAHAM, Mr. GRASSLEY, Mr. GREGG, Mr. HAGEL, Mr. HARKIN, Mr. HATCH, Mrs. HUTCHISON, Mr. INHOFE, Mr. INOUE, Mr. ISAKSON, Mr. JOHNSON, Mr. KENNEDY, Mr. KERRY, Ms. KLOBUCHAR, Mr. KOHL, Mr. KYL, Ms. LANDRIEU, Mr. LAUTENBERG, Mr. LEAHY, Mr. LEVIN, Mr. LIEBERMAN, Mrs. LINCOLN, Mr. LOTT, Mr. LUGAR, Mr. MARTINEZ, Mr. MCCAIN, Mrs. MCCASKILL, Mr. MENENDEZ, Ms. MIKULSKI, Ms. MURKOWSKI, Mrs. MURRAY, Mr. NELSON of Florida, Mr. NELSON of Nebraska, Mr. OBAMA, Mr. PRYOR, Mr. REED, Mr. ROBERTS, Mr. ROCKEFELLER, Mr. SALAZAR, Mr. SANDERS, Mr. SCHUMER, Mr. SESSIONS, Mr. SHELBY, Mr. SMITH, Ms. SNOWE, Mr. SPECTER, Ms. STABENOW, Mr. STEVENS, Mr. SUNUNU, Mr. TESTER, Mr. THOMAS, Mr. THUNE, Mr. VITTER, Mr. VOINOVICH, Mr. WARNER, Mr. WEBB, Mr. WHITEHOUSE, and Mr. WYDEN) submitted the following resolution; which was considered and agreed to:

S. RES. 165

*Resolved*, That the Senate has heard with profound sorrow and deep regret the announcement of the death of the Honorable Juanita Millender-McDonald, late a Representative from the State of California.

*Resolved*, That the Secretary communicate these resolutions to the House of Representatives and transmit an enrolled copy thereof to the family of the deceased.

*Resolved*, That when the Senate adjourns or recesses today, it stand adjourned or recessed as a further mark of respect to the memory of the late Representative.

**SENATE RESOLUTION 166—COMMEMORATING THE LIFE TIME ACHIEVEMENT OF THE REVEREND LEON H. SULLIVAN**

Mr. CASEY (for himself and Mr. SPECTER) submitted the following resolution; which was considered and agreed to:

S. RES. 166

Whereas, the late Reverend Leon H. Sullivan dedicated his life to alleviating the plight of the poor and the disadvantaged in America and worldwide;

Whereas, Reverend Sullivan received numerous honors and awards during his lifetime, including recognition by LIFE magazine in 1963 as one of the 100 outstanding young adults in America, the Presidential Medal of Freedom in 1992, and the Eleanor Roosevelt Award for Human Rights in 1999;

Whereas, having dedicated 37 years of his ministerial vocation to the historic Zion Baptist Church of Philadelphia, Reverend Sullivan's leadership and innovation led to the creation of one of the largest congregations in the Nation during his time;

Whereas, in 1966, as part of his 10-36 Plan to encourage individuals to invest in the economic future of their communities, Reverend Sullivan founded the Leon H. Sullivan Charitable Trusts and the Progress Investment Associates, through which numerous eco-

nomics development and social services programs have been developed and funded;

Whereas, in 1963, in response to a lack of job opportunities in Philadelphia, Pennsylvania, Reverend Sullivan led more than 400 ministers in a successful boycott that opened up more than 4,000 jobs for African-Americans;

Whereas, Reverend Sullivan met the need for job training by establishing the Opportunities Industrialization Center, which has grown to more than 75 training centers throughout the Nation;

Whereas, recognizing the need to take his struggle to alleviate the plight of the poor abroad, in 1969 Reverend Sullivan established Opportunities Industrialization Centers International, which has grown to more than 40 centers in 16 African nations, Poland, and the Philippines;

Whereas, when Reverend Sullivan saw the need to create a broader array of programs in Africa, he established the International Foundation for Education and Self-Help, which has conducted numerous initiatives, including Schools for Africa, fellowship programs, and innovative teacher and banker training programs since 1988;

Whereas, in 2001, the Leon H. Sullivan Foundation was established posthumously to support Reverend Sullivan's life's mission through the work of his many established organizations;

Whereas, the Leon H. Sullivan Foundation presents the biennial Leon H. Sullivan Summits in Africa, which have provided a forum for leaders of African nations together with more than 18,000 African-Americans and Friends of Africa to interact with their counterparts and produce programs to meet the needs of the poor and disadvantaged in African nations;

Whereas, in 1977, Reverend Sullivan helped to promulgate the Sullivan Principles, a code of conduct for human rights and equal opportunity for companies operating in South Africa, and the Sullivan Principles helped end apartheid in South Africa;

Whereas, Reverend Sullivan expanded on the Sullivan Principles in 1999, by creating the Global Sullivan Principles, which encourage corporate social responsibility and promote global human rights and political, economic, and social justice;

Whereas, more than 250 governments, corporations, and universities on 5 continents have endorsed the Global Sullivan Principles since their initiation;

Whereas, 10 African heads of state endorsed the Global Sullivan Principles at the Leon H. Sullivan Summit in Abuja, Nigeria, in July 2006;

Whereas, plans for the 8th Leon H. Sullivan Summit in Tanzania in 2008 include broader regional endorsement of the Global Sullivan Principles among African nations: Now, therefore, be it

*Resolved*, That the Senate—  
(1) commemorates the life of the Reverend Leon H. Sullivan;

(2) salutes the positive impact of the Reverend Sullivan's achievements domestically and internationally; and

(3) encourages the continued pursuit of Reverend Sullivan's mission to help the poor and disenfranchised around the world.

**AMENDMENTS SUBMITTED AND PROPOSED**

SA 903. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 761, to invest in innovation and education to improve the competitiveness of the United States in the global economy; which was ordered to lie on the table.