



STATEMENT OF REPUBLICAN POLICY

May 13, 2009

**H.R. 2187, the 21st Century Green High-Performing Public School Facilities Act
Rep. Chandler (D-KY) and 25 Cosponsors**

The federal government has always maintained a limited role in education. It has properly focused its role on helping schools close the achievement gaps between disadvantaged students and their peers and ensuring that children with disabilities have access to educational services they need. Except for assistance to school districts that are impacted by federal lands, public school maintenance, repair and construction projects have been the responsibility of state and local communities. The *21st Century Green High-Performing Public School Facilities Act*, H.R. 2187, would result in an unprecedented shift in the focus of the U.S. Department of Education from closing achievement gaps to maintaining school buildings. For these reasons, Republicans strongly oppose nationalizing and regulating school construction and urge Members to vote against H.R. 2187.

Using figures from the Congressional Budget Office, it is projected that H.R. 2187 will cost \$40 billion over its authorized period. The bill imposes numerous prescriptive mandates on states and local school districts, down to the sort of materials that must be used for flooring. Grants will be distributed to states and local school districts based on the Title I funding formula and to Louisiana, Mississippi and Alabama for continued recovery from hurricane damage. Republicans appreciate that the Majority has included language that would require a third-party audit of the condition of the states' public schools, since this is information that is currently lacking from the public debate on this issue. However, in light of the absence of this information, funds under H.R. 2187 are distributed to local school districts without consideration of actual school need for renovation. While H.R. 2187 includes some restrictions on the use of the construction grants, ultimately there are no limits on the renovations or repairs that local schools may make using these funds.

Republicans appreciate that the legislation requires that local school districts allow for the maximum number of qualified businesses to bid on the construction contracts. However, the legislation is subject to the Davis-Bacon Act wage requirements. Independent analyses of states that apply the Davis-Bacon Act to their school construction projects have found that these depression era wage requirements increase the cost of construction projects by more than one-third. Davis-Bacon Act wage requirements also prohibit local contractors from offering competitive bids for such construction projects, saving taxpayers money, which could be used to hire or train more teachers or provide additional services to students that need help in reading or math.

At a time when the U.S. economy is facing record deficits, estimated at \$1.84 trillion for FY 2009, Congress should not saddle the taxpayer with new financial obligations and the federal government with new responsibilities. The U.S. Department of Education has been focusing on helping schools close the achievement gap and improve the academic achievement of all our students. Shifting its focus to building and monitoring school construction projects will limit its ability to have the greatest impact on student achievement. A massive new \$40 billion school construction program will further jeopardize Congress' ability to reduce the deficit and get the federal budget under control.

For the above stated reasons, it strongly recommended that Republicans oppose the *21st Century Green High-Performing Public School Facilities Act*.

*Provided by the House Republican Leadership and Committee on Education and Labor
Republicans.*

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