

MURRAY for her leadership and for including so many of these important reforms in our bill.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, I thank the Senator from Maryland for her remarks, her contributions to our committee, her bipartisan leadership, and her effective leadership both in higher education and in elementary and secondary education.

I enjoyed listening to the remarks of the Senator from Colorado, the former Denver school superintendent, who has added so much to our committee.

I congratulate the Senator from Mississippi for his contribution to the amendment on which we are about to vote.

We will have one rollcall vote on the Reed-Cochran amendment, and then we will have two votes following that, which will be voice votes.

#### VOTE ON AMENDMENT NO. 2085

The PRESIDING OFFICER (Mr. SASSE). Under the previous order, the question now occurs on amendment No. 2085, offered by the Senator from Washington, Mrs. MURRAY, for Mr. REED.

Mr. ALEXANDER. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is on agreeing to the amendment.

The clerk will call the roll.

The bill clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Florida (Mr. RUBIO).

Mr. DURBIN. I announce that the Senator from Maine (Mr. KING) is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 98, nays 0, as follows:

#### [Rollcall Vote No. 222 Leg.]

#### YEAS—98

Alexander	Durbin	McCaskill
Ayotte	Enzi	McConnell
Baldwin	Ernst	Menendez
Barrasso	Feinstein	Merkley
Bennet	Fischer	Mikulski
Blumenthal	Flake	Moran
Blunt	Franken	Murkowski
Booker	Gardner	Murphy
Boozman	Gillibrand	Murray
Boxer	Graham	Nelson
Brown	Grassley	Paul
Burr	Hatch	Perdue
Cantwell	Heinrich	Peters
Capito	Heitkamp	Portman
Cardin	Heller	Reed
Carper	Hirono	Reid
Casey	Hoeven	Risch
Cassidy	Inhofe	Roberts
Coats	Isakson	Rounds
Cochran	Johnson	Sanders
Collins	Kaine	Sasse
Coons	Kirk	Schatz
Corker	Klobuchar	Schumer
Cornyn	Lankford	Scott
Cotton	Leahy	Sessions
Crapo	Lee	Shaheen
Cruz	Manchin	Shelby
Daines	Markey	Stabenow
Donnelly	McCain	Sullivan

Tester	Udall	Whitehouse
Thune	Vitter	Wicker
Tillis	Warner	Wyden
Toomey	Warren	

#### NOT VOTING—2

King Rubio

The amendment (No. 2085) was agreed to.

#### VOTE ON AMENDMENT NO. 2086

The PRESIDING OFFICER. Under the previous order, the question now occurs on agreeing to amendment No. 2086, offered by the Senator from Washington, Mrs. MURRAY, for Mr. WARNER.

The amendment (No. 2086) was agreed to.

#### VOTE ON AMENDMENT NO. 2078

The PRESIDING OFFICER. Under the previous order, the question now occurs on agreeing to amendment No. 2078, offered by the Senator from Tennessee, Mr. ALEXANDER, for Mr. ROUNDS.

The amendment (No. 2078) was agreed to.

#### RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 12:48 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. SCOTT).

#### EVERY CHILD ACHIEVES ACT OF 2015—Continued

The PRESIDING OFFICER. The Senator from Georgia.

Mr. ISAKSON. Mr. President, I ask unanimous consent that the distinguished Senator from the State of Ohio, Mr. BROWN, be recognized at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### TRAGEDY IN SOUTH CAROLINA

Mr. ISAKSON. Mr. President, before I make my remarks, I would like to commend the Presiding Officer and Senator GRAHAM and the people of the great State of South Carolina on the way they have handled the terrible tragedy that took place in their State.

I know time and again we have all heard on the floor of the Senate and in conversations we have had in private the amazing mercy and grace shown by the families of the victims of the terrible tragedy that took place, but equally as well the great way in which the elected officials in the State of South Carolina, led by the Presiding Officer and Senator GRAHAM, have caused a terrible event to be a learning experience for all of America and an example for the way in which tragedy should be dealt with. I want the Presiding Officer to know how much I personally appreciate it, but I know I speak on behalf of all of the people of Georgia as well.

Mr. President, I will speak briefly about two subjects.

Mr. President, I am one of the two people left in the Congress who had

something to do with No Child Left Behind. The other one is JOHN BOEHNER, the Speaker of the House. I will never forget that night in 2001, in the basement of the Capitol, after the conference committee finally came to an agreement on No Child Left Behind—us talking about how proud we were of what we had done but more how we knew that if we did not get it fixed by the end of the sixth year, it would go from being a positive change in education to a negative.

It is now 13 years later. We have gone 7 years without a reauthorization. What became a good goal of meeting adequate yearly progress, setting standards for schools, and remediating schools that were in trouble has become a bill where 80 percent of the school systems in America have to ask for waivers to even operate. It is a bill that no longer is doing what it was intended to do for the education of our children.

I commend Senator ALEXANDER and Senator MURRAY for the unbelievably good work they have done to bring the new reform of the ESEA to the floor of the Senate today. I participated in all the hearings, as did the Presiding Officer. The Presiding Officer knows what I know: that we brought about compromise and common sense. We created a bill that is good for children, good for educators, and good for America.

First and foremost, it gets us out of the national school board business, which is Chairman ALEXANDER's favorite statement for the Department of Education.

People forget that the U.S. Department of Education is not mentioned anywhere in the Constitution of the United States. It is mentioned in two places. One is in title I in the Civil Rights Act of the 1960s when we provided funds for free and reduced-price lunches for poor students to give them a leg up and second in 1978 when, in the Carter administration, we passed what was known as Public Law 94-192, which created special needs children benefits or what is known as the Individuals with Disabilities Act. Those are the only two places in statute that the Federal Government has a role. Senator MURRAY and Senator ALEXANDER have seen to it that we recognize that fact.

We enhance education where we are supposed to, but we turn it back over to the States, where it belongs and where it should be.

Secondly, one of the big buzzwords in bad brand labels that have taken place in education is Common Core. Common Core is a lot of things to a lot of people, but most importantly for many people it is a Federal mandate of standards, it is a homogenization of standards, and it is a mandate the American people do not like.

This bill ensures there will be no Common Core mandate by the Federal Government to the States and ensures local control of curriculum from beginning to end.

Then, as I said a minute ago, to ensure that it gives local control, it does away with the waiver business and puts all local school boards and State boards of education in control of their education.

On the question of testing, it does away with federally mandated tests and says to systems: You develop the test and the assessment mechanism yourself. We just want you to have standards that are made good for students to improve and grow their education. But we want to make sure that every student has the access they can to be tested well and improve. For example, we have done some creative things in this bill, such as give assisted technology funding capability out of title I to handicapped children in title I qualifications so they can use assisted technology to take exams they otherwise could not take. A student with cerebral palsy, Duchenne, or many other diseases does not have the coordination ability to take a paper-and-pencil test; yet they can be bright, they can be a genius. Because of technology that has been developed in America, assisted technology can allow them to take that exam given the disabilities they have. It is only appropriate we authorize the use of title I funds to do that.

Most importantly, though, we keep the parent in control of their child's life by giving them the permission to opt out of any State test that is mandated where the State allows an opt out, which means the parent is in control of the testing, the State is in control of the assessment and the type of model that takes place, and the Federal Government is saying to the local schools and State boards of education: You take our children to the next level. We will assist you, but we are not going to govern you, we are not going to ruin you.

I commend Senator ALEXANDER and Senator MURRAY for bringing together a bipartisan approach to education reform that works. I thank the American Federation of Teachers, the national association of educators, the National Association of School Superintendents, and the National Governors Association. Every vested organization in education in the United States of America has endorsed this bill. They have because they know it is time for education to be enhanced and improved from the local level up. They know the benefits that may have come from No Child Left Behind have long since passed. We are now disaggregating, we are now measuring, and we are doing all the things we should have been doing all along. Let's take what is a good platform and make it even better to ensure that every child learns, every child progresses, and every child succeeds.

#### MILITARY CUTS

Mr. President, I want to make note of the announcement today by the Department of Defense on the dramatic cuts to our military—40,000 people over the next 2 years.

Mr. President, I am a pretty easy-going guy, but I am really angry. I am really mad. I know it is ironic to me—and it is one of the reasons I put a hold today on an appointment—but it is ironic, on the day we all learn by reading the newspaper, not by being advised by the Department of Defense, that we are going to lose 40,000 soldiers over the next 2 years—Georgia is going to lose 4,350 soldiers over the next 2 years. Nobody did the courtesy of calling us. But on the day when they did not call us, they also send up for confirmation a legislative affairs official for the U.S. Department of Defense in the administration.

I have a hold on that person for one simple reason: I want to meet with them and to see to it that if they in fact do get in control of congressional liaison and congressional affairs, they make sure we are the first to find out, not the last to find out.

Our military is critically important to my State, as it is to the Presiding Officer's State. It is important that we know what the government's plans are, and it is important that we have a chance to have a say. I know the President does not like to use the legislative body very much. He would rather regulate and do Executive orders. But when you talk about our military and you talk about the investment in our military, every Member of this Senate, every Member of the House—all of us ought to be together with all our oars in the water rowing in the same direction, not in misdirection.

I want to make one note here. It is also ironic that last week the President for the first time went to the Pentagon to talk about the strategy in the Middle East, particularly with regard to ISIL. It took 18 months to go talk about a situation that has grown from being an irritant to a crisis. When we left Iraq and left all the equipment that we had there and left the Iraqis to fend for themselves, we created a vacuum. And what happened? In came ISIL. And now they are in 16 countries in the Levant and in the Middle East right now. We created a vacuum that they filled and are continuing to fill, and we are talking about reducing our manpower over the next 2 years to a point that we no longer can confront an enemy on two fronts; we are going to have a tough time doing it on one.

A vulnerable and a weak American defense and military allow and encourage people who might have nefarious goals and dreams to take advantage of America's weakness. We should be very careful about diminishing our resources and our military to levels that are not in the best interest of the American people or their security.

I want to ask the administration to be sure to give us information in advance rather than after the fact, to include us wherever possible in the decision, and to see to it that the Congress is once again a partner with the Commander in Chief and to see to it that we confront our enemies and have the manpower and the troops to do it.

I, for one, have thought for a long time that we should be doing more to confront ISIL in the Middle East. I think that is being borne out every day. Hopefully the President is coming to that realization as well. But whatever we do, we should not be telling the world we have problems but we are going to cut some more.

It is time we made an investment in the security and peace of our country and our military, and it is time we worked together—the President and Congress alike—to do what is right for America, its defense and its freedom and its liberty, which we just celebrated over the past weekend on July the 4th.

Mr. President, I yield back the remainder of my time and defer to the Senator from Ohio.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. BROWN. Mr. President, I always appreciate the words of Senator ISAKSON, who was the cochair of the Ethics Committee, where I served with him, and now on the Veterans' Affairs Committee, and I appreciate his work and Senator BLUMENTHAL's work on one of the most important committees in this Senate.

Mr. President, about a year and a half ago, on a cold January morning in Cleveland, where I live, at a Martin Luther King breakfast, I heard a speaker say: Your life expectancy is connected to your ZIP Code. Think about that. Whether you grow up in Columbus or Canton or Appalachia, whether you grow up in a city or a prosperous suburb or a low-income suburb or a small town or a rural area, so often your ZIP Code determines whether you have access to quality health care, to good education, to good jobs, and to the social support necessary to succeed. That is particularly true when it comes to education.

The quality of our children's education should not be determined by their ZIP Code. Too often that is the case. Teachers and schools in far too many cases lack the resources necessary to ensure students can grow and succeed.

Achievement gaps persist between economically disadvantaged students and their more advantaged peers. These gaps persist between Black students and White students, Latino students and White students. They persist between native and non-native English language speakers. They persist between students with disabilities and those without.

These achievement gaps inevitably, predictably almost always lead to opportunity gaps. We know education is the surest path to success—we say that around here ad nauseam—regardless of where you come from. That is why closing these gaps is vital to ensure children—all children—have the opportunity to succeed.

These achievement gaps are not caused by failings in our students. They are usually not caused by failings

with our teachers. They are the result of policies that leave schools with massive resource gaps.

The U.S. Department of Education's Office of Civil Rights conducted a comprehensive survey of schools across the Nation.

Some of the results they found were appalling. Black, Latino, Native American, Native Alaskan students, as well as first-time English learners attend schools with much higher concentrations of inexperienced teachers. One in five high schools in this country lacks a school counselor. Around 20 percent of high schools do not offer more than one of the typical core courses for high school math and science, such as algebra I and II, geometry, biology, and chemistry.

We cannot call our country "the land of opportunity" while we fail—we, policymakers, communities, leaders, activists—while we fail to provide too many of our children with well-equipped schools.

The bipartisan opportunity dashboard of core resources amendment will help us close these gaps. It will strengthen transparency provisions in the Every Child Achieves Act so parents and taxpayers know how schools are performing on key measures of success—measures such as contact with effective teachers, access to advanced coursework, and availability of career and technical opportunities and counseling. It will ensure that States hold schools accountable when inequities exist.

Reporting is an important and helpful tool but surely not enough. If this new data shows persistent disparities, States and school districts need to take action. This amendment requires States to develop a plan to ensure that resources reach districts that are most in need. States will have flexibility to design these plans in a way that works for local communities. The amendment does not tell States how to address inequities; it just requires States to identify those disparities and work with communities to fix them in whatever way works for those communities in that State.

We must move beyond simply using test scores when we assess our schools. Tests are an important benchmark of success, but they are by no means the only one. To succeed in life and in school, students need access to dedicated literacy programs, to music and the arts, to advanced classes, to college and career counseling. We need to measure access to all of these opportunities, not only math and reading scores. Improving access to core resources will not close the achievement gap overnight, but it puts us on the right track.

Our amendment has the support of teachers and civil rights organizations. I want to thank Senators REED, KIRK, and BALDWIN for their bipartisan help and support in getting this amendment to this place.

I urge my colleagues to adopt this amendment to ensure that all children,

regardless of their ZIP Code, have access to the core resources needed for a quality education.

Unfortunately, instead of strengthening our public education system, some of my colleagues want to, as we say around here, "voucherize" the public school system, privatize, spend resources elsewhere primarily. We have seen how so many of our public schools serving vulnerable populations are already in dire need of resources, yet vouchers would divert more of these resources away from public schools, re-route those resources to for-profit schools, in some cases, that simply are not accountable to the public.

Vouchers do not provide a real choice for the majority of students. They may cover some—but usually not all—of the tuition of private schools, meaning the students who need help the most often get little choice at all. Study after study shows that private school vouchers don't improve student achievement. My State, by some rankings, is the next to worst—next to last in the country—in the quality of charter schools and the accountability of charter schools, in large part because there is a huge network of for-profit charter private schools in our State that simply have not served students that well.

That is why I urge my colleagues to vote against any proposal to voucherize our schools. Instead, we need to strengthen our public school system, which educates the vast majority of our children. That is why schools across the country, especially those with high concentrations of poverty, need more funding—not less. For 50 years, the Federal Government has helped level the playing field for students by directing funds to schools in areas that lack resources. Unfortunately, some of my colleagues are trying to dismantle this system by taking away funding from high-priority schools to more affluent schools, a bit of a reverse Robin Hood.

They call this proposal portability. But no matter what you call it and why you call it that, taking funding away from the schools that need it most and sending it to the schools that need it least is wrong. I will urge my colleagues to oppose this effort. In our country, all students should have access to a high-quality education, regardless of how much money their parents make, regardless of how much education their parents have, regardless of what ZIP Code they live in. We must invest Federal resources in schools and districts that need the most and where they can make the most difference.

I yield the floor.

The PRESIDING OFFICER. The Senator from South Dakota.

Mr. THUNE. Mr. President, I do want to compliment the HELP Committee and Senator ALEXANDER, who chairs that committee, for the great work they have done in bringing the Every Child Achieves Act legislation to the floor of the Senate. This is long over-

due. Anybody who meets with school administrators, teacher groups, parents or school boards realizes that people for a long time have been looking for us to reauthorize the Elementary and Secondary Education Act and to make reforms that are important and that will return control and power to school districts, to parents, to teachers, and to administrators, rather than having it here centralized in Washington, DC.

So I am pleased that we can have this debate. I am encouraged by the discussion that has already been held and by the willingness of both sides to work together to allow amendments to be considered. This is an important issue—how we educate our children, equipping them, preparing them for the challenges that will be ahead of them. There is no more important task that we have. So to the degree that this legislation makes it more possible for our kids to learn at the very fastest rate possible, this is something that this Senate ought to be focused on.

I am hopeful that we will be able to get through the amendment process and be able to move this bill across the floor of the Senate and to the House, and hopefully, eventually, to the President's desk. But I think it is also an example of what happens when you get people who are willing to open the Senate process up and allow legislation to be considered.

#### REPUBLICAN-LED SENATE

The Senate has now been under Republican control for a full 6 months. Those months have been some of the most productive that the Senate has seen in a long time. So far this year, the Republican-led Senate has passed more than 45 bipartisan bills, 22 of which have been signed into law by the President. Committees have been hard at work and have reported out more than 150 bills for floor consideration by the full Senate. In May, the Senate passed the first 10-year balanced budget resolution in over a decade—over a decade.

One reason the Senate has been so productive is because the Republican majority has been committed to ensuring that all Senators, whatever their party, have the opportunity to have their voices heard. Under Democratic leadership, not only Republicans but many rank-and-file Democrats were shut out of the legislative process in the Senate. As an example of that, the Democratic leadership allowed just 15 amendment rollcall votes in all of 2014—an entire year. That is barely more than one amendment vote per month here in the Senate.

Republicans, by contrast, had allowed 15 amendment rollcall votes by the time we had been in charge here for merely 3 weeks. In all, Republicans have allowed more than 136 amendment rollcall votes so far in 2015. That is not only more amendment rollcall votes than in all of last year, but it is more amendment rollcall votes than the Senate took in 2013 and 2014 combined. We still have 6 months to go in 2015.

## NUCLEAR AGREEMENT WITH IRAN

Mr. President, one of the most important bipartisan bills the Senate has passed this year is the Iran Nuclear Agreement Review Act. This legislation, which was signed into law in May by the President, ensures that the American people, through their representatives in Congress, will have a voice in any final agreement with Iran. Specifically, the law requires the President to submit any agreement with Iran to Congress for review and prevents him from waiving sanctions on Iran until the congressional review period is complete.

The bill also requires the President to evaluate Iran's compliance every 90 days. I am particularly glad that this legislation is in place because the negotiation process so far has given cause for deep concern. The primary purpose of any deal with Iran is to prevent Iran from acquiring a nuclear weapon. But the interim agreement the President unveiled in April casts serious doubt on the administration's determination to achieve that goal. The framework does not shut down a single nuclear facility in Iran. It does not destroy any single centrifuge in Iran. It does not stop research and development on Iran's centrifuges. It allows Iran to keep a substantial part of its existing stockpile of enriched uranium.

It is not surprising that Members of both parties are concerned about this agreement. Again and again during the process, Secretary Kerry and the President have seemed to forget that the goal of negotiations is not a deal for its own sake but a deal that will actually stop Iran from developing a nuclear weapon. Administration negotiators have repeatedly sacrificed American priorities for the sake of getting an agreement.

In the process, they have created a very real risk that the deal that finally emerges will be too weak to achieve its goal. A Washington Post editorial this week declared that any agreement with Iran that emerges from the current talks "will be, at best, an unsatisfying and risky compromise." That is from the Washington Post. The editorial board continues by saying:

Iran's emergence as a threshold nuclear power, with the ability to produce a weapon quickly, will not be prevented; it will be postponed by 10 to 15 years. In exchange, Tehran will reap hundreds of billions of dollars in sanctions relief it can use to revive its economy and fund the wars it is waging around the Middle East.

Again, that is a quote from the editorial in the Washington Post from yesterday. When Iran recently failed to comply with the provision of the interim nuclear agreement currently in place, the Obama administration, in the words of the Post editorial, "chose to quietly accept it" and even "rush to Iran's defense."

Again that is the quote from the Washington Post editorial. This is an example of what the Post aptly describes as "a White House proclivity to

respond to questions about Iran's performance by attacking those who raise them."

Well that is a deeply troubling response on the part of the White House, and it raises doubts about the President's commitment to achieving an agreement that will shut down Iran's nuclear program. The stakes could not be higher on this agreement. At issue is whether a tyrannical, oppressive regime that backs terrorists, has killed American soldiers, and has announced its intention of wiping Israel off the map will get access to the most apocalyptic weapons known to man.

Even as negotiations continue, Iran continues to advance its nuclear program. If Iran continues its research and development into more advanced centrifuges, the breakout period—the time needed to produce enough nuclear material for a bomb—could be weeks—weeks instead of months or years. If we fail to prevent Iran from acquiring a nuclear weapon, we will not only be facing a nuclear-armed Iran; we will be facing a nuclear arms race in the Middle East. That is what is at stake. Every Member of Congress obviously would like to see the President successfully conclude a deal to prevent Iran from developing a nuclear weapon. But the President needs to remember that a deal is only acceptable if it achieves that goal. We have heard the President say that he will walk away from a bad deal. But each time we reach a deadline, that deadline is extended.

As negotiations continue, it is essential that negotiators push for a strong final deal that includes rigorous inspection of Iranian sites and full disclosure of all Iranian weapons research to date. If the administration cannot secure a sufficiently strong deal, then it should step back from the negotiation table and reimpose the sanctions that were so successful in driving Iran to the table in the first place. No deal is better than a bad deal that will strengthen Iran's position in the Middle East and pave the way for the development of a nuclear weapon.

For a deal to be acceptable to the American people, it must be verifiable, it must be enforceable, and it must be accountable. It also needs to promote stability and security in the Middle East and around the world. Any deal that does not reach that threshold is a bad deal. I hope the President will listen to the American people and reject any agreement that falls short of that goal.

I yield the floor.

Mr. ALEXANDER. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ALEXANDER. Mr. President, today I am offering an amendment to

the Every Child Achieves Act that would allow \$2,100 Federal scholarships to follow 11 million low-income children to any public or private accredited school of their parents' choice. This is a real answer to inequality in America, giving more children more opportunity to attend a better school.

The Scholarships for Kids Act will cost \$24 billion a year, paid for by redirecting 41 percent of the dollars now directly spent on Federal K-through-12 education programs. Often those dollars are diverted to wealthier schools. Scholarships for Kids would benefit only children of families that fit the Federal definition of poverty, which is about one-fifth of all school children—about 11 million a year.

Allowing Federal dollars to follow students has been a successful strategy in American education for over 70 years. Last year, \$31 billion in Federal Pell grants, and \$100 billion in loans followed students to public and private colleges. Since the GI bill began in 1944, these vouchers have helped create a marketplace of 6,000 autonomous higher education institutions, the best system of higher education in the world.

Our elementary and secondary education system is not performing as if it were the best in the world. U.S. 15-year-olds rank 28th in science and 36th in math. I believe one reason for this is that while more than 93 percent of Federal dollars spent for a higher education follows students to colleges of their choice, Federal dollars do not automatically follow K-through-12th-grade students to schools of their choice. Instead, that money is sent directly to schools. Local government monopolies run most schools and tell most students which schools to attend. There is little choice and no K-through-12 marketplace as there is in higher education.

Former Librarian of Congress Daniel Boorstin often wrote that American creativity is flourished during "fertile verges," times when citizens became more self-aware and creative.

In his book "Breakout," Newt Gingrich argues that society is on the edge of such an era and cites computer handbook writer Tim O'Reilly's suggestion for how the Internet could transform government. "The best way for government to operate," Mr. O'Reilly says, "is to figure out what kinds of things are enablers of society and make investments in those things. The same way that Apple figured out, 'if we turn the iPhone into a platform, outside developers would bring hundreds of thousands of applications to the table.'"

Already, 19 States have begun a variety of innovative programs supporting private school choice. Private organizations supplement those efforts. Allowing \$2,100 Federal scholarships to follow 11 million children would enable other school choice innovations in the same way developers rushed to provide applications for the iPhone platform.

Senator TIM SCOTT, the Presiding Officer today, has proposed the CHOICE Act, allowing \$11 billion other Federal dollars—dollars the Federal Government now spends through the program for children with disabilities—to follow those 6 million children to the schools their parents believe provide the best services. A student who is both low income and has a disability could benefit under both of the programs, especially when taken together with Senator SCOTT's proposal, Scholarships for Kids constitutes the most ambitious proposal ever to use existing Federal dollars to enable States to expand school choice.

Under Scholarships for Kids, States would still govern pupil assignment, deciding, for example, whether parents could choose private schools. Schools chosen would have to be accredited. Federal civil rights rules would apply. The proposal does not affect the school lunch program. So Congress can assess the effectiveness of this new tool for innovation, there is an independent evaluation after 5 years.

In the late 1960s, Ted Sizer, then Harvard University's education dean, suggested a \$5,000 scholarship in his Poor Children's Bill of Rights. That is what he called it. In 1992, when I was the U.S. Education Secretary, President George H.W. Bush proposed a GI Bill for Kids, a half-billion-dollar Federal pilot program for States creating school choice opportunities. Yet despite its success in higher education, "voucher" remains a bad word among most of the K-through-12 education establishment, and the idea hasn't spread rapidly.

Equal opportunity in America should mean that everyone has the same starting line. There would be no better way to help children move up from the back of the line than by allowing States to use Federal dollars to create 11 million new opportunities to choose a better school.

I thank the Presiding Officer, and I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mrs. SHAHEEN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. SHAHEEN. Mr. President, I am here to discuss the Every Child Achieves Act. I think it is significant that for the first time in more than a decade, the Senate is considering legislation to make significant changes to our Nation's elementary and secondary education system, and this conversation is long overdue.

As a former teacher, I appreciate the challenges our schools have, and I am very much looking forward to the debate ahead. I want to applaud Senators ALEXANDER and MURRAY, the chair and ranking member of the Committee on

Health, Education, Labor and Pensions, for reaching a compromise bill that passed out of their committee with strong unanimous bipartisan support.

Today, I want to focus on some of the provisions included in this bill that have to do with STEM education—science, technology, engineering, and math. This is an issue I have been working on for a number of years—really since I was Governor in the late 1990s in New Hampshire. We know the most critical jobs needed to compete in the global economy are in the STEM fields, but data consistently shows our American students are falling further and further behind in these subjects.

One of the other challenges is that we have an enormous gender gap in employment in these fields. Forty-eight percent of the workforce in this country are women. Yet only 24 percent of the jobs in STEM fields are held by women.

I had the opportunity last night to cohost a screening in the Capitol of an important new documentary called "Code: Debugging the Gender Gap." This documentary tells a very powerful story about the lack of diversity in the technology industry, outlining the resulting cost to our society, and it explores strategies that would solve the problem.

Last night we had more than 150 people in attendance at the screening, which was cohosted by Representative SUSAN DAVIS from California. The creators of the movie were there, and U.S. Chief Technology Officer Megan Smith. What followed the documentary was even more impressive, and that was a lengthy and very passionate discussion about how much work we have to do on this front.

We need to give the next generation a stronger educational foundation in these topics, and, most important, we need to get them engaged and excited to be working in STEM fields. This effort is going to require student engagement inside and outside the classroom. It is critical our schools have the resources to offer STEM opportunities during the schoolday. But of course as most of us remember from our childhood, it is sometimes what happens outside the classroom that is even more important than what happens inside the classroom if we are going to get kids excited about learning.

Afterschool programs allow students opportunities for more individualized instruction, for innovative experiences, and for opportunities to build their leadership skills. Afterschool programs can be especially successful in inspiring interest in groups that are traditionally underrepresented in STEM fields, such as young women, students of color, and students from low-income backgrounds.

So I especially appreciate Chairman ALEXANDER and Ranking Member MURRAY for working with me to include language from my Supporting Afterschool STEM Act, which is in the un-

derlying bill and allows Federal grants to be used to support STEM-related afterschool activities.

This language will expand student access to high-quality, afterschool programs in STEM subjects. It will also promote mentorship opportunities and the building of partnerships with researchers and other professionals in these fields.

Again, one of the things we know about helping kids to stay in school, getting them excited, is that if they have a mentor, if they have someone who is really interested in what is going on in their lives, who is supporting them, then they are much more likely to be successful. These programs will give students firsthand experience to see what careers in the STEM subjects can look like.

Now, the Every Child Achieves Act also includes language based on a second STEM-related bill that I first introduced when I got to the Senate back in 2009—the Innovation Inspiration School Grant Program. This language would authorize Federal STEM education grants to support the participation of low-income students in related competitive extracurricular activities, such as robotics competition.

I am particularly excited about this because in New Hampshire, inventor Dean Kamen—also the inventor of the insulin pump and the Segway—founded a fantastic program called FIRST Robotics Competition. It is now wildly successful. Nationwide, we have nearly 100,000 high school students who compete. It is sort of an "Einstein meets Michael Jordan" kind of competition. Students have just 6 weeks to work in a team to design, construct, and program robots, and then they enter their robots in regional and championship competitions.

It is great fun to attend these events because kids are so excited about working with these robots and about the STEM subjects. They get excited about engineering, about science, about math, and technology, and you can see that in the students as they are building these robots. They are excited about accomplishing their goals, about being creative. When there are last-minute problems with the robots, they have to work to adjust. But most of all, whether or not they win, you can see the pride they feel for themselves, for their teammates that comes from successfully accomplishing their task: building that robot and being successful in the competition.

You can't replicate this kind of experience in a classroom. So I am very pleased that support for programs such as FIRST are now included in the bill we are considering on the Senate floor. These are provisions that I think will take very important strides toward inspiring future generations of scientists and engineers, of mathematicians and experts dealing with technology.

Again, I thank Chairman ALEXANDER and Ranking Member MURRAY for their work on these issues and for producing

a bill we are now debating on the floor that has such strong bipartisan support.

I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, I want to thank the Senator from New Hampshire for her remarks and thank her especially for her contributions to the legislation and her persistent support for STEM education. She has been a champion. As a former Governor, she is a great help as we seek to remind ourselves that the path to real accountability, higher standards, and better teaching really runs through the States and local governments, where the creativity is and where people are closer to the children.

The PRESIDING OFFICER (Mr. TOOMEY). The Senator from Montana.

Mr. DAINES. Mr. President, I rise to speak about my amendment No. 2110.

As a fifth-generation Montanan and a product of Montana public schools and because my wife is an elementary school teacher and I am the father of four children, and one of my children has a degree in elementary education as well, I truly understand how important a first-rate education is to our kids' future.

As I meet with parents and educators across Montana, they frequently share concerns about the one-size-fits-all student performance and teacher qualification metrics that currently dictate Federal funding as part of No Child Left Behind. While well-intended, many of these metrics have proven difficult for schools—and particularly schools in rural areas—to achieve. The Federal funding tied to these policies has all too often forced States and school districts to adopt policies that may not best fit the students' and communities' unique needs.

As the Senate debates the Every Child Achieves Act to reform our Nation's education policies, one of my priorities will be fighting to increase local control over academic standards and education policies and working to push back against burdensome Federal regulations that often place our schools in a straitjacket.

For example, the U.S. Department of Education has incentivized States to adopt common core standards by offering exemptions from No Child Left Behind regulations and making extra Federal education funds accessible through programs such as Race to the Top to States that adopt Common Core. Like many Montanans, I am deeply concerned that the Federal Government's obvious efforts to back States into adopting such programs is an inappropriate interference in educational policy decisions that should be made by States, parents, teachers, and local school boards because strengthening our education system is vitally important to our country's future.

If we are serious about wanting to make future generations as fortunate as ours, it is critical that we prepare

our children to excel in a globally competitive economy. Our children should receive a well-rounded education that focuses on core subjects, such as reading, writing, science, and math, as well as technical and vocational disciplines and training in the arts.

A wealth of social data informs us that individuals who do not receive a quality education are disproportionately prone to have low incomes, suffer from poverty, and land in prison. It is clear that the Federal Government's one-size-fits-none approach simply isn't working.

By increasing local control of our schools and lessening the influence of Washington bureaucrats, we can provide States with the flexibility needed to meet the unique needs of our students and the unique needs of our States as well as our communities.

Just last year, the New York Times did an assessment of the "health and wealth" of every county in the Nation—every county. We might expect folks living in Silicon Valley to be doing fairly well or perhaps see the suburbs of New York City thriving. What shocked me was seeing that 6 of the Nation's top 10 wealthiest counties surround Washington, DC. This sends a pretty clear message about where Washington's priorities really are.

During the recession, while millions of Americans were struggling to make ends meet amidst layoffs and economic instability, Washington, DC, thrived. The Federal Government poured millions of dollars into new Federal buildings, and salaries kept growing. The average Federal bureaucrat in the Department of Education in Washington, DC, makes \$107,000 a year.

It is time we stopped building bureaucratic DC kingdoms and returned those dollars to the classrooms. That is why I am asking for support of the Academic Partnerships Lead Us to Success—or A-PLUS—amendment to the Every Child Achieves Act. This measure will help expand local control of our schools and return Federal education dollars to where they belong—closer to the classroom. By shifting control back to the States, individual and effective solutions can be created to address the multitude of unique challenges facing schools across the country. Through these laboratories of democracy, Americans can watch and learn how students can benefit when innovative reforms are implemented at the local level.

My amendment would give States greater flexibility in allocating Federal education funding and ensuring academic achievement in their schools. With A-PLUS, States would be freed from Washington's unworkable teacher standards, States would be freed from Washington-knows-best performance metrics, and States would be freed from Washington's failed testing requirements. Should this amendment be adopted, States would need to adhere to all civil rights laws. They have to work toward advancing educational op-

portunities for disadvantaged children as well, of course.

States would be held accountable by parents and teachers, though, because a bright light would shine directly on the decisions made by State capitals and local school districts. With freedom from Federal mandates come more responsibility, more transparency, and more accountability on the issues.

It would also reduce the administrative and compliance burdens on State and local education agencies and ensure greater public transparency in student academic achievement and the use of Federal education funds.

Increasing educational opportunities in Montana and across the country isn't going to happen through Federal mandates or these one-size-fits-nobody regulations. We need to empower our States, our local school boards, our teachers, and our parents to work together to develop solutions that best fit our kids' unique needs. As a father of four—and every parent knows this—I know that each one of my children is very unique. And that is precisely what my A-PLUS amendment does.

Washington is the problem. We are ground zero. The problem is here in Washington, DC, and we have the solutions in Montana and in our States across the country.

The A-PLUS amendment goes a long way toward returning the responsibility for our kids' education closer to home and reduces the influence of the Federal Government over our classrooms.

I thank Senators GRASSLEY, CRUZ, VITTER, JOHNSON, LEE, LANKFORD, BLUNT, CRAPO, RUBIO, and GARDNER for cosponsoring my A-PLUS amendment. I ask my other Senate colleagues to join us in empowering our schools to serve their students, not a bunch of DC bureaucrats, and to support this important amendment.

I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont.

#### DISTRIBUTION OF WEALTH

Mr. SANDERS. Mr. President, as someone who travels around this country, I am always amazed by the huge disconnect that exists between what we do here in Congress and what the American people want us to do. The simple truth, as poll after poll has shown, is that Congress is way out of touch as to where the American people are. Let me give a few examples before I get to the thrust of my remarks.

Many of my Republican colleagues are still talking about cutting Social Security—a disastrous idea—but according to a recent NBC News/Wall Street Journal poll, by a 3-to-1 margin the American people want us to expand Social Security benefits, not cut them. How out of touch can one be?

About 2 weeks ago, the same poll told us that while there is virtually no Republican in the Senate who is prepared to support raising the minimum wage to \$10.10 an hour, what the American people want by a pretty solid majority



is not to raise the minimum wage to \$10.10 an hour but to raise the minimum wage to \$15 an hour—something that is occurring now in Los Angeles, Seattle, and other places around the country.

Tragically, this Congress is way out of touch with the American people on issue after issue, and it is high time we started to get our act together and to respond to the needs—the pressing needs—of the American people.

Between 1985 and 2013, there was a huge redistribution of wealth in America. I know my Republican colleagues get very nervous when people talk about wealth distribution. Well, guess what, over the last 30 years we have had a huge degree of distribution of wealth in America. Unfortunately, that redistribution went in the wrong direction. That redistribution, to the tune of trillions of dollars, went from the pockets of the middle-class and working families of our country into the hands of the top one-tenth of 1 percent. So if we want to understand economics in the last 30 years, the middle class shrank and one-tenth of 1 percent doubled the percentage of wealth they own.

Today the United States has more wealth and income inequality than any other major industrialized country on Earth. The top one-tenth of 1 percent now owns 22 percent of all the wealth in this country, while the bottom 90 percent owns 22.8 percent. In other words, the top one-tenth of 1 percent owns almost as much wealth as the bottom 90 percent, and the trend is toward more and more wealth and income inequality. That is the economic reality we are looking at now.

But let me talk for a moment about another reality which saddens me very much and which we cannot continue to ignore. We are the wealthiest country in the history of the world. Yet we have the highest rate of childhood poverty of any major industrialized nation on Earth, with almost 20 percent of our kids living in poverty.

In recent years we have seen a proliferation of millionaires and billionaires in this country. Yet over 50 percent of the children in our public schools are so low-income that they are eligible for the free or reduced-price School Lunch Program.

As a result of the collapse of the American middle class over the last 40 years, men and women in this country are working longer and longer hours in order to cobble together enough income to sustain their families. Yet while over 85 percent of male workers are working more than 40 hours a week and over 66 percent of working women are working more than 40 hours a week, we have a dysfunctional childcare system which denies millions of working families the ability to secure high-quality and affordable childcare.

Last week I spoke to a woman who lives right here in Washington, DC, and she told me that to get her 1-year-old

child into quality daycare here in the Nation's Capital, she and her husband are spending close to \$30,000 a year for one child. DC childcare is probably more expensive than other parts of the country, but millions of parents are struggling with childcare bills of \$15,000, \$20,000 or \$25,000 a year when their income is \$30,000, \$40,000 or \$50,000 a year. If you have two young kids, I don't know how you manage.

The truth of the matter is that while working families are desperately trying to find quality childcare at an affordable cost, we are turning our backs on those families. The result is that millions of children in this country are not receiving the quality childcare or early education they need when the psychologists tell us that ages 0 to 4 are the most important years of a human being's life in terms of intellectual and emotional development.

What sense is it that we ignore the needs of millions of working families and their children? What sense is it to tell working moms and dads that they cannot get the quality and affordable childcare they need? What sense is it to send many children into kindergarten and first grade already far, far behind where they should be intellectually because they had inadequate childcare?

This is not what a great country is supposed to be about. When we talk about the future of America, we cannot be talking about turning our backs on the children of this country. That is why we should be doing in this country what nations all over the world have done, and that is to invest in our kids and move toward a universal pre-K education system for all of our children.

I am glad that the Elementary and Secondary Educating Act is on the floor right now for debate. I want to thank Senator MURRAY and Senator ALEXANDER for their hard work on this important bill. In Vermont and around this country—and I have had town meetings on this issue in Vermont where hundreds of teachers, parents, and kids come out—they understand that No Child Left Behind has failed, and what we are doing now begins to address that failure and move us in a very different direction.

When we talk about the needs of young people—something we very rarely do—we should understand that it is not just that we have a dysfunctional childcare and pre-K system which must be significantly improved, it is not just that No Child Left Behind must be reformed, and it is not just that a college education is now unaffordable for millions of working-class and low-income families. All of those are terribly important issues that we must address. But I hope very much there is another issue that we will finally start to pay attention to. This country, this Senate, and the House of Representatives must come to grips with the fact that today in America we have a horrendous, horrendous level of youth unemployment in this country. This is an

issue that gets virtually no discussion at all. This is an issue of crisis proportions that we are not addressing. For the future of this country, not to mention for the future lives of millions of our young people, we cannot continue to sweep the issue of youth unemployment under the rug.

Last month the Economic Policy Institute released a new study about the level of youth unemployment in this country. What they found should concern every Member of the Congress and, in fact, every person in our country. The Economic Policy Institute analyzed census data on unemployment among young people who are jobless—who have no jobs—those who are working part time when they want to work full time, and those who have given up looking for work altogether. This is what they found. From April 2014 to March 2015—a 1-year period—the average real unemployment rate for young, White high school graduates between the ages of 17 and 20 was 33.8 percent. The jobless rate for Hispanics in the same age group was 36.1 percent. Unbelievably, the average real unemployment rate for Black high school graduates and those who dropped out of high school was 51.3 percent.

I ask unanimous consent to have printed in the RECORD the EPI's findings.

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

[From the Working Economics Blog,  
Economic Policy Institute, June 8, 2015]  
YOUNG BLACK HIGH SCHOOL GRADS FACE  
ASTONISHING UNDEREMPLOYMENT  
(By Alyssa Davis)

Last week, I wrote about how high school graduates will face significant economic challenges when they graduate this spring. High school graduates almost always experience higher levels of unemployment and lower wages than their counterparts with a college degree, and their labor market difficulties were particularly exacerbated by the Great Recession. Despite officially ending in June 2009, the recession left millions unemployed for prolonged spells, with recent workforce entrants such as young high school grads being particularly vulnerable.

Underemployment is one of the major problems that young workers currently face. Approximately 19.5 percent of young high school graduates (those ages 17–20) are unemployed and about 37.0 percent are underemployed. For young college graduates (those ages 21–24) the unemployment rate is 7.2 percent and the underemployment rate is 14.9 percent. Our measure of underemployment is the U-6 measure from the BLS, which includes not only unemployed workers but also those who are part-time for economic reasons and those who are marginally attached to the labor force.

When we look at the underemployment data by race, we often see an even worse situation. As shown in the charts below, 23.0 percent of young black college graduates are currently underemployed, compared with 22.4 percent of young Hispanic college grads and 12.9 percent of white college grads. And as elevated as these rates are, the picture is bleakest for young high school graduates, who are majority of young workers.

51.3 percent of young black high school graduates are underemployed, compared

with 36.1 percent of young Hispanic high school grads and 33.8 percent of white high school grads. This means a significant share of young high school graduates in all racial groups either want a job or have a job that does not provide the hours they need. A majority of young black high school graduates wish they could work more but can't because of weak job opportunities.

While there has been real progress in healing the damage inflicted on the labor market by the Great Recession, these underemployment rates among young high school graduates remain quite elevated relative to pre-recession levels. In order to correct these high rates, we need to prioritize low rates of unemployment and boost aggregate demand for workers. Last week, Senator Bernie Sanders and Representative John Conyers introduced the Employ Young Americans Now Act to help young Americans find pathways to employment. This bill is a necessary first step to putting young high school graduates back to work and to put our economy on the road to full employment.

Mr. SANDERS. Mr. President, today in our country over 5½ million young people have either dropped out of high school or have graduated high school and do not have jobs. It is no great secret to anyone that without work, without education, and without hope people get into trouble. They get into destructive activity or self-destructive activity. The result of all of that is that, tragically, here in the United States today we have more people in jail than any other country on Earth. We have more people in jail than in the authoritarian Communist country of China, with a population over three times our population. Today the United States represents 4 percent of the world's population. Yet we have 22 percent of the world's prisoners. Incredibly, over 3 percent of our country's population is under some form of correctional control. According to the NAACP, from 1980 to 2012, the number of people incarcerated in America quadrupled from roughly 500,000 to over 2 million people.

A study published in the journal *Crime & Delinquency* found—this is really quite unbelievable and quite tragic—that almost half of Black males in the United States are arrested by the age of 23. If current trends continue, one in four Black males born today can expect to spend time in prison during his lifetime. This is an unspeakable tragedy. It is something we cannot continue to ignore. But this crisis is not just the destruction of human life. It is also very, very costly to the taxpayers of our country. Locking people up in jail is a very expensive proposition.

In America we now spend nearly \$200 billion on public safety, including \$70 billion a year on correctional facilities. It is beyond comprehension that we as a nation have not focused attention on the fact that millions of young people are unable to find work and begin their adult lives in a productive way. We cannot continue to turn our backs on this national tragedy.

Let me be very clear. I think I speak for the vast majority of people in this country and I hope the majority of

Members in the Senate. It makes a lot more sense for us to be investing in jobs and in education than to be spending billions of dollars on jails and incarceration. We have to start creating the situation where our kids can leave school and lead productive lives and not have them arrested and incarcerated.

I have introduced legislation along with Representative JOHN CONYERS in the House that would provide \$5.5 billion in immediate funding to States and cities throughout this country to employ 1 million young Americans between the ages of 16 and 24 and to provide job training opportunities to young adults.

Some people may say \$5.5 billion is a lot of money. It is. But it is a lot less expensive to provide jobs and education to our young people than to lock them up and to destroy their lives.

As we debate ESEA—again, I want to thank Senator MURRAY and Senator ALEXANDER for their important work—I want this issue to be on the table. I intend to offer an amendment that says that in this country we are going to put our young people to work and we are going to get them an education rather than lock them up.

I yield the floor.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Mr. President, since our Nation's founding, the idea of a strong public education for every child has been part of the fabric of America. In the late 1770s, Thomas Jefferson introduced a bill in Virginia that outlined his plan for public schooling. At the time he wrote: "By far the most important bill in our whole code is that for the diffusion of knowledge among the people."

Jefferson knew that educating children would strengthen our country. That is still true today. Today a good education can provide a ticket to the middle class. When all students have the chance to learn, we strengthen our future workforce and our economy. But nearly everyone today agrees that the current education law—No Child Left Behind—is badly broken.

The bipartisan bill we are debating on the floor today—the Every Child Achieves Act—is a strong step in the right direction to finally fix that law, and it will help continue our Nation's tradition of making sure all students have access to a quality public education.

Some of our colleagues on the other side of the aisle are interested in voucherizing the public school system. Instead of investing in our public school system, they want to send Federal resources to private schools. That would be a major step backward. Vouchers undermine the basic goals of public education by allowing funding that is designated for our most at-risk students to be rerouted to private schools. I urge my colleagues to oppose any attempt to use Federal education funds for private school vouchers.

I strongly oppose vouchers for several reasons. For one, vouchers divert much-needed resources away from our public schools and reroute them to private and religious schools. Today public schools across our country, and particularly those schools with high concentrations of students in poverty, need more funding, not less. We can't afford to send scarce Federal resources away from our public schools to benefit private schools.

Secondly, vouchers would send Federal taxpayer dollars to private schools that are in no way accountable to the public. Proposals to create vouchers do not require private schools to adopt strong academic standards or provide students with disabilities the same services they have in public schools. Unlike public schools, private schools do not need to serve all of our students. There is no guarantee that private schools would make sure students have access to State-licensed teachers, and they would not administer the same assessments as public schools, which would diminish our accountability of Federal tax dollars.

I can tell you, as a former school board member, when people in my community were unhappy with how their taxpayer dollars were spent, they would find me in the grocery store, at the school board meeting or call me at home at night. But if Federal tax dollars go to private schools, there is no elected official that a public citizen can call and say: I don't like how you are spending our tax dollars, and I want you to look at this.

Many of our colleagues today demand evidence and accountability in other programs. I hope they do it in education as well. Some of my colleagues on the other side of the aisle like to argue that vouchers create options for students and families. Well, that might be true for students of more affluent families, but vouchers don't provide a real choice for the overwhelming majority of students. Vouchers might cover some but usually not all of the tuition of a private school. In some cases a voucher would make just a small dent in the full cost of a private school. That would enable students from more affluent families the ability to afford private schools because they personally have the means to make up the difference. But students from low-income backgrounds would still be priced out of that choice.

Vouchers only provide the illusion of choice to students from low-income backgrounds, and it is those low-income students who ultimately lose out when funds are siphoned away from the public schools that they attend. Perhaps the most important reason I oppose private-school vouchers is because they do not improve student achievement. Study after study has shown that vouchers do not pay out for students or for taxpayers.

In 2012 researchers compared students enrolled in Milwaukee's voucher program compared with students in



Milwaukee's public schools. The researchers found little evidence that the voucher program increased the achievement of participating students.

The District of Columbia's voucher program has gone through four congressionally mandated studies from the Department of Education. Each of those studies concluded that the program did not significantly improve reading or math achievement, and that program came at the cost of funding that could have helped improve local public schools.

There are a number of reasons to oppose any amendment that redirects Federal funds to private schools. Public schools already have to deal with scarce Federal resources. This would exasperate the problem. Private schools would not be accountable for the Federal taxpayer dollars they get. Vouchers do very little to expand choices for low-income families. Finally, as I said, studies have shown that vouchers do not increase student achievement.

An amendment to allow public funds—taxpayer dollars—to flow to private schools would be a step in the wrong direction. I strongly urge our colleagues to oppose any amendment that works to voucherize any of our Federal dollars.

I believe that real improvement in student achievement comes when our teachers and school leaders have the resources they need to help our students succeed. We have to work together to strengthen our public school system, not dismantle it.

I hope we can continue our bipartisan work together—we have done well—to help ensure all students have access to a quality public education regardless of where they live or how they learn or how much money they make. That should be our mission.

I thank the Presiding Officer, and I yield the floor.

**THE PRESIDING OFFICER.** The Senator from Rhode Island.

**MR. REED.** Mr. President, I come to the floor to speak about an amendment that I am offering with Senator KIRK, Senator BROWN, and Senator BALDWIN, which would establish an accountability mechanism for student access to the core resources necessary for learning.

First, I wish to thank Senators KIRK, BROWN, BALDWIN, and others for helping with this very important matter.

More than 60 years after the landmark decision of *Brown v. Board of Education*, one of the greatest challenges still facing this Nation is stemming the tide of rising inequality. We have seen the rich—in fact, really the very rich—get richer while middle-class and low-income families have lost ground. We see disparities in opportunities starting at birth and growing over a lifetime. With more than one in five school-age children living in families in poverty and roughly half of our public school population eligible for free or reduced-priced lunches because

they come from low-income families, we cannot afford nor should we tolerate a public education system that fails to provide the resources and opportunities for the children who need them the most.

When President Johnson signed the Elementary and Secondary Education Act into law 50 years ago, he described education as the “only valid passport from poverty.” He noted:

From our very beginnings as a nation, we have felt a fierce commitment to the ideal of education for everyone. It fixed itself into our democratic creed.

I believe this amendment will help us stay true to that ideal. There are other amendments we will consider that, frankly, will do just the opposite, such as those that would divert scarce resources from public schools to private schools through vouchers or so-called portability amendments that Senator MURRAY so eloquently spoke about. Rather than transferring resources away from our public education system, the passport to opportunity in our country, we should be doing more to ensure they have adequate resources. We have to do work to achieve real equity in educational opportunity.

Survey data from the Department of Education's Office of Civil Rights showed troubling disparities, such as the fact that Black, Latino, American Indian, Native Alaskan students, and English learners attend schools with higher concentrations of inexperienced teachers. In fact, nationwide one in five high schools lacks a school counselor, and between 10 and 25 percent of high schools across the Nation do not offer more than one of the core courses in the typical sequence of high school math and science, such as algebra I and II, geometry, biology, and chemistry. Their curricula are very limited, and, indeed, perhaps inadequate.

The Education Law Center reports that a majority of States have unfair funding systems with flat or regressive funding distribution. For these reasons, I introduced the Core Opportunity Resources for Equity and Excellence Act, or the CORE Act. Senators BROWN and BALDWIN were my cosponsors. This bill would establish an accountability mechanism for resource equity. This was the first education bill introduced in this Congress, and we are very proud of that.

Holding our educational system accountable for both results and resources is paramount. The No Child Left Behind Act looked at results, outcomes, testing, and measurement. What it failed to grasp is that we need resources also. We need the inputs. The Every Child Achieves Act, the legislation we are discussing today, includes important transparency on resource equity. I thank Senators ALEXANDER and MURRAY for that. It requires States to report on key measures of school quality beyond student achievement on statewide assessments, including student access to experienced and effective educators, access to rigorous and

advanced course work, availability of career and technical educational opportunities, and safe and healthy school learning environments. However, reporting alone will not ensure that students get the resources they need and deserve. I commend the reporting. I think it is a necessary but not quite sufficient measure.

I am pleased to offer this opportunity dashboard of core resources amendment with Senators KIRK, BALDWIN, and BROWN. This amendment has the support of dozens of national organizations.

Specifically, our amendment will require States to develop and report on measures of access to critical education resources, identify disparities in access for districts, schools, and student subgroups, develop plans with school districts to address disparities in access to critical educational resources, and include the opportunity dashboard of core resources on the State report card so everyone will know where the resources are, where they are going, and how we are making our commitment to an equitable and excellent education for every American child.

This amendment has bipartisan support, and, more importantly, broad support in the communities across the Nation. I urge my colleagues to support it when it comes to the floor for a vote.

With that, I yield the floor.

**THE PRESIDING OFFICER.** The Senator from Illinois.

**MR. DURBIN.** Mr. President, this week the Senate is considering the Elementary and Secondary Education Act. As we have heard from the previous speakers, the issues that are involved in this decision really go to the heart of America and its future.

Public education is the avenue to opportunity for most children in America, and if that avenue is blocked or if it is inadequate, that child will suffer, the family will suffer, and the Nation will suffer. There is hardly a bigger, more important assignment that could come our way than to consider elementary and secondary education.

We are fortunate that we have two good leaders on this issue—two of the best in this Senate, Senator LAMAR ALEXANDER and Senator PATTY MURRAY. Senator ALEXANDER is a Republican from Tennessee and a former Secretary of Education. He takes this job and assignment very seriously, and I have spoken to him many times about these issues. My colleague, friend, and fellow leader on the Democratic side, Senator MURRAY of Washington, and Senator ALEXANDER have done an extraordinary bipartisan job of bringing this measure to the floor. That is not to say that I agree with every provision nor that any Senator does, but to have this reported unanimously from committee by both political parties with the political climate we have in Washington is nothing short of amazing.

We find ourselves on the floor debating the specifics of the Every Child Achieves Act. I am glad this bill maintains Impact Aid assistance for districts such as North Chicago in my home State of Illinois, which is a neighbor to the Great Lakes naval training station.

The bill also preserves the universally agreed upon triumph of No Child Left Behind—to disaggregate data among subgroups of students.

I remember back in 2002, when we passed No Child Left Behind, I was relatively new to the Senate, and I sat back there. Directly behind me was a Senator from Minnesota named Paul Wellstone. To say that Senator Paul Wellstone hated No Child Left Behind is an understatement. Every time I got up and appeared to be supporting it, he would be behind me whispering: Senator DURBIN, this is a mistake. Don't you vote for this. You will be sorry. Well, I voted for it.

As I reflect on it, many good things happened, but a lot of things happened that we didn't expect to happen. We had testing, and I think testing is an important part of metrics and measurement to see whether the students are actually progressing. But some parts of the bill went overboard by disqualifying schools and saying they were not up to the job because their test scores didn't hit certain numbers. Teachers would complain to me that they went through all of this education and had experience in teaching, but now they were just teaching to the test. They lost the thrill of being teachers and that diminished them in their ability to help the children.

We also know what happened when it came to some of the other aspects of this bill. Some of the States started dumbing down their State standards so schools would pass the test. It wasn't a pretty sight. It is time to rewrite this broken bill, and the bill that we have before us attempts to do just that.

No Child Left Behind made important advances in how we ensure that all children are being served by public education. As we debate the Every Child Achieves Act this week, we must resist the urge to go too far the other way. What happened with No Child Left Behind was a political curiosity. Here was a new Republican President, George W. Bush, appealing to a Democratic Congress to give the Federal Government more control when it came to K-12 education. That was really a new approach, and it is one that, frankly, surprised many of us. As a result, No Child Left Behind went in directions and to degrees that many of us did not expect. Now we are getting a pushback from those who say it went too far. The pendulum is about to swing back in the other direction. This bill allows States to develop their own State education plan, set their own achievement goals, and hold themselves accountable. Every Child Achieves does not require States to identify low-performing schools or

take meaningful actions to provide additional support when the schools are consistently not serving their students. Without these protections, students of color and low-income students could easily be left behind. There are reasonable, commonsense improvements that should be made to this bill to enhance accountability. We can have federally required accountability and intervention without federally prescribed accountability and intervention.

Let me also say a word about vouchers. The Senator from Washington just spoke about vouchers. I asked her when No Child Left Behind was written and she told me 2002, and I think it was somewhere around that period when we passed the DC vouchers system. We are members of the Senate Appropriations Committee. It was Senator DeWine of Ohio who offered the DC voucher system as an amendment on an appropriations bill. I offered three amendments to his proposal. He proposed that Federal tax dollars be given to individual parents in DC to choose the school they wish, even if it was a private or religious school—not charter schools per se but so-called DC opportunity or voucher schools. I offered three amendments in committee to his proposal.

Here is what they were: First amendment, every teacher in a DC voucher school had to have a college degree. The amendment was defeated. The Republican majority said, no, we don't want to limit the creativity here of these new teachers in voucher schools. The second amendment I offered said the students who attend the voucher schools will take the same tests as the students attending DC Public Schools so we can compare how they are doing. That amendment was also defeated by the majority in the Appropriations Committee. They didn't want to be held to the same standards of testing and achievement. The third one was the most shocking. I said any building used for a DC voucher school had to pass the fire safety code in the District of Columbia. That, too, was defeated.

Years later, I sent staff out to take photos of some of the DC voucher schools. It was depressing. Many of these schools were just schools in name only. They weren't real schools. When we held a hearing before the Appropriations Committee, they couldn't even explain what standards they were teaching to. Is that the kind of system we want to set up nationally and put our tax dollars towards? Is that where families want to send their children? So I agree with Senator MURRAY. Before we start talking about voucher schools, let's focus on our first responsibility; that is, public education.

I also want to talk about an amendment that may be offered by Senator BURR of North Carolina on Title I formulas. Title I is the single largest source of Federal funding for elementary and secondary education. It helps States and school districts address poverty and the needs of low-income students. This was the inspiration for the

Federal Government to make a massive investment and commitment to education in the 1960s, and the reason behind it was because we saw the gross disparities in school districts from State to State and from district to district. We believed then, as I believe now, that kids from poor families don't have a fighting chance if they don't have the chance of a good education. Title I was designed to send those dollars to help those school districts educate those children.

Now, the amendment that is proposed by the Senator from North Carolina, Mr. BURR, would devastate low-income students in my home State of Illinois. It would reduce Illinois's title I share by an estimated \$180 million a year. That is a 28-percent reduction in Federal assistance in my State of Illinois to help poor, low-income, and minority students—a 28-percent reduction. Chicago public schools alone would lose \$68 million. I just have to say for the record, they are struggling even today to meet their budget needs and their pension requirements. This kind of cut would be devastating.

I think about the violence in the great city of Chicago and many other cities as well. I think about the responsibility of the Chicago public school system which educates almost 400,000 students. A \$70 million cut to Chicago would mean that these kids in low-income families would struggle and many would not succeed in achieving a good education. Is that the best we can do? I think it is a mistake.

I have to serve notice on my colleagues. I don't know what procedural tools are available to us, but when it comes to an amendment that takes that kind of money away from critically important school districts in my State, I am going to use every tool in the box to stop this from coming to the floor and passing. There is just too much at stake. I hope my colleagues will join me in this effort to stop this as well.

Finally, let me talk about an issue that is near and dear to all of us and especially to the Presiding Officer—criminal background checks. In the State of Illinois, if you want to be a teacher—before you can even be a student teacher—you have to go through a criminal background check. What does that consist of? Being fingerprinted and having your fingerprints and personal information turned over to our State police and the FBI. We take this very seriously in Illinois, and we are not the only State. There are many States that do exactly the same thing. We don't want anyone in the classroom, anyone in an unsupervised situation with small children around, who is going to be a danger to those children, period.

There are two proposals before us. One is being offered by the Senator from Pennsylvania, and it is a criminal background approach which I cannot support. The reason I cannot support it is because it imposes new Federal

criminal background check standards in addition to what I just described in Illinois. We already have fingerprinting and a criminal background check that goes to the State registry of crime as well as the FBI, which provides the basic information you need to know as to whether this potential teacher has anything in their background that is worrisome or would disqualify that teacher. It is already being done. The amendment being offered by the Senator from Pennsylvania says now we are going to make sure they go through a second check, a federally mandated criminal background check, which sends the school districts in Illinois to the same agencies I just described; in other words, a second check which under Illinois law would be at the expense of the school district—that goes to the State police, the FBI, and others. Come on. Why would we waste our money—precious Federal money that we need for education—in duplicating background checks? It makes no sense whatsoever.

So I commend the Senator from Pennsylvania for being concerned about this. There isn't a parent or grandparent alive who doesn't share his concern, but let's not impose an additional Federal mandate on States that are already doing a professional job. If States say we have a background check in place that conforms to what the standards are in Washington, why should they have to do it a second time?

Senator WHITEHOUSE of Rhode Island makes that proposal. He has an alternative amendment. He proposes that the State background checks meet a list of Federal compliance requirements, while explicitly ensuring that states would not need to duplicate background checks for current employees who have already met these requirements and have been cleared. I think that is better. That eliminates the duplication and eliminates the wasted dollars on a second, unnecessary duplicative background check.

I might add that the Senator from Pennsylvania and the Senator from Rhode Island addressed the concern about mistakes. If there is a name sent in by mistake and a potential teacher is disqualified and it turns out the information is erroneous, there is a due process provision in Senator TOOMEY's bill and one that I think is more complete in the bill offered by Senator WHITEHOUSE.

It wasn't that many years ago, our colleagues may remember, that our colleague Senator Ted Kennedy ended up on a no-fly list. He kept saying: Why am I on a no-fly list? It was a mistake. It was a government mistake that identified him as a danger to the country. Mistakes can be made. There needs to be a due process requirement in here so those accused of something that they are not guilty of have a chance to have their day to tell their story as best they can.

The bottom line is that this bill is one of the most important we will con-

sider. I thank the chairman and ranking member for the time they put into this, and I thank them for their bipartisan efforts. There will be some disagreements on the amendments before us, but I think we are all in common agreement. If we don't get this right, many of the other things we do don't mean much.

If we don't provide that avenue of opportunity to kids from lower-income, impoverished families, they are not likely to enjoy life as they might with a good education and realize the American dream. This is our step in the right direction. I hope we can make it even stronger as we consider amendments.

I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. I thank the Senator from Illinois for his remarks. I was thinking, as he was talking about Senator Kennedy, whom we all loved, I think the mistake was that he was on a Republican no-fly list. That was the mistake. But he loved telling that story and enjoyed it very much. It is nice to be reminded of him today because he was chairman of this committee that is producing the fix for No Child Left Behind.

He would make, in my view, the most outrageous liberal speeches from the back of the Senate, and then he would come to the front of the Senate and would work out a good bipartisan agreement and get a good piece of legislation. He set a wonderful example for us, and it is nice to be reminded of him.

Mr. President, Senator MURRAY and I have conferred, and I ask unanimous consent that the time until 4:30 p.m. today be equally divided between the two managers or their designees and that it be in order to call up the following amendments: Hirono amendment No. 2109, Tester amendment No. 2107, Alexander amendment No. 2139, Murray amendment No. 2124, Bennet amendment No. 2115; further, that at 4:30 p.m. today, the Senate vote on the above amendments in the order listed, with no second-degree amendments in order to any of the amendments prior to the votes and that the Alexander amendment No. 2139 be subject to a 60-affirmative-vote threshold for adoption; and that there be 2 minutes of debate equally divided between the votes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ALEXANDER. For the information of all Senators, we expect a roll-call vote on three of these amendments and that the rest will be adopted by voice vote.

PRESIDING OFFICER. The Senator from Nevada.

Mr. HELLER. Mr. President, I rise in support of amendment No. 2109, just mentioned by the chairman, the Hirono-Heller amendment which addresses Asian-Pacific and Pacific Islander student data.

In my home State of Nevada, as in many of my colleagues' home States,

the AAPI population is one of the fastest growing. I can give you an example of that according to census data. Nevada's AAPI or Asian-Pacific and Pacific Islander population grew by 116 percent between 2000 and 2010. Now, even though this AAPI group represents students who come from a variety of different backgrounds—Chinese, Filipino, Vietnamese, Korean—current law and the Every Child Achieves Act uses a broad "Asian-Pacific Islander" category when reporting on student achievement. Basically, if you are registering as a student, you have one category—one bubble—called Asian-Pacific Islander, regardless of whether you are Chinese, Filipino, Vietnamese, Korean. It doesn't matter. It is a single bubble. As a result of this single bubble, this student population as a whole seems to perform well, but the broad AAPI category hides big achievement gaps between subgroups. The current census data gives us this evidence.

According to the 2010 census, 72 percent of Asian Indian adults have bachelor degrees or higher; whereas, only 26 percent of Vietnamese adults do. Steps should be taken to help close these achievement gaps and create an environment where all students can succeed. This is critical to ensuring that our Nation's children are preparing to attend college or enter the workforce. That is why the Hirono-Heller amendment is so important.

Our amendment simply requires school districts with large populations of AAPI students to show how these subgroups are performing. This amendment would also apply in large school districts with over 1,000 AAPI students. This represents less than 3 percent of the school districts nationwide. In fact, 11 States would not be affected at all by the Hirono-Heller amendment. It is also important to note that this amendment would only be used for public reporting purposes. It would not require accountability measures or intervention at any level.

The bottom line is that having this kind of subgroup data available equips parents and local officials with the necessary information to determine how their students are doing and how to better support students who need the most help. Isn't that what these school districts are all about, which is to try to identify those students and to better support students of those who need help.

As a father of four and grandparent of two, I think parents should have access to this kind of data, to know how schools are serving these children in these specific subgroups, so they can make the right choice for their children. School choice advocates agree, charter school advocates agree, and the truth is that school districts across the Nation are already collecting and reporting this aggregated AAPI student data. In fact, just this morning, I sat down with several school superintendents from all across my home State who told me that access to this type of

data would be extremely helpful in their districts.

Principals and teachers also understand the value of this subgroup data and how it reveals groups of students who need assistance that would otherwise be missed by looking at the broader AAPI category. That is why this amendment is also supported by the National Association of Elementary School Principals, it is why this amendment is supported by the National Association of Secondary School Principals, and why it is supported by the National Education Association. I am proud our amendment is also supported by over 100 AAPI, Latino, and African-American civil rights groups, educators, women's groups, and the disability community.

These groups agree with Senator HIRONO and me that AAPI subgroup disaggregation is a top priority. I thank Senator HIRONO for her leadership on this issue and her dedication to serving the needs of all of our communities. I would also like to thank Chairman ALEXANDER and ranking member Senator MURRAY for their efforts to not only put together a bipartisan bill but also to move forward with an open amendment process during this debate.

I encourage all of my colleagues to vote in support of the Hirono-Heller amendment to ensure that parents have choice and that school administrators alike are able to target students who need the most help.

I yield the floor.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Mr. President, over the weekend, we all cheered on the women's national soccer team as they beat Japan 5 to 2 in the World Cup. Their teamwork and the skills they displayed on the field were years in the making. Many of the players on the women's national team developed their skills and a love for soccer while attending their public schools growing up.

In fact, before midfielder Carli Lloyd shattered records in the World Cup finals on Saturday, she was the star of the Delran High School soccer team in New Jersey. Unfortunately, not all young girls have the same opportunities today as young boys do to participate in school sports. In our Nation's schools, all girls should have equal opportunities to pursue athletics, whether they just want to help their high school team have a winning season or whether they dream of one day playing in the World Cup final.

Today, I am offering an amendment to help close the opportunity gap in sports between young men and women. Back in 1972, Congress passed what is known as title IX. That is the law that bans discrimination in education on the basis of gender. This law applies to all educational opportunities that have had a huge impact on opening opportunities for young women to play sports.

For the first time, schools were required to provide equal opportunity to

girls and boys to play organized sports, and they were required to provide equal benefits and services, like coaches and courts and playing fields. Title IX has truly changed our country for the better. The number of women and girls whose lives it touches is growing every single day. I have seen that firsthand in my own family. When I went to school, the atmosphere was a lot different than it is today. Back then, I could participate in just a very few sports, and it was simply unheard of for women athletes to receive athletic scholarships.

Now, 15 years later, it was amazing to watch my own daughter choose to play soccer, learning to be a part of a team and cheering each other on and learning how to be gracious in victory and in defeat. The differences between my daughter's generation and my own could not be more stark.

Today, more young women than ever are playing sports, but inequality still exists and girls don't have the same opportunities to play sports as boys. In fact, if you add up all of the missed opportunities across the country, young women have 1.3 million fewer chances today to play sports in high school compared to boys. That is according to the National Federation of High School Associations. So the amendment I am offering that we will be voting on shortly will help ensure that schools simply report information about school sports in elementary, middle, and high school.

I thank Senator MIKULSKI, who has been a champion for title IX, for working with me on this amendment. Under our amendment, schools would report on both access to girls organized sports and the funding for girls sports. For the first time, schools would need to show the public, show all of us, what they spend on travel expenses and equipment and uniforms for both boys and girls sports teams. This information will simply help us shine a light on the persistent inequalities in sports between men and women.

Playing sports isn't just good for a single sports season, it has a positive effect on and off the field. According to the National Collegiate Athletic Association, when young women play sports, they are more likely to have higher grades, and they are more likely to graduate from high school than non-athletes. Research also shows that girls who have opportunities to play sports have lower risk of obesity later in life, lower incidence of depression, and more positive body image than nonathletes.

Congress can help ensure that girls all over our country have the chance not only to improve their athletic ability but also to develop valuable skills like teamwork and discipline and self-confidence. Those skills lead to success on and off the playing field.

I urge our colleagues to vote for this important amendment. Let's give young women and girls equal opportunity in sports. So many girls across

the country spent this week dreaming of one day being one of those women champions they saw on television last weekend. Let's make sure they know Congress has their back.

I yield the floor.

The PRESIDING OFFICER (Mr. GARDNER). The Senator from Tennessee.

AMENDMENT NO. 2139 TO AMENDMENT NO. 2089

(Purpose: To allow States to let Federal funds for the education of disadvantaged children follow low-income children to the accredited or otherwise State-approved public school, private school, or supplemental educational services program they attend)

Mr. ALEXANDER. Mr. President, I ask to set aside the pending amendment in order to call up amendment No. 2139.

The PRESIDING OFFICER. The clerk will report.

The senior assistant legislative clerk read as follows:

The Senator from Tennessee [Mr. ALEXANDER] proposes an amendment numbered 2139 to amendment No. 2089.

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

(The amendment is printed in today's RECORD under "Text of Amendments.")

AMENDMENT NOS. 2109, 2107, 2124, AND 2115 TO  
AMENDMENT NO. 2089

Mrs. MURRAY. Mr. President, I ask unanimous consent to call up Hirono amendment No. 2109, Tester amendment No. 2107, Murray amendment No. 2124, and Bennet amendment No. 2115, as provided for under the previous order, and ask that they be reported by number.

The PRESIDING OFFICER. Without objection, the clerk will report the amendments by number.

The senior assistant legislative clerk read as follows:

The Senator from Washington [Mrs. MURRAY] proposes amendments for other Senators numbered 2109, 2107, 2124, and 2115 to amendment No. 2089.

The amendments are as follows:

AMENDMENT NO. 2109 TO AMENDMENT NO. 2089

(Purpose: To amend section 1111(b)(2)(B)(xi) to provide for additional disaggregation for local educational agencies with a total of not less than 1,000 Asian and Native Hawaiian or Pacific Islander students)

On page 43, between lines 5 and 6, insert the following:

“(VI) for local educational agencies with not less than 1,000 total Asian and Native Hawaiian/Pacific Islander students, the same race response categories as the decennial census of the population; and

AMENDMENT NO. 2107 TO AMENDMENT NO. 2089

(Purpose: To restore sections of the Elementary and Secondary Education Act of 1965)

On page 654, strike lines 7 through 10.

On page 683, lines 16 and 17, strike “7132, as redesignated by section 7001(2),” and insert “7135”.

On page 683, line 18, strike “7132” and insert “7135”.

AMENDMENT NO. 2124 TO AMENDMENT NO. 2089  
(Purpose: To require schools to collect and report data on interscholastic sports)

On page 82, between lines 23 and 24, insert the following:

“(xviii) In the case of each coeducational school in the State that receives assistance under this part—

“(I) a listing of the school’s interscholastic sports teams that participated in athletic competition;

“(II) for each such team—

“(aa) the total number of male and female participants, disaggregated by gender and race;

“(bb) the season in which the team competed, whether the team participated in postseason competition, and the total number of competitive events scheduled;

“(cc) the total expenditures from all sources, including expenditures for travel, uniforms, facilities, and publicity for competitions; and

“(dd) the total number of coaches, trainers, and medical personnel, and for each such individual an identification of such individual’s employment status, and duties other than providing coaching, training, or medical services; and

“(III) the average annual salary of the head coaches of boys’ interscholastic sports teams, across all offered sports, and the average annual salary of the head coaches of girls’ interscholastic sports teams, across all offered sports.

AMENDMENT NO. 2115 TO AMENDMENT NO. 2089  
(Purpose: To provide for a study on increasing the effectiveness of existing services and programs intended to benefit children)  
At the end of part B of title X, insert the following:

**SEC. \_\_\_\_ . COMPTROLLER GENERAL STUDY ON INCREASING EFFECTIVENESS OF EXISTING SERVICES AND PROGRAMS INTENDED TO BENEFIT CHILDREN.**

Not later than 2 years after the date of the enactment of this Act, the Comptroller General shall provide to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Education and the Workforce of the House of Representatives a report that includes—

(1) a description and assessment of the existing federally funded services and programs across all agencies that have a purpose or are intended to benefit or serve children, including—

(A) the purposes, goals, and organizational and administrative structure of such services and programs at the Federal, State, and local level; and

(B) methods of delivery and implementation; and

(2) recommendations to increase the effectiveness, coordination, and integration of such services and programs, across agencies and levels of government, in order to leverage existing resources and better and more comprehensively serve children.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. MENENDEZ. Mr. President, it is fitting and appropriate, although it was not coordinated, that I follow on to the comments of the distinguished Senator from Washington State, the ranking member of the committee, as she was talking about the importance of the amendment about young women and athletic opportunities for them on an equal basis.

(The further remarks of Mr. MENENDEZ are printed in today’s RECORD under Morning Business.)

Mr. MENENDEZ. I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. TOOMEY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 2094

Mr. TOOMEY. Mr. President, I rise to speak on amendment No. 2094, which is based on legislation I have introduced with Senator MANCHIN called the Protecting Students from Sexual and Violent Predators Act. This has bipartisan support. This is a commonsense amendment that will protect children from child molesters and predators infiltrating our schools.

We all know the overwhelming majority of school employees would never harm a child in any way, but we also know pedophiles know where the children are. They are in the schools. So schools can be a magnet for the very people we need to keep out of our schools. I have been fighting this for some time now—over a year and a half—since the legislation was first introduced. I am not going to stop fighting this.

There are a lot of good reasons to make this fight happen, to secure the protections for our school kids from these predators. For me, the reasons begin with the three children I have, who are 15, 14, and 5 years old. When I put one of my children on a school bus in the morning, I have every right to believe I am sending my child to an environment where they are as safe as they can possibly be, and so does every other parent in Pennsylvania and every other parent across the country. We in Congress have the obligation to make sure we are doing all we can to make sure they will in fact be in the safest possible environment. Sadly, we know that is just not always the case.

The motivation and the inspiration for this legislation that Senator MANCHIN and I introduced is a horrendous story about a little boy named Jeremy Bell, and that story begins, sadly, at a school in Delaware County, PA, where one of the teachers was repeatedly molesting young boys, raping one of the boys.

The administrators of the school figured out what was going on. They reported it to authorities, but the authorities were never convinced they had enough evidence to mount a strong case. They couldn’t confidently charge the predator. So the school decided they would dismiss this teacher for sexually abusing his students, but shockingly, appallingly, they gave him a letter of recommendation to make sure he could become someone else’s problem.

Well, given that he was a pedophile and a predator, he surely did become someone else’s problem. He went to West Virginia, became a teacher—based in part on the recommendation

he got—and rose, in fact, to the level of being a school principal. Along the way, of course, he continued to attack and abuse young boys, finally raping and killing young Jeremy Bell.

Well, justice eventually caught up with that monster. He is serving the rest of his life in jail, as he should, but it was too late for Jeremy Bell.

The sad truth is this is not as isolated an incident as we would like to think and as it should be. In fact, last year there were 459 arrests of school employees for sexual misconduct with the kids they are supposed to be taking care of. So far this year we are on track to have even more arrests than last year. Keep in mind that these are the cases where the evidence is so clear the prosecution is confident in making an arrest and pressing charges. How many more cases are out there where we just don’t have enough certainty to actually make the arrest and press the charges? There are many more.

So Senator MANCHIN and I decided we would introduce legislation that would take an important step towards the goal of protecting our kids. Our legislation has two big categories, two big features that together would go a long way toward ensuring greater security for our kids.

One is a Federal standard for criminal background checks. Let me just respond to the comments made by the Senator from Illinois just a few minutes ago, suggesting that somehow my legislation requires a duplicative background check. That is factually and simply incorrect. There is no duplication. There is no redundancy. What we do in our legislation is to establish a Federal standard and say that all of the major criminal databases must be checked, but we don’t ask anyone to check it twice. I don’t know how that idea occurred. The checks are a sensible way to make sure nobody slips through the cracks.

We do require there be a periodic review, at the frequency established by the States, so we make sure we are checking up on school employees periodically. That is not a redundancy.

The second fundamental aspect of our legislation, after the criminal background checks, is that we would prohibit the practice of knowingly recommending for hire a predator, a violent abuser, a pedophile. This, unfortunately, has its own name. This practice is called passing the trash. That recommendation was exactly what allowed Jeremy Bell’s killer to get a job as a teacher so that he could prey on Jeremy Bell. Our legislation would forbid that.

Both of these protections have broad bipartisan support. The House of Representatives, by the way, unanimously passed a bill that is virtually identical just in the last Congress. And just last fall the House and Senate combined, by a combined vote of 523 to 1, adopted the Child Care and Development Block Grant Act, which has the same language. It has the same provisions to

protect children in childcare centers from these kinds of predators. I fully support that protection for very young kids. I just fail to see why we shouldn't provide the same level of security and protection for slightly older kids. That is what this is about.

So in addition to the bipartisan support, our legislation has been endorsed by many, many groups—child protection groups, law enforcement groups, prosecutors, the American Academy of Pediatrics, the Pennsylvania School Board Association. There is very broad support for this because it makes sense.

Let me go a little bit more into detail about these two aspects.

First, there is the criminal background check. Let's be clear. Every State does some kind of criminal background check on hiring for schools. The problem is many are woefully inadequate. In some cases they miss entire databases, and so they miss convictions.

For instance, some States check only their State database. They do not check the Federal database so they do not know about the criminal convicted two States over who moved into their State postconviction.

Another fact is that many States don't require background checks for their contractors. In our legislation, if you are an adult who has unsupervised contact with kids—whether you are a bus driver, a sports coach or the janitor in the school—you have to have the background check. Some States don't require that.

We establish a Federal standard so that we are protecting all kids uniformly. So this whole background check component is what I consider the first part of the bill.

The second part, which is really a distinct part but still every bit as crucial, is this prohibition against passing the trash that I alluded to earlier. This is a provision that would have perhaps prevented the murder of Jeremy Bell. We simply say if a school wishes to receive Federal funds, it has to ban this practice.

This is so appalling—the idea that someone would knowingly recommend for hire a predator who is preying on children. It is so appalling that it is hard to believe it happens, but the fact is it does. Sometimes it happens across State lines, and there is nothing any State can do about the laws of a different State. This absolutely calls for a Federal solution.

For example, recently in Las Vegas, NV, a kindergarten teacher was arrested for kidnapping a 16-year-old girl and infecting her with a sexually transmitted disease. That same teacher, it turns out, had molested six children—fourth and fifth graders—just several years before in Los Angeles, CA. Now, the Los Angeles school district knew about the allegations. In fact, not only did they know about the allegations, but they were so concerned that when a lawsuit was filed against them they recommended settling.

The Nevada school district specifically asked if there had been any criminal concerns regarding the teacher who was a candidate for a job, and the Los Angeles school district not only hid the truth but provided three references for the teacher. I think that makes it abundantly clear that this is a problem that transcends State lines. There is nothing Nevada could have done about the dishonesty and the deceit of the people in the Los Angeles school district who allowed this to happen.

Let me sum this up. The Toomey-Manchin bill offers a simple proposition. It says if a school district wants to use Federal tax dollars, it has to make sure those dollars are not being used to pay pedophiles' salaries.

I don't think that is an unreasonable demand. To do that, it says there are two components. One is that you perform a criminal background check that is rigorous enough to catch people who have criminal backgrounds and a prohibition against passing the trash.

Now, we have run into opposition on this, as you know. In fact, there was a letter signed by a number of organizations led by the National Education Association, the Nation's largest teachers union group. The basic thrust of the argument in the letter is that it is unfair to exclude even a convicted admitted child abuser from being a schoolteacher. Here is the quote from the letter: "Individuals who have been convicted of crimes and have completed their sentences should not be unnecessarily subjected to additional punishment because of these convictions."

Under this logic, an admitted convicted child molester can finish their prison term, walk out of a prison, go across the street to a school and be hired to be a first grade teacher. That is ridiculous. Our kids are not part of some social experiment to see how often convicted child molesters will repeat their crimes. I am not going to tolerate or risk trapping small children in a classroom with a convicted child rapist. That is unbelievable.

We have a national sex offender registry for exactly this reason. As a society, we understand these people commit these crimes serially. Even after serving a prison sentence, very often they go right back to their old ways. So I think it is perfectly acceptable—in fact, it is incumbent upon us—to say that when someone has been convicted of this type of crime they are disqualified from being left in unsupervised contact with children.

The same letter from the National Education Association endorsed an alternative amendment that has been proposed by Senator WHITEHOUSE. He has proposed an alternative to my amendment, and I find it troublesome because, among other problems, the Whitehouse amendment actually would weaken the protections in existing State laws.

There are 44 States that currently have a category of criminal conviction

which precludes a person from ever being hired to teach in a school or to have unsupervised contact with kids. What Senator WHITEHOUSE would do in his legislation is to require every State to give these individuals the legal right to challenge their being blocked from being hired. That does not exist in 45 States right now.

So you have to ask yourself: What possible purpose could there be for mandating that States create these minitrials, some little judicial mechanism to challenge the notion that they should be precluded from a job based on their prior conviction for child abuse? The only purpose would be to get an exemption so they could be hired. Well, I am shocked Senator WHITEHOUSE would propose legislation that would weaken the existing protections we have in 45 States, but that is what he does.

I would point out that in the case of the Child Care and Development Block Grant Act—which passed 523 to 1 and was supported by every Democrat in the House and the Senate, by the way, the one vote being for unrelated reasons—that language that protected kids did not have this mechanism of creating a quasi-judicial entity so that convicted child abusers could nevertheless be hired. So if it wasn't a good idea then, when we were passing legislation that pertains to daycares, it is not a good idea now. So I hope we will oppose the Whitehouse amendment.

I just want to underscore that there is urgency to this problem. Last year alone there were 459 teachers arrested for sexual abuse or misbehavior with the children they are supposed to be taking care of. We are on path so far, in the 6 months into this new calendar year, to have far more arrests than we had last year. Every one of these stories is not a statistic. Every one of these stories is a huge personal tragedy—a shattered life, a stolen childhood, often a family torn apart by grief and misery. How many more of these kinds of arrests are we going to tolerate before we establish a better system for preventing this from happening in the first place?

I think it is time for no more excuses. The House of Representatives has already passed this legislation unanimously. All we need to do is pass this amendment on this bill, and it will find its way to the President's desk. It will be signed, and kids across America will be more secure.

I urge my colleagues to support the Toomey-Manchin amendment—Protecting Students from Sexual and Violent Predators Act.

I yield the floor.

Mr. ALEXANDER. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Ms. HIRONO. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.



The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. HIRONO. Mr. President, I ask unanimous consent to speak for 1 minute on the Hirono-Heller amendment.

The PRESIDING OFFICER. The Senator has the time.

## AMENDMENT NO. 2109

Ms. HIRONO. Mr. President, I urge my colleagues to support the Hirono-Heller amendment No. 2109.

The current AAPI—American Asian Pacific Islander—category hides huge achievement gaps among subgroups, i.e., Chinese, Filipino, Vietnamese, Japanese, et cetera. With better subgroup data, teachers, parents, policymakers, and community organizations will know where they can target support to the students who need the help most.

Our amendment only applies to districts with over 1,000 AAPI students. We are not talking about 1,000 students but 1,000 AAPI students, which means fewer than 3 percent of school districts nationwide would be affected. That is about 400 out of over 16,000 school districts. Currently, Delaware, Maine, Mississippi, Montana, New Hampshire, North Dakota, South Dakota, Vermont, West Virginia, and Wyoming have no districts that would be affected.

Our amendment is endorsed by over 100 groups, including teachers, principals, school choice and charter school groups, not to mention a coalition of AAPI, Latino, African American, women's, and disability rights groups.

This is not an onerous requirement on school districts. They already have the capacity to collect this kind of what we call disaggregated data, which will enable all of our schools to help the kids who need the help the most.

The PRESIDING OFFICER. The Senator's time has expired.

Ms. HIRONO. I urge my colleagues to support this amendment.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, I oppose the amendment. Instead of lessening the national school board, this would make it more intrusive. This amendment would say that instead of schools reporting the academic results of five major racial groups, they would do it by country of origin. There are 196 countries of origin. So if we apply the same thinking to White, Hispanic, Black, Native American, we would have an amazing mandate from Washington to States about this amount of data.

The Senator's argument should be made to a local school board, which may do this if it wishes, or to a State board, which may make these aggregations if it wishes, but this should not be a Washington mandate to increase from 5 to 16 the number of countries mandated under Asian American and Pacific Islander and to set a precedent for country-of-origin reports for 196 countries.

I urge a "no" vote.

The PRESIDING OFFICER. The question is on agreeing to amendment No. 2109.

Mr. ALEXANDER. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Florida (Mr. RUBIO).

Mr. DURBIN. I announce that the Senator from Maine (Mr. KING) and the Senator from Michigan (Ms. STABENOW) are necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 47, nays 50, as follows:

## [Rollcall Vote No. 223 Leg.]

## YEAS—47

Baldwin	Gillibrand	Murray
Bennet	Heinrich	Nelson
Blumenthal	Heitkamp	Peters
Booker	Heller	Reed
Boxer	Hirono	Reid
Brown	Kaine	Sanders
Cantwell	Kirk	Schatz
Cardin	Klobuchar	Schumer
Carper	Leahy	Shaheen
Casey	Manchin	Tester
Coons	Markey	Udall
Donnelly	McCaskill	Warner
Durbin	Menendez	Warren
Feinstein	Merkley	Whitehouse
Franken	Mikulski	Wyden
Gardner	Murphy	

## NAYS—50

Alexander	Enzi	Paul
Ayotte	Ernst	Perdue
Barrasso	Fischer	Portman
Blunt	Flake	Risch
Boozman	Graham	Roberts
Burr	Grassley	Rounds
Capito	Hatch	Sasse
Cassidy	Hoeven	Scott
Coats	Inhofe	Sessions
Cochran	Isakson	Shelby
Collins	Johnson	Sullivan
Corker	Lankford	Thune
Cornyn	Lee	Tillis
Cotton	McCain	Toomey
Crapo	McConnell	Vitter
Cruz	Moran	Wicker
Daines	Murkowski	

## NOT VOTING—3

King	Rubio	Stabenow
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The amendment (No. 2109) was rejected.

## AMENDMENT NO. 2107

The PRESIDING OFFICER. Under the previous order, there will now be 2 minutes equally divided prior to a vote on amendment No. 2107, offered by the Senator from Washington, Mrs. MURRAY, for Mr. TESTER.

The Senator from Montana.

Mr. TESTER. Mr. President, I urge my colleagues to support amendment No. 2107 to restore four title VII grant programs that were removed from the Every Child Achieves Act. These initiatives will help Native American students who are too often forgotten in the debate about improving education in America. Restoring these initiatives will help students in Indian Country develop the tools they need to succeed.

The bottom line is that this authorizes programs that were removed from ESEA. These programs help Native American kids succeed, and they need all the help they can get. These programs have never been funded. This is an authorization bill. If we put it in, these programs will continue to be authorized and we can fight about funding later, but to take them out of an authorization bill means these programs are dead, and I think it would be a disservice to Indian Country.

I would appreciate a "yes" vote on amendment No. 2107.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, I urge a "no" vote. These programs have not been funded for 20 years for a good reason. It is because the money for these programs can come through other programs, such as the Workforce Innovation Act.

This bipartisan bill consolidates 49 programs that were authorized or funded through No Child Left Behind. This would take us in the direction of more Federal programs, not fewer.

I urge a "no" vote so that we can reduce the amount of Federal programs from Washington to the States, and let's use the existing dollars that we have to help Indians, Native Americans, and Alaska's native education programs. That is the most effective way to do it.

I urge a "no" vote.

I ask unanimous consent that the votes following the first vote in this series—that means this vote and the next vote—be 10 minutes in length.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The question is on agreeing to amendment No. 2107.

Mr. CORKER. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Florida (Mr. RUBIO).

Mr. DURBIN. I announce that the Senator from Maine (Mr. KING) and the Senator from Michigan (Ms. STABENOW) are necessarily absent.

The PRESIDING OFFICER (Mr. LEE). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 56, nays 41, as follows:

## [Rollcall Vote No. 224 Leg.]

## YEAS—56

Baldwin	Casey	Gillibrand
Barrasso	Coons	Heinrich
Bennet	Crapo	Heitkamp
Blumenthal	Daines	Heller
Booker	Donnelly	Hirono
Boxer	Durbin	Hoeven
Brown	Enzi	Kaine
Cantwell	Feinstein	Klobuchar
Cardin	Franken	Leahy
Carper	Gardner	Markey

McCain	Nelson	Sullivan
McCaskill	Peters	Tester
Menendez	Reed	Thune
Merkley	Reid	Udall
Mikulski	Risch	Warner
Moran	Sanders	Warren
Murkowski	Schatz	Whitehouse
Murphy	Schumer	Wyden
Murray	Shaheen	

## NAYS—41

Alexander	Ernst	Paul
Ayotte	Fischer	Perdue
Blunt	Flake	Portman
Boozman	Graham	Roberts
Burr	Grassley	Rounds
Capito	Hatch	Sasse
Cassidy	Inhofe	Scott
Coats	Isakson	Sessions
Cochran	Johnson	Shelby
Collins	Kirk	Tillis
Corker	Lankford	Toomey
Cornyn	Lee	Vitter
Cotton	Manchin	Wicker
Cruz	McConnell	

## NOT VOTING—3

King	Rubio	Stabenow
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The amendment (No. 2107) was agreed to.

## AMENDMENT NO. 2139

The PRESIDING OFFICER. Under the previous order, there will now be 2 minutes of debate equally divided prior to a vote on amendment No. 2139, offered by the Senator from Tennessee, Mr. ALEXANDER.

The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, if you really want to solve inequality in America by giving children an opportunity to attend a better school, vote yes because that would give any State the opportunity to take 89 Federal programs, consolidate them into \$2,100 scholarships, and give one of those scholarships to every low-income child in the State—that is 20 percent of the children—for that child to decide which school they would attend. It might be public; it might be private. We would be using the same policy that we used with colleges and universities. The money follows the child to the school that the parent decides that child should attend. This is not a mandate; this is an opportunity. The schools would have to be accredited.

If you really want to create equality in America by giving every child an opportunity to be at the same starting line, let the State decide to give a \$2,100 scholarship to follow a low-income child to the school that the family decides the student should attend, public or private.

I urge a “yes” vote.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Mr. President, this amendment would retreat on our fundamental commitment to make sure that every child has access to a quality education, and it would do it by consolidating almost every K–12 education program we have and turning that funding into a public or private school voucher. It would cut programs for STEM, for literacy, for afterschool—priorities that are important to Members across the aisle, and it would dismantle the important bipartisan work we have done to fix this badly broken

No Child Left Behind law in a way that works for parents, teachers, and students. It ignores the research on the impact of concentrated poverty on student achievement and allows States to move Federal resources from our highest needs schools and districts to more affluent ones and to unaccountable private schools.

I know my colleague from Tennessee understands this is a nonstarter for me, and I really urge my colleagues to oppose this amendment.

The PRESIDING OFFICER. The question is on agreeing to amendment No. 2139.

Mr. ALEXANDER. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from Florida (Mr. RUBIO).

Mr. DURBIN. I announce that the Senator from Maine (Mr. KING) and the Senator from Michigan (Ms. STABENOW) are necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 45, nays 52, as follows:

[Rollcall Vote No. 225 Leg.]

## YEAS—45

Alexander	Ernst	Perdue
Barrasso	Flake	Portman
Blunt	Gardner	Risch
Boozman	Graham	Roberts
Burr	Grassley	Rounds
Cassidy	Hatch	Sasse
Coats	Hoeven	Scott
Cochran	Inhofe	Sessions
Corker	Isakson	Shelby
Cornyn	Johnson	Sullivan
Cotton	Lankford	Thune
Crapo	Lee	Tillis
Cruz	McCain	Toomey
Daines	McConnell	Vitter
Enzi	Paul	Wicker

## NAYS—52

Ayotte	Franken	Murphy
Baldwin	Gillibrand	Murray
Bennet	Heinrich	Nelson
Blumenthal	Heitkamp	Peters
Booker	Heller	Reed
Boxer	Hirono	Reid
Brown	Kaine	Sanders
Cantwell	Kirk	Schatz
Capito	Klobuchar	Schumer
Cardin	Leahy	Shaheen
Carper	Manchin	Tester
Casey	Markey	Udall
Collins	McCaskill	Warner
Coons	Menendez	Warren
Donnelly	Merkley	Whitehouse
Durbin	Mikulski	Wyden
Feinstein	Moran	
Fischer	Murkowski	

## NOT VOTING—3

King	Rubio	Stabenow
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The PRESIDING OFFICER. Under the previous order requiring 60 votes for the adoption of this amendment, the amendment is rejected.

VOTE ON AMENDMENT NO. 2124

The PRESIDING OFFICER. Under the previous order, there will now be 2 minutes equally divided prior to a vote on amendment No. 2124, offered by the

Senator from Washington, Mrs. MURRAY.

The Senator from Washington.

Mrs. MURRAY. I yield back all time. The PRESIDING OFFICER. Without objection, all time is yielded back.

The question occurs on agreeing to the amendment.

The amendment (No. 2124) was agreed to.

VOTE ON AMENDMENT NO. 2115

The PRESIDING OFFICER. Under the previous order, there will now be 2 minutes equally divided prior to a vote on amendment No. 2115, offered by the Senator from Washington, Mrs. MURRAY, for Mr. BENNET.

Mrs. MURRAY. I yield back all time.

The PRESIDING OFFICER. Without objection, it is so ordered.

The question occurs on agreeing to the amendment.

The amendment (No. 2115) was agreed to.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, this has been a very good day. I appreciate Senators coming to the floor. It has been interesting to hear Senators' differing opinions on some issues, but there is a consensus that runs through this debate, and it runs through the Democratic side as well as the Republican side, which is that we have a consensus about the need to fix No Child Left Behind and we have a consensus about how to do it.

I thank the senior Democrat on the education committee, Senator MURRAY, for her excellent work, and I thank the majority leader and the Democratic leader, who have created an environment here where we can get quite a bit done.

We have continued during the day to agree to a large number of amendments. We have pretty well worked through some of the more contentious amendments we have had to deal with. We expect to have more amendments tomorrow morning before lunch, although it probably will be later tonight, even in the morning, before we have an agreement on how to do that. So we will continue to work toward that.

Let me see if the Senator from Washington has any comments she would like to make.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Let me say to the Senator from Tennessee that his work on this has been really great. We are working hard on both sides of the aisle to get a bill to the President, and this is part of that process. I concur with him that we are working through this, and our hope is to get up some more amendments tomorrow morning. We should be able to announce that later tonight or tomorrow morning.

Again, I thank the chairman of the committee.

## MORNING BUSINESS

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the Senate proceed to a period of morning business, with Senators permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Alabama.

## SANCTUARY CITIES

Mr. SESSIONS. Mr. President, I first want to thank Senator ALEXANDER, and I have a few remarks to make about sanctuary cities and how they threaten the safety of our country.

I am cosponsoring Senator COTTON's amendment to this bill that would withhold Federal law enforcement funds to sanctuary jurisdictions. The amendment, based largely on the provisions of the Michael Davis, Jr. and Danny Oliver in Honor of State and Local Law Enforcement Act, which we introduced a few weeks ago, ensures that jurisdictions that choose to endanger their communities and the public at large by adopting these reckless policies receive no Federal law enforcement funding.

It is a fundamental principle of law enforcement that individuals who are tried in one jurisdiction and who also face charges in other jurisdictions are held and turned over to the next jurisdiction before being released because it becomes an extremely dangerous problem if they are released before charges are disposed of in another jurisdiction. That is being violated deliberately and openly by a number of cities in the country as an act of defiance and disrespect for those traditions of courtesy between Federal and State jurisdictions and even county and city jurisdictions.

Congress has an obligation to ensure that limited taxpayer dollars are not given to those cities and counties that refuse to cooperate with basic Federal law enforcement efforts to remove criminal aliens from the country.

I would like to take a few moments to talk about the life of Kate Steinle. Kate was a 32-year-old young woman who grew up approximately 40 miles east of San Francisco in Pleasanton, CA. She graduated from Amador Valley High School and California Polytechnic State University. She worked as a sales representative for a medical device equipment company and was precisely the type of person every parent aspires for their child to become. Kate's family described her as "loving, smart and beautiful." Kate's brother said that "she was the most wonderful, loving, caring person." Kate's friends described her as an "amazing, very compassionate person" with an infectious smile and the kind of friend who was always there.

Last Wednesday, Kate had plans to visit her brother and his wife in Pleasanton with the hopes of learning whether she would soon have a new

niece or nephew. Before leaving, she spent some time with her father strolling around San Francisco and taking pictures at Pier 14—one of the busiest and most popular tourist destinations in the city.

While on Pier 14 and in broad daylight, Kate was shot to death by an illegal alien. Kate's mother, Liz Sullivan, described the horrific encounter to the San Francisco Chronicle, explaining that Kate just kept saying, "Dad, help me, help me." Kate's father performed CPR until the paramedics arrived and took her to the hospital, where she fought for her life but ultimately passed away.

Her death was at the hands of Francisco Sanchez, an illegal alien with seven felony convictions who had been deported to Mexico at least six separate times, most recently in 2009. According to information obtained by my office, this individual's criminal history includes multiple criminal convictions and lengthy Federal and State prison sentences dating back to 1991, including felony heroin possession, felony manufacture of narcotics, revoked probation, and at least four convictions for illegal reentry after deportation, among others.

In an interview with local media, this individual admitted to shooting Kate. In the same interview, the individual stated that he repeatedly returned to San Francisco because he knew San Francisco was a sanctuary city where he would not be pursued by immigration officials.

Make no mistake—in essence, that is what a sanctuary city is. Not only do they not honor detainers—the basic law enforcement requirement between jurisdictions—but they send a signal that "No matter whether you are legal or illegal, you are safe in our city, and we will do nothing to facilitate your apprehension for violations of law."

Despite this extensive criminal history of approximately six prior deportations and no obligation to release this individual to local custody in San Francisco—a jurisdiction that is known to release illegal immigrants back into the public—Federal authorities turned this individual over to San Francisco on March 26.

I question whether the Federal Government should have ever turned him over to San Francisco. Perhaps they should have deported him on the spot. But, courtesy says, San Francisco indicated they had another criminal charge and they turned him over. The charge apparently was for distribution of a controlled substance. On April 15, for reasons which at this point are unclear, this individual was released from San Francisco County Jail—an action that led directly to the death of Kate Steinle on July 1.

So San Francisco filed a detainer with the Bureau of Prisons, which had this individual in custody, and the Bureau of Prisons dutifully—according to, it appears, normal procedures—turned him over to San Francisco for proc-

essing of San Francisco's criminal charge. Then, the U.S. Immigration and Customs Enforcement, doing its job, filed their detainer with San Francisco in effect saying: San Francisco, when you finish handling this case, he is ours to be deported. Being a sanctuary city, however, San Francisco did not honor it.

Notably, within the same 24-hour period, across the country in another sanctuary jurisdiction—Laredo, TX—Angelica Martinez was brutally murdered with a hammer by her husband, Juan Francisco De Luna Vasquez, an illegal alien. He had been deported from the United States four times. Local police said this was the third violent encounter between this couple and that Vasquez had also had a previous driving-while-intoxicated charge and a charge for evading arrest. As a sanctuary city, Laredo refused to even tell the Department of Homeland Security of the arrest and denied Homeland Security the ability to file a detainer with their jurisdiction. They just denied it.

These cases, colleagues, highlight the tragic and completely avoidable consequences of sanctuary jurisdiction policies. Indeed, if not for sanctuary cities and the Obama administration's continued destruction in other areas of immigration enforcement, Kate and others surely would be alive today. Her death could have been prevented, but the extreme open borders ideology that rejects even the deportation of criminals—that is, people who commit crimes other than the crime of entering the country illegally—led to her death, as it has led to the death of many others.

Although sanctuary jurisdictions are not a recent development, they have been allowed to flourish under this administration. Let me repeat that. This administration has allowed sanctuary cities to flourish. On a few occasions, officials in the government have complained, once about Chicago, Cook County, but no action was ever taken to pressure Cook County to change. The administration has not only refused to stop cities from acting in this way but has emboldened them with this systematic dismantling of immigration enforcement.

In fact, while this administration has taken legal action against State and local jurisdictions that have simply attempted to help the Federal Government enforce our immigration laws, they sued them to block their efforts to enforce the law or help the Federal Government enforce the law—States and counties which have never attempted to deport people, but they have taken efforts when they capture somebody for a crime or for a DUI and find out they are illegally in the country—they would like to be able to turn them over to the Federal Government in some fashion so they can be deported.

This has been resisted by the Federal Government, unfortunately. In 2010,