

116TH CONGRESS
1ST SESSION

H. R. 3513

To support educational entities in fully implementing title IX and reducing and preventing sex discrimination in all areas of education, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 26, 2019

Ms. MATSUI (for herself and Mr. MORELLE) introduced the following bill;
which was referred to the Committee on Education and Labor

A BILL

To support educational entities in fully implementing title IX and reducing and preventing sex discrimination in all areas of education, and for other purposes.

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Patsy T. Mink and
5 Louise M. Slaughter Gender Equity in Education Act of
6 2019”.

7 **SEC. 2. FINDINGS.**

8 Congress finds the following:

1 (1) Title IX of the Education Amendments of
2 1972 (20 U.S.C. 1681 et seq.) (in this Act referred
3 to as “title IX”) and the implementing regulations
4 of title IX prohibit sex discrimination in federally
5 funded education programs and activities.

6 (2) Although title IX requires that schools treat
7 students equally with regard to athletic participation
8 opportunities, athletic scholarships, and the benefits
9 and services provided to athletic teams, female par-
10 ticipation rates, especially for girls of color, lag far
11 behind male participation rates. Currently, only $\frac{2}{3}$
12 of Black and Latina girls play sports, and barely
13 over $\frac{1}{2}$ of Asian-American girls play sports, com-
14 pared to more than $\frac{3}{4}$ of White girls. Female stu-
15 dent athletes have been found to have higher levels
16 of self-esteem and to be more likely to graduate
17 from high school than female students who do not
18 play sports. Although the availability of athletic
19 scholarships facilitates access to higher education,
20 many schools fail to award proportional athletic fi-
21 nancial aid to women, which can affect their long-
22 term employment outcomes and economic security.

23 (3) Although title IX ensures gender equity in
24 career and technical education, women are severely
25 underrepresented in fields nontraditional to their

1 gender. A recent study by the National Coalition for
2 Women and Girls in Education indicated that
3 women make up more than 80 percent of workers
4 with training or certification in historically women-
5 dominated occupations that pay less than \$30,000
6 per year, including child care, early childhood edu-
7 cation, home care, and cosmetology. Women rep-
8 resent less than 40 percent of workers trained or
9 certified in high-paying and historically male-domi-
10 nated fields, including transportation, advanced
11 manufacturing, and construction.

12 (4) Although title IX ensures gender equity in
13 the fields of science, technology, engineering, and
14 mathematics (in this section referred to as
15 “STEM”) education, women are disproportionately
16 lost at nearly every stage of the STEM pipeline. A
17 recent report by the National Center for Education
18 Statistics showed that women earned only 32 per-
19 cent of all STEM degrees in 2017, and nearly ½ of
20 these women were White. Women of color earned
21 about 12 percent of STEM degrees in that same
22 year. Furthermore, in STEM fields where women
23 are particularly underrepresented, such as com-
24 puting and engineering, women earned an even
25 smaller percentage of degrees, including only 19 per-

1 cent of computing bachelor's degrees, and 21 per-
2 cent of engineering bachelor's degrees.

3 (5) Although title IX prohibits sex discrimina-
4 tion in employment in federally funded education
5 programs, a recent report by the American Associa-
6 tion of University Women found that women com-
7 prise only 36 percent of tenured faculty and 30 per-
8 cent of university presidents. A similar study by the
9 National Science Foundation confirmed that women
10 only hold 34 percent of all tenured and tenure-track
11 positions, and 27 percent of full professor positions
12 in STEM fields. Furthermore, Black and Latina
13 women, together, hold only 4 percent of all tenured
14 and tenure-track positions, and barely over 2 percent
15 of full professor positions in STEM fields. Asian-
16 American women hold around 5 percent of all
17 tenured and tenure-track positions, and less than 3
18 percent of full professor positions in STEM fields.

19 (6) Although title IX protects against sexual
20 and sex-based harassment and violence, more than
21 50 percent of girls and 40 percent of boys in grades
22 7 through 12 experience sexual harassment each
23 year, and approximately 10 percent of high school
24 students experience dating violence each year. A re-
25 cent GLSEN report indicated that 87 percent of les-

1 bian, gay, bisexual, transgender, queer, and ques-
2 tioning (referred to in this section as “LGBTQ”)
3 students have experienced harassment or assault
4 based on a personal characteristic, and nearly 66
5 percent have experienced LGBTQ-related verbal har-
6 assment at school based on sexual orientation. Re-
7 search has shown that LGBTQ students who experi-
8 ence harassment at school are more likely to experi-
9 ence depression and anxiety, to engage in unhealthy
10 and antisocial behaviors, and to have more unex-
11 cused absences from school.

12 (7) Although title IX prohibits discrimination
13 on the basis of pregnancy or parenting status, the
14 limited availability of accommodations for preg-
15 nancy-related conditions, including medical absences,
16 and the limited access to school-related activities for
17 pregnant and parenting students, are the leading
18 reasons that parenting mothers drop out of high
19 school. A recent report by the National Women’s
20 Law Center indicated that only 1/2 of teenage moth-
21 ers earn a high school diploma by the age of 22,
22 compared with 89 percent of women who do not
23 have a child during their teenage years, and that 1/3
24 of young mothers will never get a diploma or GED,

1 further limiting continuing opportunities for edu-
2 cation and employment.

3 (8) Although title IX protects against discrimi-
4 nation based on stereotypes of actual or perceived
5 sex (including sexual orientation or gender identity),
6 many people carry implicit or unconscious biases
7 that can unintentionally influence attitudes, beliefs,
8 behaviors, and decisionmaking processes. Research
9 has shown that unconscious biases can impact class-
10 room environments, teaching methods, student eval-
11 uations, disciplinary practices, and career and coun-
12 seling guidance, particularly for students who are
13 pursuing nontraditional fields.

14 **SEC. 3. DEFINITIONS.**

15 In this Act:

16 (1) ESEA DEFINITIONS.—The terms “elemen-
17 tary school”, “institution of higher education”,
18 “local educational agency”, “secondary school”, and
19 “State educational agency” have the meanings given
20 those terms in section 8101 of the Elementary and
21 Secondary Education Act of 1965 (20 U.S.C. 7801).

22 (2) DIRECTOR.—The term “Director” means
23 the Director of the Office for Gender Equity estab-
24 lished under section 5(a).

(3) EDUCATIONAL ENTITY.—The term “educational entity” means any of the following entities that receive Federal funds:

(A) A State educational agency.

(B) A local educational agency.

(C) An institution of higher education.

(D) An elementary school or secondary school.

(4) SECRETARY.—The term “Secretary” means the Secretary of Education.

(5) TITLE IX COORDINATOR.—The term “title IX coordinator” means a responsible employee, as described in section 106.8(a) of title 34, Code of Federal Regulations, designated to coordinate efforts under title IX of the Education Amendments of 1972 (20 U.S.C. 1681 et seq.).

SEC. 4. PURPOSES.

The purposes of this Act are to—

(1) promote gender equity in education in the United States;

(2) support educational entities so that such entities have the support to fully implement title IX;

(3) provide title IX coordinators with training, technical assistance, and support to fully carry out their roles and responsibilities;

1 (4) increase general awareness about the rights
2 and obligations of individuals and entities under title
3 IX;

4 (5) identify, implement, and disseminate best
5 practices for reducing and preventing sex discrimina-
6 tion in all areas of education;

7 (6) promote educational environments that are
8 safe and free of sexual and sex-based bullying, har-
9 assment, and violence; and

10 (7) promote equity in education for students
11 who face discrimination based on multiple character-
12 istics, including—

13 (A) race;

14 (B) ethnicity;

15 (C) national origin;

16 (D) disability status;

17 (E) religion;

18 (F) age; or

19 (G) actual or perceived sex (including sex-
20 ual orientation or gender identity).

21 **SEC. 5. ESTABLISHMENT OF AN OFFICE FOR GENDER EQ-**
22 **UITY.**

23 (a) IN GENERAL.—The Secretary shall establish an
24 Office for Gender Equity. The Director of the Office for
25 Gender Equity shall be the Special Assistant for Gender

1 Equity, as authorized under section 202(b)(3) of the De-
2 partment of Education Organization Act (20 U.S.C.
3 3412(b)(3)). The Director of the Office for Gender Equity
4 shall report directly to the Secretary.

5 (b) DUTIES.—The Office for Gender Equity shall be
6 responsible for the following:

7 (1) Supporting educational entities in the full
8 implementation of title IX.

9 (2) Providing title IX coordinators with train-
10 ing, technical assistance, and support to fully carry
11 out their roles and responsibilities.

12 (3) Providing grants to implement programs
13 and activities that are focused on reducing and pre-
14 venting sex discrimination in all areas of education.

15 (4) Identifying and disseminating best practices
16 for reducing and preventing sex discrimination in all
17 areas of education.

18 (5) Maintaining an Office of Gender Equity re-
19 source center website to disseminate best practices
20 in achieving gender equity.

21 (6) Performing any other activity consistent
22 with achieving the purposes of this Act.

23 (c) COORDINATION.—To carry out the purposes of
24 this Act, the Secretary shall coordinate with other relevant
25 Federal offices and agencies, including—

1 (1) the Office for Civil Rights of the Depart-
2 ment of Education;

3 (2) the Institute of Education Sciences;

4 (3) the White House Council on Women and
5 Girls;

6 (4) the Women’s Bureau of the Department of
7 Labor;

8 (5) the Office on Women’s Health of the De-
9 partment of Health and Human Services;

10 (6) the Civil Rights Division of the Department
11 of Justice;

12 (7) the Office on Violence Against Women of
13 the Department of Justice;

14 (8) the Centers for Disease Control and Preven-
15 tion;

16 (9) the Office of Safe and Healthy Students of
17 the Department of Education; and

18 (10) other entities determined relevant for car-
19 rying out the purposes of this Act.

20 **SEC. 6. SUPPORT FOR TITLE IX COORDINATORS.**

21 (a) IN GENERAL.—The Director shall provide coordi-
22 nation, training, technical assistance, and support for title
23 IX coordinators to ensure that educational entities are
24 able to fully implement title IX and reduce and prevent
25 sex discrimination in all areas of education.

1 (b) TITLE IX COORDINATOR TRAINING.—

2 (1) IN GENERAL.—Not less than once a year,
3 the Director shall conduct a training for all title IX
4 coordinators. The training may be conducted in
5 partnership with a national organization with rel-
6 evant expertise, and may be completed online or in
7 person.

8 (2) CONTENTS OF TRAINING.—The training de-
9 scribed in paragraph (1) shall include the following
10 information:

11 (A) The role and responsibility of title IX
12 coordinators.

13 (B) Best practices for increasing aware-
14 ness about rights and obligations under title
15 IX.

16 (C) Best practices for investigating and re-
17 sponding to claims of violations of title IX.

18 (D) Best practices for identifying and pre-
19 venting implicit and explicit sex discrimination
20 in all areas of education, including—

21 (i) recruitment and admissions;

22 (ii) teaching practices, textbooks, and
23 curricula;

24 (iii) campus safety and security;

25 (iv) financial assistance;

- 1 (v) access to facilities, resources, and
- 2 housing;
- 3 (vi) access to course offerings;
- 4 (vii) student health services and insur-
- 5 ance benefits;
- 6 (viii) counseling and career guidance;
- 7 (ix) athletics;
- 8 (x) discipline policies;
- 9 (xi) employment; and
- 10 (xii) other areas that the Director de-
- 11 termines are relevant for such purposes.

12 (3) APPLICATION OF TRAINING.—

13 (A) IN GENERAL.—The Director shall take
14 steps to ensure that the trainings described in
15 paragraph (1)—

- 16 (i) are adapted, as necessary, to ad-
- 17 dress issues of sex discrimination at all lev-
- 18 els of education;
- 19 (ii) are updated with the latest evi-
- 20 dence-based best practices; and
- 21 (iii) address recent trends in sex dis-
- 22 crimination.

23 (B) ATTENTION TO DISCRIMINATION
24 BASED ON MULTIPLE CHARACTERISTICS.—The
25 Director shall take steps to ensure that such

1 trainings include attention to students who face
2 discrimination based on multiple characteristics,
3 including—

4 (i) race;

5 (ii) ethnicity;

6 (iii) national origin;

7 (iv) disability status;

8 (v) religion;

9 (vi) age; or

10 (vii) actual or perceived sex (including
11 sexual orientation or gender identity).

12 (C) EVALUATION.—The Director shall—

13 (i) develop and conduct pre- and post-
14 training evaluations to assess the effective-
15 ness of such trainings in improving the
16 knowledge of the roles and responsibilities
17 of title IX coordinators; and

18 (ii) use such evaluations to update the
19 title IX coordinator trainings annually.

20 (c) HANDBOOK FOR CONDUCTING TITLE IX COMPLI-
21 ANCE SELF-EVALUATIONS.—The Director shall develop a
22 handbook for conducting self-evaluations of compliance
23 with title IX in all areas of education, as described in sub-
24 section (b)(2)(D).

1 (d) ASSESSMENT OF TITLE IX COORDINATOR SUP-
 2 PORT.—The Director shall collect relevant data and statis-
 3 tics on all title IX coordinators, including salary informa-
 4 tion, budgets, and primary roles, in order to make rec-
 5 ommendations for improving title IX coordinator support.

6 (e) DISSEMINATION.—The Director shall ensure that
 7 the workplace contact information of all title IX coordina-
 8 tors and any training materials or information developed
 9 under this section are made available on the Office of Gen-
 10 der Equity resource center website, described in section
 11 5(b)(5).

12 **SEC. 7. SUPPORT FOR LOCAL IMPLEMENTATION.**

13 (a) GRANTS AUTHORIZED.—

14 (1) IN GENERAL.—The Secretary, acting
 15 through the Director, is authorized to award grants
 16 to eligible entities to support such eligible entities in
 17 fully implementing title IX and reducing and pre-
 18 venting sex discrimination in all areas of education.

19 (2) ELIGIBLE ENTITY.—In this section, the
 20 term “eligible entity” means—

21 (A) a State educational agency;

22 (B) a local educational agency;

23 (C) an institution of higher education;

24 (D) an elementary school or secondary
 25 school; or

- 1 (E) a partnership consisting of—
2 (i) an entity described in subpara-
3 graphs (A) through (D); and
4 (ii) a national organization with rel-
5 evant expertise, or another entity that the
6 Secretary determines has relevant exper-
7 tise.

8 (b) USE OF FUNDS.—An eligible entity receiving a
9 grant shall use such funds to carry out programs and ac-
10 tivities designed to fully implement title IX and prevent
11 and reduce sex discrimination, including programs and ac-
12 tivities that—

13 (1) increase awareness of and counteract sex
14 stereotypes, biases, and discrimination;

15 (2) include trainings for students, teachers, fac-
16 ulty, and all personnel to learn about best practices
17 for reducing and preventing sex discrimination in all
18 areas of education;

19 (3) increase access to campus resources, facili-
20 ties, and course offerings;

21 (4) support title IX coordinators in performing
22 outreach, advocacy, and education about title IX and
23 reducing and preventing sex discrimination;

24 (5) are aimed at identifying patterns or sys-
25 temic problems in compliance with title IX;

1 (6) strengthen prevention education and aware-
2 ness programs regarding sexual and sex-based har-
3 assment and violence;

4 (7) conduct and analyze campus climate and
5 victimization surveys;

6 (8) include institutional assessment activities to
7 identify areas and causes of gender inequities;

8 (9) make efforts to improve progress on gender
9 equity indicators as described in subsection
10 (c)(2)(A); and

11 (10) make efforts to improve accuracy in meas-
12 urement, data collection, and reporting of gender eq-
13 uity indicators as described in subsection (c)(2)(A).

14 (c) APPLICATIONS.—

15 (1) IN GENERAL.—An eligible entity desiring a
16 grant under this section shall submit an application
17 to the Secretary at such time, in such manner, and
18 containing such information as the Secretary may
19 reasonably require.

20 (2) CONTENTS OF APPLICATION.—Each appli-
21 cation submitted by an eligible entity under this sec-
22 tion shall include the following:

23 (A) A description of locally defined and
24 documented gender equity needs and priorities,

1 which may include any of the following indica-
2 tors:

3 (i) Academic indicators, including per-
4 formance on State assessments, enroll-
5 ment, admission, attrition, time to comple-
6 tion, and graduation rates.

7 (ii) Civil rights data, including statis-
8 tics on bullying, harassment, violence, dis-
9 cipline, and expulsion.

10 (iii) Campus climate and victimization
11 data.

12 (iv) Employment data.

13 (v) Attendance and absenteeism data.

14 (vi) Evidence of burden on title IX co-
15 ordinators, including coordinator to stu-
16 dent ratio and competing responsibilities.

17 (vii) Other documentation of need
18 that the Secretary determines is relevant.

19 (B) A description of the evidence that will
20 serve as the basis for the activities that the eli-
21 gible entity proposes to carry out using grant
22 funds under this section.

23 (C) A description of the activities that the
24 eligible entity proposes to carry out using grant
25 funds under this section.

1 (D) A description of how the proposed ac-
2 tivities will be adapted, as necessary, to meet
3 the needs of students who face discrimination
4 based on multiple characteristics, including—

5 (i) race;

6 (ii) ethnicity;

7 (iii) national origin;

8 (iv) disability status;

9 (v) religion;

10 (vi) age; or

11 (vii) actual or perceived sex (including
12 sexual orientation or gender identity).

13 (E) A description of how the proposed ac-
14 tivities will help the eligible entity fully imple-
15 ment title IX.

16 (F) A description of a plan for how the
17 proposed activities under this section will con-
18 tinue with local support following completion of
19 the grant period and termination of Federal
20 funding.

21 (G) A description of how the proposed ac-
22 tivities are a significant component of a com-
23 prehensive plan for gender equity in education
24 and full implementation of title IX.

1 (d) RULE OF CONSTRUCTION.—Nothing in this sec-
2 tion shall be construed as prohibiting persons of any sex
3 or gender from participating in any of the programs or
4 activities funded under this section.

5 (e) AWARD BASIS.—

6 (1) MERIT REVIEW.—Grants shall be awarded
7 under this section on a competitive basis.

8 (2) PRIORITIES.—

9 (A) IN GENERAL.—The Secretary shall es-
10 tablish criteria for determining which eligible
11 entities shall have priority in receiving a grant
12 under this section.

13 (B) LEVEL OF PRIORITY.—The criteria de-
14 scribed in subparagraph (A) may include a con-
15 sideration of the extent to which the application
16 demonstrates that the eligible entity—

17 (i) has demonstrated a high need for
18 gender equity assistance based on indica-
19 tors described in subsection (c)(2)(A) and
20 a high commitment to addressing these
21 issues;

22 (ii) will address the needs of students
23 who face discrimination based on multiple
24 characteristics, including—

25 (I) race;

- 1 (II) ethnicity;
2 (III) national origin;
3 (IV) disability status;
4 (V) religion;
5 (VI) age; or
6 (VII) actual or perceived sex (in-
7 cluding sexual orientation or gender
8 identity);
9 (iii) has not previously received assist-
10 ance under this section;
11 (iv) will address relevant issues of na-
12 tional significance through solutions that
13 can be replicated;
14 (v) will implement an institutional
15 change strategy with a long-term impact
16 that will continue to be a central activity
17 of the eligible entity upon termination of
18 the grant; and
19 (vi) will serve a high percentage of
20 low-income students.
- 21 (C) SPECIAL RULE.—To the extent prac-
22 ticable, the Secretary shall ensure that grants
23 awarded under this section, for each fiscal year,
24 address—
25 (i) all levels of education, including—

- 1 (I) elementary and secondary
2 education;
3 (II) undergraduate and graduate
4 education;
5 (III) postdoctoral education and
6 research;
7 (IV) career and technical edu-
8 cation; and
9 (V) adult education;
10 (ii) all regions of the United States;
11 and
12 (iii) urban, rural, and suburban edu-
13 cational entities.

14 (f) EVALUATION AND DISSEMINATION.—

15 (1) EVALUATION.—

16 (A) IN GENERAL.—Each eligible entity
17 that receives a grant under this section shall
18 conduct an assessment about the extent to
19 which the eligible entity made progress on the
20 indicators under subsection (c)(2)(A).

21 (B) ASSESSMENT.—An eligible entity may
22 work in partnership with the Institute of Edu-
23 cation Sciences to conduct such assessment.

24 (C) USE BY SECRETARY.—Not later than
25 1 year after receiving the grant award, the eli-

1 gible entity shall submit a report to the Sec-
2 retary containing the results of such assess-
3 ment. The Secretary shall use those reports in
4 order to build the knowledge base on promising
5 models for preventing and reducing sex dis-
6 crimination across all areas and levels of edu-
7 cation.

8 (2) DISSEMINATION.—The Secretary shall co-
9 ordinate with the Director of the Institute of Edu-
10 cation Sciences and other relevant Federal offices
11 and agencies to—

12 (A) ensure that the results of the activities
13 carried out under this section are made readily
14 available on the Office for Gender Equity re-
15 source center website; and

16 (B) widely disseminate the results de-
17 scribed in subparagraph (A) to relevant Federal
18 offices, agencies, educational entities, and the
19 general public.

20 **SEC. 8. RESEARCH AND DEVELOPMENT.**

21 (a) IN GENERAL.—The Secretary shall coordinate
22 with the Director of the Institute of Education Sciences
23 and other relevant Federal offices and agencies and enti-
24 ties to investigate, identify, and disseminate best practices

1 to fully implement title IX and reduce and prevent sex
2 discrimination in all areas of education, including—

3 (1) the reduction and prevention of sex stereo-
4 typing, bias, and discrimination in curricula, text-
5 books, software, and other educational materials;

6 (2) the development of policies and programs
7 to—

8 (A) address and prevent sexual and sex-
9 based harassment and violence; and

10 (B) ensure that campuses are free from
11 threats to the safety of students, teachers, fac-
12 ulty, and personnel;

13 (3) the development and evaluation of—

14 (A) counseling and career guidance train-
15 ing; and

16 (B) programs to reduce and prevent sex
17 stereotyping, bias, and discrimination;

18 (4) best practices for mitigating implicit bias in
19 teaching, discipline, and all areas of education;

20 (5) best practices for addressing the needs of
21 students who face discrimination based on multiple
22 characteristics, including—

23 (A) race;

24 (B) ethnicity;

25 (C) national origin;

1 (D) disability status;

2 (E) religion;

3 (F) age; or

4 (G) actual or perceived sex (including sex-
5 ual orientation or gender identity); and

6 (6) other activities that the Secretary deter-
7 mines are consistent with the purposes of this Act.

8 (b) DISSEMINATION.—The best practices described
9 under subsection (a) shall be published on the Office for
10 Gender Equity resource center website, as described in
11 section 5(b)(5), and the What Works Clearinghouse
12 website of the Institute of Education Sciences.

13 **SEC. 9. REPORT; DISSEMINATION.**

14 (a) REPORT TO CONGRESS.—Not later than 2 years
15 after the date of enactment of this Act and every 2 years
16 thereafter, the Secretary shall publish a report on the
17 steps the Department of Education has taken to—

18 (1) support educational entities in fully imple-
19 menting title IX and reducing and preventing sex
20 discrimination;

21 (2) provide coordination, training, and re-
22 sources for title IX coordinators to fully carry out
23 their roles and responsibilities; and

1 (3) promote equity in education for students
2 who face discrimination based on multiple character-
3 istics, including—

4 (A) race;

5 (B) ethnicity;

6 (C) national origin;

7 (D) disability status;

8 (E) religion;

9 (F) age; or

10 (G) actual or perceived sex (including sex-
11 ual orientation or gender identity).

12 (b) DISSEMINATION.—The Secretary shall coordinate
13 with the Director of the Institute of Education Sciences
14 and the heads of relevant Federal agencies to ensure that
15 the results of trainings, activities, evaluations, and re-
16 search developments under this Act are made readily
17 available on the Office for Gender Equity resource center
18 website and disseminated widely to other relevant Federal
19 agencies and offices, educational entities, and the general
20 public.

21 **SEC. 10. RULE OF CONSTRUCTION.**

22 Nothing in this Act shall be construed—

23 (1) as modifying any provision of title IX of the
24 Education Amendments of 1972 (20 U.S.C. 1681 et
25 seq.); or

1 (2) as affecting the enforcement of such title by
2 the Department of Education, the Department of
3 Justice, or any other Federal agency.

4 **SEC. 11. AUTHORIZATION OF APPROPRIATIONS.**

5 (a) IN GENERAL.—There are authorized to be appro-
6 priated to carry out this Act \$80,000,000 for each of fiscal
7 years 2020 through 2025.

8 (b) USE.—From amounts made available to carry out
9 this Act for each fiscal year, the Secretary shall use not
10 less than \$70,000,000 of such amounts to award grants
11 under section 7.

○