United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 114th CONGRESS, FIRST SESSION

Vol. 161 WASHINGTON, WEDNESDAY, JULY 8, 2015 *No. 105*

Senate

The Senate met at 10 a.m. and was called to order by the President pro tempore (Mr. HATCH).

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Eternal God, Your mercies endure forever. You continue to protect us with Your loving kindness, putting our enemies to shame. Be a shield for our Senators, preparing them for every challenge and fortifying them for every adversity. Lord, use them to show forth all Your marvelous works, continuing to be their high tower in troubled times. May they not forget to serve all the people, including the oppressed, the marginalized, the lost, the lonely, the last, and the least. Inspire them to live lives that show Your goodness to our Nation and world.

We pray in Your great Name. Amen.

PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER (Mr. COATS). The majority leader is recognized.

EVERY CHILD ACHIEVES ACT

Mr. MCCONNELL. Mr. President, Republicans and Democrats have long agreed that the No Child Left Behind law is broken and needs to be fixed, but the Senate didn't do anything about it for 7 long years, missing its deadlines repeatedly.

The new majority in Congress thought it was time to change that dynamic. We thought it was time for bipartisan action instead. That is why we are taking up the Every Child Achieves Act today. It is bipartisan legislation drafted by a Republican former Education Secretary, Senator ALEXANDER, and a Democratic former preschool teacher, Senator MURRAY. It passed through committee with the support of every single Democrat and every single Republican.

Just think about it. From third rail to unanimous bipartisan support, now that is an impressive achievement. It shows how a functioning committee process and a functioning Senate can, with hard work from Senators such as ALEXANDER and MURRAY, break through the gridlock. It is another encouraging sign for Americans who like what they are seeing from a new Congress that is back to work and back on their side.

The American people know education is an issue that touches almost every single person in our country. They know how critical it is to our children's future and many are upset with an education system in desperate need of reform.

Although No Child Left Behind was well intentioned and laid the ground work for important reform to our education system, it is now clear that some of its requirements have become unachievable. For instance, basically every school is now considered failing under the law, and because the law has become so broken, the administration has found ways to effectively dictate education policy from the executive branch. That is not the right approach for our kids. The White House shouldn't be trying to run your local school board.

The Every Child Achieves Act would put an end to that kind of control from thousands of miles away. It would do so by eliminating onerous Federal mandates and reining in the power of the executive branch so States cannot be coerced into adopting measures such as Common Core.

Instead of more Federal control, the bipartisan Every Child Achieves Act aims to empower teachers, parents, and students to improve education where they live. It would restore responsibility and accountability to States and local school districts. It would give them increased flexibility to design and implement their own education standards and programs. This bipartisan bill would also allow States to develop their own accountability models to include other measures beyond testing to determine student achievement and school quality and to determine the best ways to turn around underperforming schools.

Nothing out of Washington could ever solve all of our education challenges overnight, but the Every Child Achieves Act takes positive steps forward. It recognizes that your local school board shouldn't, in effect, be run from hundreds or even thousands of miles away. It recognizes that States and parents are going to know far more about the needs of their schools and their students than some detached bureaucrat in Washington. There are ideas both parties should support and, in fact, there are ideas both parties just did support unanimously in committee.

If Senators have changes they would like to see in the bill, now is the time for colleagues to work with the bill managers to get their amendments moving. We already have several lined up.

This is a good debate for the country, so let's continue working cooperatively across the aisle to empower States and parents, instead of Federal bureaucrats, to enact the education policies that actually work for their students.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

DEADLINES IGNORED

Mr. REID. Mr. President, one of the legendary Senators who recently retired from the Senate after many years in the House and the Senate, Tom Harkin, if he were here, would be on the floor taking issue with what the Republican leader just said.

Tom Harkin tried very hard to have a reauthorization of the elementary and secondary education bill. Why didn't he get it? Because Republicans blocked us from doing it. So it is nice that my friend the Republican leader comes and talks about all the great things being done in Congress now, but the fact is it could have been done many years ago had we had a little bit of cooperation from the Republicans.

The new Republican majority has ignored upcoming deadlines and neglected to address urgent problems facing our great country. I am saying that—and that is just an understatement. Instead, they have governed through a series of last-minute, manufactured crises that increase uncertainty and impose unnecessary and wasteful costs on our country. In just a few minutes, we are going to debate the education matter, as we should.

But as important as that is, it is extremely important we don't take our eye off the prize. And what is that? Because in just a few months, the government is going to run out of money. Unless we can reach a bipartisan budget agreement, our Nation will be faced with yet another ridiculous and damaging government shutdown.

Now, my Republican colleagues understand what I just said because they are the ones who created the last government shutdown. It was a crushing blow to our economy. Sadly, the only reason we were able to reopen the government is because Democrats voted almost unanimously to reopen the government. Sadly, to just take one example, well over half of the Republicans, about two-thirds of the Republicans in the House, voted to keep the government closed. How about that.

So another government shutdown would be unacceptable. But remember, it has been done before—with joy—by my Republican colleagues. Sequestration is another thing they seem to like.

So having had that as a historical background, we ought to be able to get together, compromise, and reach a bipartisan solution for our country in a timely, responsible way. You would think so.

As happened here before we left for the July 4th recess, there was an effort made to move to the Defense appropriations bill, and that was stopped because we believe that what we need to fund more than defense is we need to fund the whole government. We stand ready to work with Republicans to reach a bipartisan solution. Unfortunately, it seems as if Republican leadership shows no interest in compromise. Democrats have urged them to come to the table now, and they have refused.

Unless we act now, we will be faced with another Republican-imposed crisis at the end of this fiscal year. This should be avoided, and it can be avoided. Don't just take my word for it. There are Republicans in the House who believe the time for games and brinkmanship should be over. The New York Times today reports that high-ranking Republicans in the House are calling for negotiations again now:

Senior House Appropriations Committee members, including the panel's chairman, Representative Harold Rogers of Kentucky, have already told Republican leaders that the time to negotiate a way out of the impasse is now, not in the shadow of a papal visit or a government shutdown on October 1.

There is also in this same article, in the last paragraph, something that is quite important.

''The reality is we still live in a divided government,'' Mr. Cole said.

He is one of the senior Members of the House Republican caucus.

''It's not as if the Democrats can be shut out. . . .''

And we proved that with a vote on the Democratic response to the efforts to move to Defense appropriations. Continuing:

''It's not as if the Democrats can be shut out, but they can't dictate to us any more than we can dictate to them. It's time to sit down and see if we can make a deal.''

We can reach a deal.

So I urge Republicans to follow the leadership of Chairman ROGERS and long-time Representative COLE and work to get this process going now. Let's not wait yet another week. Certainly we shouldn't wait any longer. Let's move forward. Let's not wait until the last minute. Let's not risk another shutdown. Let's sit down and talk to each other and reach a bipartisan budget agreement on behalf of the American people. The President and his people would be happy to be engaged any time on this.

I certainly hope we can move forward and not have another repeat of what the Republicans did to this country just a short time ago and close it down.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

EVERY CHILD ACHIEVES ACT OF 2015

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of S. 1177, which the clerk will now report.

The senior assistant legislative clerk read as follows:

A bill (S. 1177) to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves.

Pending:

Alexander/Murray amendment No. 2089, in the nature of a substitute.

Alexander (for Fischer) amendment No. 2079 (to amendment No. 2089), to ensure local governance of education.

Murray (for Peters) amendment No. 2095 (to amendment No. 2089), to allow local educational agencies to use parent and family engagement funds for financial literacy activities.

Alexander (for Rounds/Udall) amendment No. 2078 (to amendment No. 2089), to require the Secretary of Education and the Secretary of the Interior to conduct a study regarding elementary and secondary education in rural or poverty areas of Indian country.

Murray (for Reed/Cochran) amendment No. 2085 (to amendment No. 2089), to amend the Elementary and Secondary Education Act of 1965 regarding school librarians and effective school library programs.

Murray (for Warner) amendment No. 2086 (to amendment No. 2089), to enable the use of certain State and local administrative funds for fiscal support teams.

Toomey amendment No. 2094 (to amendment No. 2089), to protect our children from convicted pedophiles, child molesters, and other sex offenders infiltrating our schools and from schools ''passing the trash'' helping pedophiles obtain jobs at other schools.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, as the Democratic leader leaves the floor, I thank him again for his cooperation and that of Senator MURRAY of Washington in creating an environment in which we can move ahead on this bill. I greatly appreciate that and so do other Senators. That is demonstrated with the fact that we have had dozens of Senators who have come forward with amendments. Dozens of amendments have been agreed to, and Senator MURRAY and I will be recommending to the full Senate that we adopt those amendments soon.

I wish to take a moment to reflect on what we are doing in the Senate today. We spent a lot of time on national defense issues. The distinguished Senator who is presiding today is a member of our Intelligence Committee. He hears a great deal about ISIS, Iran, and the nuclear deal we might have and about what is going on in Syria and Lebanon, and we want to do our best to be strong militarily so we can defend ourselves in the world. We also want to be strong at home. We want to make sure we have a strong country.

Almost all of us agree that the single most important thing we can do to ensure our future is to make sure our children and our adults continue to develop their educational skills, that they learn what they need to know and be able to do.

I know in my home State of Tennessee we are trying to compete with the whole world. We are making cars, guns, trucks, all sorts of computers, and all sorts of manufactured goods that we sell not only in the United States, but we sell them around the world. You walk into the Nissan plant in Tennessee, which has 7,000 or 8,000 employees today, it is the largest auto plant in North America, the most efficient, and very important to our State. It has helped to raise our family incomes more than almost anything that

has happened there. But 30 or 40 years ago, it would have had 20,000 or 25,000 employees; now it has 7,000 or 8,000. Every one of those employees has to have considerable skills. They have to learn statistics and algebra and to speak English well. They have to learn to work with one another. In other words, they have to do well in schools, and they have to do well in postsecondary education, which is a separate discussion.

So we are talking today on the Senate floor—and the House is talking tomorrow—about what we can do as the Congress to create an environment in which our children can succeed in schools. That is not always on the front pages in Washington, DC, but I can guarantee it is on the front pages at home. It is on the front pages in the rural areas of New Mexico, Indiana, and in the cities of New York and Tennessee because parents care about it, students care about it, and it is about our future.

The Federal Government has a limited role in elementary and secondary education. The bill we are debating today is called the Elementary and Secondary Education Act. It funds only about 4 percent of what the Nation spends on kindergarten through 12th grade. The Federal Government funds another 4 or 5 percent through different programs, but States and local governments fund about 90 percent of what goes on in the schools.

Not only is most of the funding action local, but so is most of the real work—most of the real work. We have 100,000 public schools. We have 50 million children in those schools and 3.5 million teachers. No one is wise enough to know what to do about helping a third grader learn in a native village in Alaska, in the mountains of Tennessee, and in the center of Harlem at the same time. The ones who are closest to the children have the most chance to make a difference. Now, does that mean we have nothing to do here about it? No, I don't think it does. I think education is a national concern. But that doesn't mean it has to be a Federal concern run from Washington and the U.S. Department of Education.

The first President Bush, in 1989, called all the Governors together and established national education goals in math, science, English, history, and geography. But he didn't pass a law about that. He just created a consensus about that, and then he led the country in that direction, first through America 2000, which works State by State and community by community toward those goals. That was in the early 1990s.

That was when we worked together to create higher standards for States. If you are going to have goals, you have to have standards. Where do you get those? Well, Governors worked together to create them—voluntary national standards. Then tests were developed to see how you were doing on the standards—voluntary tests. Then came more choices for parents and then more charter schools, which are public schools in which teachers have more freedom to serve the needs of children presented to them and parents have the opportunity to choose those. Those were the directions the States were going. The States were going in the direction of better teaching, higher standards, and real accountability.

Mainly because of the advantage of age, I happened to have been in the middle of all that. I was Governor when ''A Nation at Risk'' came out in 1983 and Terrel Bell, President Reagan's Secretary of Education, said if a foreign country had done to our schools what we had done, we would consider it an act of war. So Governors went to work on that.

In the mid-1980s, Governors worked together for a whole year to try to get better results, and then throughout the 1990s and then on into the last 10 or 15 years. Now, what has been different about the last 10 or 15 years is that the Federal Government has gotten more involved. In 2001, there was No Child Left Behind. The major contribution of No Child Left Behind was to say that we would like to know how the children are doing—all 50 million of them. So they each were to take a test, two in each year—third grade through the eighth grade, for example, and then again in high school—in reading and math, and then they would take three science tests. Through their career, there were 17 tests.

The testimony before our education committee says those tests should take about 2 hours each. It is not a lot of time. That should be publicly reported, and then you disaggregate those tests by various groups so we can see if we are leaving children behind. Are we leaving the African-American kids behind? Are we leaving the White mountain kids behind? That is information that we need to know as a society.

The bipartisan legislation we are debating on the floor keeps those tests because we need to know those measures of achievement. But what our legislation does that is different is it says we are going to do something different about what we do about the results of those tests. We are going to restore that responsibility to the States, the classroom teachers, the school boards, and to the parents. That is where that belongs, and that has produced a remarkable consensus.

Newsweek magazine said this week that No Child Left Behind is the education law that everybody wants to fix—a remarkable consensus about that. And that is true. We hear it from everyone. But what is even more remarkable is that there is also a consensus about how to fix it. That emerged during our hearings this year, as Senator MURRAY, the Senator from Washington and the senior Democrat on our Senate committee that deals with education, looked at the last two Congresses—as I did—and she said: Well, you know, we haven't done so well. We have broken down the parts and differences. So why don't you and I write a bill—Senator MURRAY and I—and present it to our committee for consideration.

So we did that—a bipartisan bill. Now, our committee is not just any old committee, as the majority leader has said. It has on it some of the most liberal Democrats and some of the most conservative Republicans. So you would think we would have a hard time getting together, but we did pretty well. We listened to each other, and we adjusted our views. We considered a lot of amendments, and we adopted 29. When it came time to decide if we had done well enough to bring it to the floor, the vote was unanimous. Every single Senator voted for that.

So we are in a situation today where we have a chance to succeed. The House of Representatives, apparently, will vote tomorrow on No Child Left Behind—on their version of the bill. If things continue to proceed as they are today, we should finish our work next week. Senator MURRAY and I have stayed in touch with President Obama and Secretary Duncan, and we know that, in the end, if we get a result, we will need to have a Presidential signature. We want a result. We are not here to make a political statement. The lives of the children and the future of our country are too important for that. We are not here to play games. We can do that in other places. We are here to get a result and help move our country forward and do it together.

I see Senator MURRAY is here. So I will conclude my remarks and give her a chance to say whatever she might like to say. I will conclude with these thoughts. One of the questions we hear is: Are the States really prepared to accept this much responsibility?

Now, to a former Governor, such as I am, that is a strange question. I look up at Washington when I am home and I say: Are you prepared to accept all of this? I trust us. I trust the State much more than Washington. But it is a legitimate question. I would answer that, No. 1, States are better prepared today than they were 15 years ago.

I ask unanimous consent to have printed in the RECORD an op-ed from the Washington Post from last weekend written by Anne Holton, the Secretary of Education of Virginia.

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

[From the Washington Post, July 3, 2015]

REVISING—NOT ELIMINATING—TESTS TO MAKE VA. SCHOOLS BETTER

(By Anne Holton)

As the 12-year-old daughter of then-Gov. Linwood Holton Jr., I helped integrate our formerly racially divided public schools here in Virginia. I have spent much of my working life focused on children and families at the margin, with full appreciation of the crucial role education can and must play in helping young people escape poverty and become successful adults.

As Virginia's education secretary, I oversee one of the strongest public education systems in the nation. Our graduation rates are

well above average, and we outperform most other states on the Nation's Report Card. A significant factor in our success has been the Standards of Learning (SOL) accountability system Virginia implemented in the 1990s. The rest of the nation followed in Virginia's footsteps when No Child Left Behind was signed into law in 2001. Virginia led again when we moved several years ago from assessing for minimum competency to our current college- and career-readiness standards, complete with rigorous, high-stakes testing.

Our successes have come with challenges. Parents, educators and students resoundingly tell us that our kids are over-tested and over-stressed. Eight- and 10-year-olds suffer through multi-hour tests that measure their endurance more than their learning. Barely verbal special education students whose individualized education plans are focused on independent living skills are instead drilled incessantly on a handful of facts for a modified SOL exam. Teachers are teaching to the tests. Students' and teachers' love of learning and teaching are sapped.

Most troublesome, Virginia's persistent achievement gaps for low-income students have barely budged. We have done a good job of identifying challenges but have been less successful in addressing them. An unintended consequence of our high-stakes approach is that it is now even harder to recruit and retain strong educators in our high-poverty communities. Many of the best opt instead for schools where demographics guarantee better test scores; too often fine teachers leave the profession.

In Virginia, we are ready to lead the nation again. Last year, Gov. Terry McAuliffe (D) and our General Assembly took bipartisan action to reform the SOLs. We eliminated five end-of-course tests and created an SOL Innovation Committee to recommend further changes. This year—again with strong bipartisan support—we are moving to credit progress and growth more when we evaluate our schools.

The parents, educators, school board members, legislators and business leaders on the Innovation Committee are looking more broadly at what our graduates need for success as citizens and workers in the 21st century and at how we can best guide our schools toward those outcomes. Business leaders tell us they need students with skills such as oral communication, teamwork and problem-solving as much as substantive knowledge. As we work to grow and diversify our economy, our Innovation Committee is looking at how our schools can better meet those needs.

This approach will probably generate even bolder proposals. Strong accountability will continue to be a hallmark of our system, but we have faith that, as has been said, ''Responsibility and delight can coexist.''

Students need congressional leaders to follow Virginia's example of bipartisanship to enact common-sense changes to federal education laws now. Those changes should focus on enabling local and state educators to prepare every child for success as adults and inspire and encourage states. But they also should leave us sufficient flexibility to improve our accountability systems, reintroduce creativity into the classroom and better address persistent achievement gaps.

Thankfully, leaders on Capitol Hill are also hearing calls for reform. Sens. Lamar Alexander (R–Tenn.) and Patty Murray (D–Wash.) have co-sponsored legislation to reauthorize No Child Left Behind. Republicans and Democrats on the Senate Education Committee voted—unanimously—to send it to the full Senate for consideration; it is expected to be taken up soon. The same spirit of bipartisanship was demonstrated in the House recently when Reps. Bobby Scott (D-Va.) and Richard Hanna (R–N.Y.) introduced legislation to improve early learning. I encourage every member of Congress to set aside partisan concerns, find commonalities and take action this year to fix No Child Left Behind so that we can move all our children forward on the road to success.

Mr. ALEXANDER. Ms. Holton started out in a very prominent Republican family in Virginia, and she ended up in a very prominent Democratic family in Virginia. But as she points out in her remarks, their work in education is bipartisan. She makes the point about how much progress Virginia has made in terms of goals, standards, accountability, and testing. It is very impressive, and most States can say the same.

What has happened in the last 15 years is that Governors, school leaders, educators, and parents have worked together and created standards, tests, and now accountability systems. In other words, what do you do if things aren't working out the way they should?

Second, we have seen the limits of the Federal Government trying to do it. I think President George W. Bush and President Obama deserve credit for looking at our Nation and seeing this is an urgent problem and wanting to do more from here. That is an understandable impulse. But there are limits to what you can do from here. We have seen that in the backlash to common core—the academic standard which was incentivized or mandated from Washington. We have seen that in the backlash to teacher evaluation defined in Washington.

The truth is that too much Washington involvement in setting standards in States and evaluating teachers in cities sets back teacher evaluation and higher standards, which to me are the holy grail of K-through-12 education. The path to higher standards, the path to better teaching, the path to real accountability is not through Washington, DC. It is through the States.

We can create an environment, we can make sure there is not discrimination, and we can send some money that will help low-income children. All those things we can do. But then we need to show some humility and recognize, as Carol Burris, Principal of the Year from New York, said: Moms and pops, teachers, and school board members cherish their children in their own communities, and you don't really get that much wiser and smarter by flying to Washington and passing a law.

So this bill shows that humility. It shows a consensus. It is a good example of how the Senate can work together on an important issue. As I said, I am grateful to the majority leader for putting it on the floor. He had many choices, but he saw the importance of it. I am grateful to the Democratic leader for some work he has done behind the scenes to make it easier for us to succeed. I thank Senator REID for that. And I am especially grateful to Senator MURRAY for caring about children and her prestigious leadership on this.

We are moving well on amendments. I would encourage any Senator with another amendment to come to the floor quickly and let us know about it, because other Senators have—and Senator MURRAY and I have agreed on—a large number of amendments already that we are going to recommend the Senate adopt by consent. We will have a vote probably around noon. We will vote again this afternoon and again tomorrow morning. We want to finish as quickly as possible.

Hopefully, the House will succeed, and we will put our bills together and present the President with a bill he can sign, and we will fix No Child Left Behind, which is the bill Newsweek magazine said is the education law that everybody wants to fix.

I yield the floor.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Mr. President, again, I really want to thank my colleague, the senior Senator from Tennessee, for working with me on this bipartisan bill. Senator ALEXANDER and I are both committed to fixing the current law known as No Child Left Behind.

I am glad we are having this very important debate on the Senate Floor. Nearly everyone agrees that No Child Left Behind is badly broken. As I have traveled around my home State of Washington over the past decade, I have heard from so many of my constituents—from teachers in the classroom to moms in the grocery store to tech company CEOs—that we have to fix this law.

Our bipartisan bill, the Every Child Achieves Act, is a good step in the right direction. It gives our States more flexibility while also including Federal guardrails to make sure all students do have access to a quality public education. I am looking forward to improving and strengthening this bill throughout the process on the Senate floor and beyond. I am going to continue working on helping our struggling schools get the resources they need, and I will be focused on making sure all our kids, especially our most vulnerable students, are able to learn and grow and thrive in the classroom.

This bill could not be more important for students across the country, and it is critical for the future of our Nation. When all students have the chance to learn, we strengthen our future workforce, our country grows stronger, and we empower the next generation of Americans to lead the world. So I am looking forward to getting to work and hopefully moving forward on fixing No Child Left Behind and making sure all of our students can learn regardless of where they live or how they learn or how much money their parents earn.

I join with Senator ALEXANDER in encouraging our colleagues to file their amendments so that we can continue making progress on this very important piece of legislation.

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.

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 rise today to urge my colleagues to support the Hirono-Heller amendment No. 2109, which deals with Asian American and Pacific Islander, or AAPI, student data.

AAPIs are the fastest growing population in the United States, but it is important to highlight that we are not all the same. I know this from my personal experience.

Just a few months ago, I attended the White House state dinner for Japanese Prime Minister Abe. The next day, there was a nice photo in the Washington Post with a caption that said, ''Senator MAZIE HIRONO and her guest''—except it wasn't me. It was actually my good friend Congresswoman DORIS MATSUI of California.

In my time in Congress, I have often been mistaken for other AAPI members. Just a few months ago, during the budget debate, when I was on the floor of the Senate, C–SPAN identified me as Senator Daniel K. Inouye. I have been mistaken for JUDY CHU, who is Chinese, and others. I may be the only AAPI in the Senate right now, but we are not all the same. We come from different places and have vastly different backgrounds that make us who we are today.

The same is true in education. Our current law and the Every Child Achieves Act use the broad ''Asian Americans/Pacific Islander'' category to cover all AAPIs. This AAPI group includes Chinese, Japanese, Vietnamese, Asian Indian, Filipino, Korean, Native Hawaiian, Samoan, and others.

When we look at averages, the AAPI group does very well overall, but in fact there is a model minority myth. The current AAPI category hides big achievement gaps between subgroups. For example, 72 percent of Asian Indian adults have a bachelor's degree or higher, but only 26 percent of Vietnamese adults do, and only 14 percent of Hmong adults do. This adult data comes from the 2010 census. But we don't have data on how AAPI children are doing.

The Hirono-Heller amendment is simple. Today, we already have public report cards on how students in different groups are doing. Parents can look up a school district online and see what percentage of its White or Hispanic students are scoring well in reading or math. With our amendment, districts with large populations of AAPI students will simply add a piece onto their report cards to show how AAPI subgroups are doing. Our amendment uses the same 11 categories as the census. Parents are familiar with it because they filled out the census information just a few years ago.

The Hirono-Heller amendment is a bipartisan compromise. Our amendment would only apply to large school districts with over 1,000 AAPI students. Let me be clear—not districts with 1,000 students total but districts with 1,000 AAPI students. Currently, that is only about 400 school districts out of more than 16,000 school districts nationwide. Less than 3 percent of school districts would have to do anything at all. These districts should want to know how their students are doing so they can help all students succeed.

Currently, the following States would not be affected at all by our amendment: Delaware, Maine, Mississippi, Montana, New Hampshire, North Dakota, South Dakota, Vermont, West Virginia, and Wyoming.

I have heard concerns that adding this AAPI data would be overly burdensome. The bill we are considering today already adds new reporting on military-connected student achievement. Districts can update their data systems to add checkboxes for military-connected children and AAPI children at the same time. This is not overly burdensome. Just as we are adding a new field to cover military-connected students, adding new fields that include AAPI subgroups will be just upgrading the software schools use.

In fact, the Hawaii Department of Education, DOE, is a national leader in using AAPI data. Hawaii DOE collects AAPI data on student registration forms. They easily put the data in their computer systems, which all staff can access. Having AAPI subgroup data is helpful for Hawaii's school administrators and policymakers, who analyze achievement gaps in college and career readiness, set statewide strategy, and then hire staff and target extra help to the highest need students. Hawaii DOE also shares the data with the University of Hawaii system to collaborate on student outcomes, such as credit completion and reducing remedial ed.

Principals who learn that a certain AAPI subgroup is doing poorly in their own school can choose to hire more staff for outreach to that community or can partner with community groups on afterschool programs, et cetera. Teachers can spend more time on parent outreach to help high-need students in their classroom. That is why the Hirono-Heller amendment has the support of the National Association of Elementary School Principals, the National Association of Secondary School Principals, and the National Education Association.

Districts in North Carolina, California, Washington, and others are doing similar work. Other districts around the country can make the appropriate changes to their systems. There are automatic software updates for student data systems that can add new data fields.

It is important to share the data publicly. Community groups can highlight best practices among schools that serve their students well and encourage other schools to improve. Parents deserve to have this data, too.

In the coming days, we will be discussing traditional public schools, public charter schools, and private schools. No matter where you stand on these issues, parents deserve to know how their schools are serving the needs of their kids so they can best help their children succeed.

Our amendment is endorsed also by school choice advocates such as the National Association of Public Charter Schools.

Just like current law in the broader ESEA bill we are discussing, there is no reporting if a subgroup is too small to maintain student privacy.

Our amendment was carefully crafted with the support of the National Coalition of Asians and Pacific Americans, the Mexican American Legal Defense and Education Fund, National Council of La Raza, the NAACP, and over 100 other civil rights, educators, and women's groups and the disability community. They worked together very closely on the language and agreed that data disaggregation for AAPI subgroups is a top priority.

AAPI groups across the country are making their choices heard by posting photos of why they are more than just a large Asian population. They are posting these pictures on Tumbler, Twitter, and Facebook. In fact, I saw one of those postings where students were holding up placards that say: I am AAPI, but I am also Japanese. I am AAPI, but I am also Korean.

Join them at hashtag ''All Students Count.''

I thank Senator HELLER and his staff for their support and hard work on this bipartisan compromise bill. I also thank Senator REID of Nevada, Senator BALDWIN, Senator BOXER, Senator CANTWELL, Senator CASEY, Senator FEINSTEIN, Senator FRANKEN, Senator MARKEY, and Senator SCHATZ for cosponsoring my stand-alone bill, the All Students Count Act, which goes further than this amendment we will be voting on today.

I urge my colleagues to support this amendment because, in fact, all students count.

I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the time until 12 noon be equally divided between the two managers or their designees; further, that at 12 noon, the Senate vote on the following amendments, with no second-degree amendments in order to any of the amendments prior to the votes: Reed amendment No. 2085 on school libraries; Warner amendment No. 2086 on fiscal support teams; and Rounds amendment No. 2078 on education in Indian Country study.

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

Mr. ALEXANDER. For the information of all Senators, we expect to need a rollcall vote on the Reed amendment, and the Warner and Rounds amendments will be adopted by voice vote.

Mr. President, 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. BARRASSO. 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. BARRASSO. Mr. President, I ask unanimous consent to speak as in morning business.

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

NUCLEAR AGREEMENT WITH IRAN

Mr. BARRASSO. Mr. President, the deadline for negotiators to strike a deal with Iran on its illicit nuclear program has been extended yet again. The deadline was June 30. It was postponed until Tuesday, and that was put off again for a few more days.

According to the Wall Street Journal, the chief negotiator said:

> We are continuing to negotiate for the next couple of days. That does not mean we are extending our deadlines, we are interpreting [the deadline] in a flexible way.

What does that mean? You either have a deadline or you don't have a deadline.

By the end of the week, the White House could announce that it has struck a deal or it could say once again it needs more time. If there is a deal, Congress will need to look very closely and carefully at what it actually says.

There are some important things that I will be looking for in any agreement that is struck. First and foremost, any deal is going to have to dismantle Iran's nuclear weapons program. It is going to have to prevent Iran from ever developing a path to a nuclear weapon. It is going to have to ensure that Iran completely discloses its past work on nuclear weapons. Iran is also going to have to submit to an inspection and verification regime that is both extensive and long term—not just inspections when the Iranians want it, when they allow it, or where they say it can occur. That is the only way we can really confirm that Iran's promises are more than empty words.

America and other countries should not suspend sanctions until all of these conditions are met. So far, I have not seen much to indicate that our negotiators understand how important these goals are.

There appear to be a lot of questions that have not been resolved and a lot of foot-dragging by Iran to try to get additional concessions.

On Sunday, Secretary of State John Kerry said: ''We're aiming to try to finish this in the timeframe that we've set out.'' Well, that timeframe was 7 months ago, in November of last year. The Obama administration said it had reached what it called an interim agreement in November of 2013, and it said that it had a deadline of 1 year to reach a final agreement. That would have been November of 2014. When November 2014 came along, Iran got 6 more months to bully this administration into giving up even more ground.

The deadline has been pushed back time and time again. According to news reports today, it may be pushed back even further.

The Obama administration started negotiating with Iran more than 5 years ago. In 2009, President Obama said that we ''will not continue to negotiate indefinitely'' with Iran specifically. Secretary of State Hillary Clinton said that same year that the window of opportunity for Iran would ''not remain open indefinitely.'' I would love to know what their definition of the word ''indefinitely'' is.

I think these missed deadlines are embarrassing for the Obama administration. The administration's willingness to keep extending the talks make it look desperate. You know what. The Iranians know it. That is a big problem.

Iran is now demanding that the arms embargo be lifted as part of the negotiations. This recent last-minute demand shows that Iran knows how desperately eager President Obama is for a deal, any deal. This issue was supposed to have been settled already. In April, the White House said that ''important restrictions on conventional arms and ballistic missiles'' will be a part of any final agreement. Now Iran is seeing that the President and Secretary Kerry are desperate for an agreement to build their legacy, so it is bringing up the arms embargo again.

According to news reports, our negotiators have been willing to make a lot of concessions to get any deal. There was an article recently in the Washington Post about the negotiations. The headline was ''In final hours, Kerry says Iran talks can go either way.'' The article said that negotiators have ''a general feeling that they have come too far to fail.''

I want to be clear. Walking away from these negotiations without a deal is not a failure. Failure would be signing a bad deal. Failure would be lifting sanctions before Iran has shown that it has begun dismantling its nuclear program. Failure would be a deal that does not automatically reinstate sanctions if it turns out Iran is not complying with the deal. Failure would be a deal that allows any money Iran gets from sanctions relief to end up continuing to support terrorism, which Iran does. Failure would be a world that is a much more dangerous place for all of us.

So far it seems as if this administration is willing to make a deal at any cost. We have seen one point after another where the administration has apparently agreed to give the Iranians exactly whatever they want. The negotiations went from initially being about stopping Iran's nuclear program to now being an attempt to delay or to manage Iran's nuclear program.

Even before the June 30 deadline passed, Senator MENENDEZ said: ''For me, the trend lines of the Iran talks are deeply worrying; our red lines have turned into green lights.''

That is from a Democratic Senator. It was that kind of concern that led Congress—this Senate—to pass a law in May saying that Congress would be able to review any deal with Iran before the Obama administration could lift sanctions. Remember, the Obama administration fought that law—a law with a bipartisan, veto-proof majority in this body. The President didn't want Congress or the American people to have any say at all. Actually, the White House said they were planning to go directly to the Security Council of the United Nations before going to the elected representatives of the people of the United States.

Any deal with Iran on its nuclear program would have a huge effect on our security, and the American people do get a say. If somehow the administration manages to strike a deal and it sends over all the necessary materials, Congress—if it is done today—will get 30 days to review it. That is time we can use to make sure it really is in our country's best interest. If the administration can't get us the full text of an agreement before this Friday, the timeline jumps up to 60 days to review it. That is what we said in the law we passed in a bipartisan way this spring.

If our negotiators can reach a deal with Iran, whenever that happens, Congress will use the time to look very closely at every word. If our negotiators can reach a deal with Iran, whenever that happens, Congress will make sure that we look at every word and know what is in it. The goal—the entire reason we are having these negotiations—is not just to get Iran to say yes to something; the goal initially was and should remain to stop Iran's illicit nuclear program.

If the Obama administration allows Iran to continue with that program, the world will be less safe, less stable, and less secure. Any agreement our negotiators come up with must be accountable, must be enforceable, and must be verifiable. If that is not the case, then it is a bad deal, and the Obama administration must not strike a bad deal with Iran. This Nation and the world cannot afford that, and Congress cannot allow it.

Mr. President, I ask unanimous consent that the quorum call be equally divided.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. BARRASSO. I thank the Presiding Officer, and 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. BENNET. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. LANKFORD). Without objection, it is so ordered.

Mr. BENNET. Mr. President, we are here today to consider the Elementary and Secondary Education Act, the bill that has been known for years as No Child Left Behind. It is a bill the Congress was supposed to reauthorize more than 7 years ago.

When school kids come to visit me in my office here, I often ask them: What would happen if you showed up and were told that your homework was 7 or 8 years late? That is how long it has taken us to get to this place.

As the Presiding Officer may know, before I came to the Senate, I had the honor of being the superintendent of the Denver Public Schools district, which now has 95,000 children in it, 67 percent of whom qualify for free and reduced lunch.

I should note that we got some sad news in the last month or two. For the first time in our country's history—for the first time in the history of the United States—over half of the children attending public schools in our country qualify for free and reduced lunch. That is due to two decades of stagnant middle-class family incomes and the effect of the worst recession since the Great Depression.

What people in Washington need to understand is that when it comes to education in this country right now, our kids don't have a fair fight, especially our kids living in poverty. If you were born poor in the United States of America, you will have heard 30 million fewer words than your more affluent peers when you show up for kindergarten. Ask any kindergarten teacher in the country whether that makes a difference, and they will tell you it does.

What are we doing as a country to fill that gap? Not much. By the time kids get to elementary school—their early years—only one out of five is reading proficiently of the kids who were born poor and 20 percent are reading at grade level. Ask any middle or high school teacher whether that is going to make a difference when that child gets to middle school or high school.

Where does it end in the land of opportunity for kids who are born into poverty in this country? If you are born poor in the United States of America, your chances of getting a college degree, or the equivalent of a college degree, is 9 in 100, which means—in this global economy of ours—that every year becomes less and less forgiving to people who have less of an education. And 91 out of 100 of our kids are going to be constrained to the margin of the economy and the margin of the democracy from the very outset.

There are 100 desks in this room. There are 100 chairs in this room. If we weren't the Senate but instead kids born into poverty in this country, not even those three rows of desks over there in that corner would represent people graduating from college. Everybody else in this room would not have the benefit of a college degree. We would never accept those odds for our own children. The people in the Senate would never ever accept those odds for our own children. If our kids faced the odds of showing up to kindergarten having heard 30 million fewer words than their peers and if you knew it was assured that your child had a 20-percent chance of reading at grade level when they got to elementary school, I guarantee you would leave this place. You would leave the Senate, and you would go home and address the problem.

But when it comes to public education—especially when it comes to our kids who are living in poverty in this country—we stop treating them as if they were our kids. We are treating them as if they were someone else's kids. We are leaving it to luck as to whether a kid can fill that 30-million-word gap.

I am sure the Presiding Officer knows this. There are entire cities in this country and rural areas in this country where school choice would be meaningless because there is not a good school to choose from. There is not a school in the neighborhood or in the city that anybody in this body would send their kid to. That is where we are.

Over the last decade or so, we made progress in many places across the country. The Denver Public Schools is one of those places. It is the fastest growing urban school district in the United States.

In 2005, the kids who attended Denver Public Schools were dead last in terms of student growth compared to any school district of any size in the State of Colorado. For the last 3 years Denver Public Schools has led the State in terms of its student growth, both for kids who receive free and reduced lunch and kids who do not receive free and reduced lunch. Thirty percent more kids graduated and went to college this year than in 2005.

Now, I am the first to say that we have a long, long way to go in Denver to make sure that the ZIP Code you are born into doesn't determine the educational outcome you get, but we are making substantial progress. And I say that if we could say as a country that every single urban school district since 2005 showed a 30-percent increase in kids going to college, we would be feeling a lot better about where we are headed.

There is a lot of debate in this body about what tax policy ought to be and whether we ought to think about redistributing wealth and who should pay what share of taxes. Some people view it as everything ought to be decided out there by the market. I understand that point of view. But if that is your point of view, you better be doing everything you can to be sure that every single kid in the country has an excellent shot at an education, because if you don't, then you are basically saying, if you have the bad luck to be born to a poor family in this country, you are on your own. You are on your own, and you have a 9-in-100 chance of getting a degree that is actually going to allow you to compete in the global economy.

One thing I know about kids who are born in this country, they don't get to pick who their parents are. They don't get to decide whether they are born into a ZIP Code that is going to fill that 30-million-word gap by the time they get to kindergarten or that is going to give them excellent school choices or that will allow them to go to college.

Today, while we are not talking about higher education, this is very much a part of this K–12 conundrum because college has become harder and harder to afford, even at a time when it is much more important for people to succeed.

I saw some data the other day that said that for the average cost of tuition in this country, the average cost of college, a family in the bottom quartile of income earners, after you account for student loans, grants, and student aid, would have to consume 85 percent of their income to afford 1 year of college; whereas, if you are in the top quartile, it will cost you 15 percent of your income. Is that fair? It didn't used to be this way. In the 1970s, it wasn't this way. In the 1970s, a Pell grant covered 76 percent of what it cost to go to the average college in this country. We are rolling up the carpet on the next generation of Americans, and I don't think it is fair. I don't think it is right.

We should be having a debate about the size and scope of government. I believe that. We should have that debate. But as we are having that debate, we should keep in mind that we have an obligation to fulfill to honor the obligation our parents and grandparents fulfilled for us, which is to make sure that if you were willing to work hard, if you were willing to study hard, that college was going to be something that was attainable and it wasn't going to strangle you in debt.

Too many families across Colorado are facing this challenge, and the saddest thing I hear in my town is when somebody comes and says: We can't afford to send our kids to the best college they got into. What a waste that is—what a waste for that student, what a waste for our society. So there is more for us to do on college affordability.

But today we are talking about the Elementary and Secondary Education Act. I think we actually make substantial progress in this bill. I want to say how pleased I am with the leadership of Chairman ALEXANDER and the ranking member PATTY MURRAY. They have done an exceptional job of managing this bill through our committee.

We have a very diverse committee. We have the junior Senator from

Vermont on the committee and we have the junior Senator from Kentucky on the committee, and because of Chairman ALEXANDER's leadership and the work and leadership of the ranking member Senator MURRAY, the bill actually passed out of the committee unanimously. Imagine that—around this place, where we can't even agree on how to publish a report or what time we should come to work, we have a committee in the U.S. Congress where Republicans and Democrats unanimously agreed on a bill. Let me tell you, it wasn't easy. If it were easy, we would have done it on time. We would have done it 8 years ago when we were supposed to do it—when our homework was due—but I suppose it is better late than never, and I am very pleased with the product.

There is more I would like to add, but I think—I know the teachers, principals, and school leaders across Colorado need us to fix No Child Left Behind, and I hope we can finally get it done this time.

This bill is a good starting point. It eliminates NCLB's one-size-fits-all approach to education, which we know will not work, and it re-empowers those who are closest to our kids to make the decisions that need to be made for their benefit. This bill includes many key elements. Importantly, it includes the requirement for annual assessment. I know testing is not popular. I have three kids in the Denver Public Schools. My three daughters go to those schools. I get an annual report on what the testing looks like. I believe we are overtesting our kids, but I don't think that is because of the Federal requirement.

I see the Senator from Tennessee.

Does the Senator want to speak?

Mr. ALEXANDER. Just listening.

Mr. BENNET. Thank you, Mr. Chairman.

I think there is a lot we can do to streamline those tests, but it is not the Federal requirement that is causing it, it is the way the Federal requirement works with State assessments and district assessments, and we have to do a better job. I also think we ought to think differently about the testing we are doing for teaching and learning, which needs to be continuous, ongoing, and inform a teacher's instruction and inform the principal's leadership at the school.

The testing that is done for accountability should be a lot less. We heard testimony from the superintendent of the Denver Public Schools, Tom Boasberg, who told us he thought that for accountability purposes, probably all we need is 4 hours a year in reading and math. I know the Bennet girls would settle for that. They would agree with that. They would do that deal. But until somebody comes up with a better way of measuring where kids are, we need the annual assessments. We have to have them because it is the only way you can show growth.

When No Child Left Behind started, it asked and answered a completely irrelevant question—a question that was so frustrating to the teachers I knew in the Denver Public Schools and to our principals. It asked: How did this year's fourth graders do compared to last year's fourth graders? This is a completely irrelevant question.

Today, because of the work that has been done in Colorado leading the way, States all over the country now measure the growth of kids. What we ask is, How did this year's sixth graders do compared to how they did as fifth graders, compared to how they did as fourth graders, and compared to everybody else in the State who has a statistically similar test history? Why is that important? Because it allows you to establish growth or show growth. Then one can actually evaluate how well a school is doing, because it used to be in No Child Left Behind, under adequate yearly progress—which asked that long question of how did this year's fourth graders do compared to last year's fourth graders—it used to be we measured what was called status: How proficient were the kids, how lucky were those kids. You might have a school where kids were proficient but were actually losing ground in terms of academic proficiency, and we were rewarding those schools. We were calling those schools blue ribbon schools. There were also schools in poorer parts of town where teachers were killing themselves, students were killing themselves, and they weren't proficient because they started so far behind, but they were getting more than a grade level or two grade levels of increased proficiency during the course of the year. Do you know what those schools were called under No Child Left Behind? Those schools were called failing schools. We called those teachers failing teachers. We called those students failing students, those who were achieving 2 years of growth. Their more affluent peers might have been losing ground, and we were saying they were winners. We have moved past that. This bill now acknowledges that. I wish this bill required growth—which it doesn't—but I believe States and districts will use growth to measure data.

The bill also continues to require that States and districts disaggregate data so we can actually understand where kids are. That is really important. Before No Child Left Behind existed, we had absolutely no idea. Now we know. The hard truth is that kids of color in this country aren't doing nearly as well as Anglo kids in this country. Kids living in poverty aren't doing nearly as well as their middle-class or more affluent peers. We need to do better.

I run into people periodically who say to me that you can't fix it unless you fix poverty. You can't fix the education system unless you fix poverty. Don't tell kids in my city who are living in poverty that that is true. Outside of every one of our schools it says ''school.'' It doesn't say ''orphanage.'' It says ''school.'' We need to make sure every one of those schools is delivering for every kid in our community, no matter where they come from. Otherwise, what is left of us? What is left of this land of opportunity?

Before No Child Left Behind existed, we had an impression, a vague sense of the inequities in our educational system. Now we understand how deep they are, how rooted they are, and we have to continue to build on the successes we have seen in high-quality schools working in poor neighborhoods that have actually delivered for kids all over the country.

This new bill—and I see the Senator from Texas is here and I will yield to him as soon as he is ready.

The new version of the Elementary and Secondary Education Act importantly empowers States to design their accountability systems, giving them more flexibility while ensuring that essential information is included. I think that is an important recognition, led by Chairman ALEXANDER, that there was a real overreach in No Child Left Behind.

As a former school superintendent, I can say I used to wonder all the time why Washington was so mean to our teachers and to our kids. What I have realized since coming here is that it is not that everybody here is mean. They mean well. But this place is the farthest place in the universe—I mean that literally, I don't mean that figuratively—this is the farthest place in the universe from a classroom in the Denver Public Schools or a classroom anywhere in this country, and I think No Child Left Behind in many ways was an overreach. The last thing I want to be told as a superintendent is how to do my work in Denver. I want to insist that we do the work. I want to insist that children all over this country have a chance, no matter what State they are born into, no matter what neighborhood they are born into, but I don't want people here telling people how to do that work. There is a distinction.

I have more to say about this, but I see my friend from Texas is here, so I will yield to him. Before I do, I just congratulate the chairman of the committee who is here on the floor, Senator ALEXANDER from Tennessee, for his extraordinary leadership on this bill.

Again, I remind my colleagues who are listening to this, what a rare—rare—occurrence this is. This is a bill that passed unanimously out of the Health, Education, Labor and Pensions Committee, and that would not have happened without the leadership of Senator LAMAR ALEXANDER and Senator MURRAY, the Senator from Washington.

The PRESIDING OFFICER. The majority whip.

Mr. CORNYN. Mr. President, I thank the Senator from Colorado for his graciousness. I come to the floor to speak about this important topic of early elementary education.

I recall that when President George W. Bush was Governor of Texas—of course, education was one of his biggest priorities both at the State and the national level when he became President. He had an interesting observation. He said the more you talk about education, the more people realize you actually care about it. So I actually think it is important to talk about it, that we think our way through this legislation and figure out what we can do to equip our children who are increasingly in a competitive environment, not only locally in our States and Nation but globally.

One of the real joys of the job of a U.S. Senator is getting to visit with students in our State, and I did so last week when I was back home. I met with a group of middle-school students in Amarillo, way up in the Texas Panhandle, at the tail end of a camp teaching students valuable skills in science, technology, engineering, and math, the so-called STEM fields. I was very impressed with what I saw. First of all, the instructors found out how to make this fun, which is an important element in this education because some of this stuff can be pretty dry and boring, if my memory serves me correctly. They were literally building robots, and then they presented their final projects to parents and teachers in a friendly competition. Needless to say, I wish I had that kind of instruction. Maybe I wouldn't have veered into the legal profession. I would have done something more productive in a field of science. I am saying that with a tongue planted firmly in cheek, of course. But I wish I had instructors who would have inspired me to learn more about those important topics by using these sorts of tools.

I also previously visited, for example, United High School in Laredo, where I was able to meet with high school students who were taking part in a first-of-its-kind program that teaches curriculum specific to the oil and gas industry in the region. Why is that? Well, because the shale plays in Texas are the source—the reservoirs really—this huge volume of oil and natural gas is being produced from. Lo and behold, it is not just producing income for the people who are drilling those wells and completing them, it is creating a lot of jobs. What these students and the school districts, such as United High School in Laredo, have discovered is that this is really an opportunity for these students in high school to begin to learn some of the basics of petroleum engineering and other things that will prepare them for good, well-paying jobs later in life.

This program included internships, training, and dual-credit courses at a local community college. These students were going to high school, but they were actually getting college credit at the same time at the local community college. Of course, they were getting real-world skills that they need to succeed in a burgeoning industry once they graduate. Importantly, graduates from the program will have, as I said, access to high-paying, good jobs right out of high school, which, unfortunately, the history has been in Laredo, TX, in South Texas, that that hasn't always been the case.

So this is a very hopeful development, thanks to the innovation in the oil and gas industry and thanks to the foresight and the genius, really, of the local school district there in Laredo, TX.

This is a great example of how local communities and the economy can work to shape education and provide a win-win opportunity for students, local industries, and the greater community. United High School was able to create this program because it had the freedom and flexibility to develop its own curriculum with tailored input from local leaders, teachers, parents, and industry leaders—the people who create jobs and who are looking for people with discrete skills that they would then bring to the table to provide the workforce they need.

This groundbreaking program in Laredo was not thought up here in Washington, DC. It is a product of local ingenuity and a community response to the educational needs specific to its students. I think this type of mindset is very important in education because, as we have learned over the years, the bureaucracy in Washington can't tailor programs that will suit the needs of children in a wide variety of school districts across our States and across the country—not in Laredo, not in Amarillo, and not anywhere else in the country.

That is why I am happy this week that the Senate is considering legislation that will help return a large measure of the responsibility for our children's education to those closest to them—their parents, their teachers, the local school boards—and not so much the Federal Government. The Federal Government does have an interest and we as Americans all have an interest in being able to compete in a global environment and in high standards, those that will cause our students to strive to attain skills that they can use to compete anywhere in the world. But in terms of its actual implementation, I am pleased that this legislation will push more of those decisions out of Washington and back home to local school districts and parents.

This legislation is, of course, called the Every Child Achieves Act. It provides a roadmap to ensure that our children receive and retain a quality education. By giving the responsibility for actually implementing programs that will help students achieve these high standards—it will give each State and the districts the flexibility they need to design and implement their education programs and systems.

This is really sort of another application of what Louis Brandeis called the ''laboratories of democracy'' when he was referring to the State government. I think he was referring to that important principle of our Constitution known as federalism, as ensconced in the 10th amendment in particular.

There is an irreplaceable role that the Federal Government plays in some aspects of our life. National security is perhaps the preeminent one. But there is a lot of benefit to getting some experiments at the State level, and then we can learn without imposing a one-size-fits-all approach from Washington, DC. What works best? Then we can then learn and be informed by those practices in a way that improves the result. I am thinking of criminal justice reform as another example in my State, where we were an early participant in prison reform, which now has formed some of the basis for bipartisan legislation that we are considering here in the Senate.

Because of the successful laboratory experiments back in Texas and Rhode Island and other States, we are now taking those best practices and those results and figuring out how we apply those to the benefit of other parts of the country.

Under this legislation, States such as Texas can decide how to use federally mandated test results to assess performance of students, schools, and teachers. This gives the States much needed relief from pressure to teach to the test—something I hear over and over again back home, that teachers are finding that rather than a program where they teach STEM subjects using robots and inspire young, creative minds to engage and learn the science they need in order to play these sorts of games in a competition with robots, teachers are finding themselves in a position of teaching to the test in sort of a mind-numbing process that nobody would find particularly inspiring. So this takes some pressure from that teach-to-the-test mentality and also gives States additional freedom to provide students with a well-rounded education.

Put simply, with this legislation, States can decide for themselves what standards they need to adopt, and, importantly, this legislation limits the power of the Secretary of Education to ensure that the Federal Government cannot dictate, direct, or control State curriculum or standards.

How insulting is it to have the States come on bended knee to the Secretary of Education and ask: Will you please let us have a waiver so we can try this creative or innovative way of delivering an education to our students back home? How insulting is that and how contrary to the original scheme of our government as created by our Founders.

So this bill, which was unanimously passed out of committee—and I congratulate the chairman, Senator ALEXANDER, and the ranking member, Senator MURRAY, and all members of the Health, Education, Labor and Pensions Committee for voting out this bill unanimously. This is a great bipartisan

process which has produced a very good product. It is also just one of more than 150 bills reported out of Senate committees so far this year—another sign that the Senate is back to work for the American people.

I look forward to continuing the great progress we have made in this Senate by getting real education reform passed soon.

I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

AMENDMENT NO. 2085

Mr. REED. Mr. President, I come to the floor today to urge all of my colleagues to support the Reed-Cochran amendment to encourage States and school districts to integrate school library programs into their plans for improving student academic achievement.

I would first like to thank Senator COCHRAN for his longstanding partnership in supporting school libraries. He has been a steadfast champion for ensuring that students have access to these vital resources.

Fifty years ago, when President Lyndon Johnson urged Congress to enact what would become the Elementary and Secondary Education Act, he specifically called for an investment in school libraries, saying that school libraries were simply ''limping along'' and insisting that we do better. Sadly, this ''limping along'' is still true for too many communities in our United States.

This spring, the Washington Post ran articles on the inequitable access to school libraries in public schools in our Nation's Capital, reporting that one school library in a wealthy part of town had 28,000 books in a library that spanned two floors, while 12 miles away, in a school in a poorer part of the town, the school library had only 300 books along two walls. If that is not a stark example of one of the things we hope we can fix through this act, I cannot think of anything more direct and to the point.

Recently, noted author James Patterson made a pledge to help school libraries. More than 28,000 applications came in.

One librarian reported that school libraries in her State had not received any funding for three-quarters of a decade and that their collections and equipment were out of date and in disrepair. I suspect she is not alone in making such a report. We see this neglect despite the fact that evidence shows that effective school library programs, staffed by a certified school librarian, have a positive impact on student achievement.

While I would like to see a much more robust school library-focused initiative included in the reauthorization, along the lines of the bill I introduced with Senator COCHRAN, I am very pleased that the underlying bill includes an authorization for competitive grants to help high-need school districts strengthen and enhance effective library programs. However, we need to do more to encourage States and school districts to integrate school library programs into their overall instructional programs.

Effective school library programs are essential supports to educational success. If you understand how to use the library in school, that is not a skill that goes away; in fact, it will be a skill for the rest of your life that you will use time and time again, not only for your pleasure but for your progress and the progress of your family. Knowing how to find and use information is an essential skill for college, careers, and life in general. A good school library, staffed by a trained school librarian, is where students develop and hone those skills.

The Reed-Cochran amendment will encourage States and school districts to ensure that students have access to effective school library programs.

Once again, I thank my colleague, Senator COCHRAN.

I urge my colleagues to vote yes on this bipartisan amendment.

I yield the floor.

The PRESIDING OFFICER. The Senator from South Dakota.

AMENDMENT NO. 2078

Mr. ROUNDS. Mr. President, I rise today to speak on my amendment to the Every Child Achieves Act, which is amendment No. 2078. I would like to thank Senator UDALL for joining me in supporting this important amendment.

Since my time working in the South Dakota State Legislature and also as Governor of South Dakota, education in Indian Country has faced incredible obstacles, especially in rural and high-poverty areas. This is true not only in my State but across the entire Nation. Because of these barriers, 10 out of 13 Bureau of Indian Education high schools in South Dakota have graduation rates below 67 percent, and 6 of those schools have graduation rates at or below 40 percent. Meanwhile, the national high school graduation rate is 80 percent. These graduation rates must be changed, and my amendment will help lay a foundation to fix the systemic problems Indian Country faces.

To address these concerns as well as other States' concerns, an analysis needs to be conducted to more closely examine these educational downfalls. So today we are proposing an amendment to the Every Child Achieves Act that would direct the Departments of Interior and Education to both study and create strategies to address these challenges. This amendment is being supported by the National Indian Education Association, the Great Plains Tribal Chairman's Association, and the National Education Association.

According to the Congressional Budget Office, amendment No. 2078 will have no impact on Federal spending.

This amendment would require the Departments of Interior and Education to conduct a study in rural and poverty-stricken areas of Indian Country in order to identify Federal barriers that restrict tribes from implementing commonsense regional policies instead of a one-size-fits-all policy directed from Washington. It requires that they identify recruitment and retention options for teachers and school administrators and identify the limitations in the funding source and flexibility for schools that receive these funds. It would study and provide a strategy on how to increase high school graduation rates.

It is critical that we identify the limitations and barriers which tribal schools face and lay out a strategy to fix those problems. I hope my colleagues will join Senator UDALL and me in supporting this straightforward amendment to help our students in Indian Country.

I yield the floor.

Mr. BENNET. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BENNET. 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. BENNET. Mr. President, while we wait on another colleague, I thought I would talk about another aspect of this bill that I think is very important.

For the first time in this country's history, finally, the Elementary and Secondary Education Act is going to require districts to report actual per-pupil expenditures, which will shed light on extraordinary funding inequities in this country.

We are one of three countries in the OECD, because of the way we fund our public schools in the United States, that actually spends more money on more affluent kids than we do on kids living in poverty. That is not well understood, but that is a fact. That is the truth.

We need to be concerned with closing the achievement gap in the United States, because if we look at the academic outcomes for kids in this country and extrapolate those outcomes against the changing demographics in the United States, we are not going to like what we see in the middle of the 21st century if we don't make these changes. One would think, if anything, that we would be spending more money on kids living in poverty, coming from disadvantaged backgrounds than we do on kids coming from advantaged backgrounds. But we do the opposite in the United States, and the Congress, for decades, has looked the other way.

I believe we need to close this loophole. It is called the comparability loophole. We don't do that in this legislation, but at least the requirement where we move to reporting based on actual rather than average expenditures is an important step in the right direction.

I yield the floor.

The PRESIDING OFFICER. The Senator from Mississippi.

Mr. COCHRAN. Mr. President, it is my understanding the Senate is still considering remarks with respect to the education legislation that is pending before the Senate.

The PRESIDING OFFICER. The Senator is correct.

AMENDMENT NO. 2085

Mr. COCHRAN. Mr. President, I am coming at this issue from a unique perspective. Both of my parents were schoolteachers. As I was growing up in Mississippi, my father was county superintendent of education of the largest public school system in Mississippi for several years. My mother was a mathematics educator, teacher. They had both earned graduate degrees as well as undergraduate degrees from colleges and universities in our State of Mississippi. My brother and I had the good fortune of growing up in this environment of learning and reading.

So I have to confess I am biased in support of legislation that helps to strengthen the capability of our Nation's teachers and school administrators in providing opportunities for not only reading but complex learning at early ages, which would have been surprising to those of that generation to look around and observe the great strides we are making in education throughout America.

Growing up with this perspective and my appreciation of the importance of good teachers in our schools makes me understand perhaps more than most the importance that education serves in the lives of students, their teachers, and their communities where they grow up.

When I was a student, I went to the library to check out a book. Now, there are all kinds of ways to get in touch with the written words. Today, our school librarians are more often specialists with education and specific training that help students learn how to access educational material in every manner in which education is available in an increasingly digital society. Children who know how to read and are comfortable using information technology are more likely to grow up with a capacity to learn throughout their lifetimes.

The amendment I have offered with my good friend, the senior Senator from Rhode Island, seeks to help equip school librarians to do an even better job. Our amendment would allow schools throughout the country to use Federal funds in the way they see fit to strengthen their libraries. My hope is that the use of these additional funds will improve education and literacy among children throughout America.

It is my understanding the bill managers support this amendment. I appreciate very much not only the good assistance and friendship of Senator REED but his help specifically with this legislation.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Ms. MIKULSKI. 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. MIKULSKI. Mr. President, I come here today to speak about the bill pending before us, the Every Child Achieves Act. This is the successor to the No Child Left Behind Act, which is the successor to the reauthorization of the Elementary and Secondary Education Act.

Fifty years ago, in 1965, as part of Lyndon Johnson's wanting to end poverty in the United States of America and to lift people up, he asked Congress to pass the Elementary and Secondary Education Act. It was the first legislative act where the Federal Government was involved in education. Up until that time, education was thought of as the purview of the States and local districts. President Johnson agreed with that, as did the Congress, but at the same time they knew there were children living in the abysmal situation of poverty, and at a time of national prosperity he wanted to lift those children up.

Great legislation passed during the next 50 years ago, such as Head Start, which continues to be a hallmark of early intervention to help our children. Of course, programs such as Medicare were also passed at that time. But it was the Elementary and Secondary Education Act, and particularly title I, that would bring additional Federal resources to our local communities. Again, this was focused on helping poor children close the achievement gap and giving them the ability to fully participate in our society.

Well, that bill went on until 2001, when President Bush said he wanted to make sure that children were out of poverty. President George Bush said: I am a compassionate conservative. I am concerned about the soft bigotry of low expectations of poor children, particularly poor children of color, and we have to do something about it. That brought about the experiments that occurred in the States relating to metrics and so on for highly qualified teachers, using words such as ''evidence-based,'' and we passed No Child Left Behind.

What happened, though, instead of helping poor children—we had many successes. We did face the fact that we did have low expectations. There was a soft bigotry. We agreed with the wonderful comments of Secretary Condoleezza Rice that were spoken at the Republican National Convention when she said that education is the civil rights issue of this time.

Now, what do we have here? We have a bipartisan effort led by Senators ALEXANDER and MURRAY to come up with yet one more reform of this historic legislative framework. I support their efforts. I want to salute their efforts. What they were able to do in this bill was to focus again on helping poor children achieve and supporting State and local governments not with intervention but with assistance in order to help.

We do know that one of the legacies of having metrics was that we so regulated our teachers to make teaching almost inflexible, and we started to race for the tests instead of racing for the top. I believe the efforts of Senators ALEXANDER and MURRAY deal with the mistakes of No Child Left Behind and move ahead to close that achievement gap.

I support the general framework of this legislation. I am proud of the additions I have made to this bill, one of which was to really make sure there were allowable uses for something called wraparound or integrated services. While we insisted there be highly qualified teachers in the classroom, the teachers cannot deal with poverty. They cannot deal with the fact that 30 percent of our children who come to school every day are homeless. They have no home. The school is their educational home. They need a social worker. They need a school nurse. The mental health challenges of many of our children are astounding. So we were able to add that in.

The other thing is we were overlooking a national treasure. I was a big supporter of something called the Javits bill. Senator Javits of New York many years ago realized we had an overlooked treasure in our communities, and it was the gifted and talented children, children who are of exceptional educational capacity.

Again, coming back to the words of George Bush, there is that soft bigotry of low expectations. We often come with a latent bias that we don't believe poor children are smart. We don't believe—many times because of latent bias or overt bias—that they are capable of achieving. What I moved in this bill was, under title II, once again, acknowledgment that in poor schools with poor children, there are gifted and talented kids, many of whom have been identified by outstanding programs—in my own State, the Johns Hopkins school for gifted and talented children. We were able to put that in the bill.

I look forward to moving this bill forward because I believe we support our teachers, we once again deal with low-performing schools, and at the same time we provide administrative and local flexibility so that we minimize national mandates and maximize local achievement.

I salute Senators MURRAY and ALEXANDER. I know there are some amendments which will be pending, such as Burr to title I, which I will oppose because every county in my State loses money and will lose up to $40 million.

I note that the hour of noon is arriving and that a vote will soon be underway. I look forward to supporting the bill, provided that the Burr amendment is not included.

I salute Senator ALEXANDER for his leadership and for encouraging bipartisan participation. I thank Senator

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 superintendant, 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, reroute 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 overdue. 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 underlying 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 opportunities 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 prerecession 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 consider. 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 nonathletes. 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

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

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

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 processing 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,

the Federal Government openly announced it would not undertake any legal action against sanctuary jurisdictions for refusing to cooperate with the enforcement of our immigration laws. Thus, while it had the time and resources to sue States like Arizona and litigate such cases all the way to the Supreme Court, this administration has not spent a dime to take similar actions against sanctuary jurisdictions around the country, and the administration was well aware of the dangers posed by these policies.

Former ICE Executive Associate Director of Enforcement and Removal Operations Gary Mead said that sanctuary cities—and in particular Cook County, IL—were ''an accident waiting to happen.'' That was obviously a sound prediction, and we have seen the tragic results.

Not only has the government failed to stand up to sanctuary jurisdictions, but two days ago—the White House is now claiming that if Congress had just passed the Gang of 8 bill, the comprehensive amnesty bill, then this would never have happened. But the Gang of 8 bill the President pushed so hard for would have dramatically increased incidents of criminal alien violence, officially legalizing dangerous offenders while handcuffing immigration officers from doing their jobs. Law enforcement professionals told us the Gang of 8 bill would have undermined the rule of law in America, not strengthened it. These are the people who know.

Chris Crane and Ken Palinkas, presidents of the National ICE Council that represents all ICE officers, and the USCIS union, respectively—these two leaders of these two important organizations issued a statement on behalf of their officers—the key officers who enforce immigration law in America. This is what our Federal law officers had to say about the President's idea that the Gang of 8 bill would fix these kinds of problems:

> The [Gang of Eight] proposal will make Americans less safe and it will ensure more illegal immigration—especially visa overstays—in the future. It provides legalization for thousands of dangerous criminals while making it more difficult for our officers to identify public safety and national security threats. . . .

They go on to say:

> The legislation was guided from the beginning by anti-enforcement special interests and, should it become law, will have the desired effects of these groups: Blocking immigration enforcement. . . .

They go on to say:

> [It is an] anti-public safety bill and an anti-law enforcement bill.

Imagine if the country's chief law enforcement officer—that is, the President of the United States—had spent that year trying to end sanctuary cities and deport criminal aliens and enforce the laws of the United States instead of trying to empower open borders activists and fighting against law enforcement and refusing to enforce whole sections of plain law through his Executive amnesty what could have been done to end unlawfulness in this country and turn this country around.

Just to show how deep the disagreement was between the Federal law officers and their supervisors—their politically-appointed supervisors—they actually filed a lawsuit in Federal court contending that their superiors were ordering them to violate their oath to enforce the laws of the United States. They sought relief in the Federal court. The district judge found merit in their claims, but ruled against them on a procedural issue. That case is now before the United States Court of Appeals for the Fifth Circuit.

It is an incredible spectacle that law enforcement officers were suing their supervisors—the political appointees of the President—because they were being ordered to violate the plain law they had sworn to uphold.

It is time to get our priorities straight. We need immigration reform all right but reform that serves the interests of the American people—not international corporations, not anti-enforcement zealots, not the open borders lobby. They don't get to dictate to America how laws should be enforced. Immigration reform should mean improving immigration controls, not further weakening or eliminating them.

Just yesterday it was reported that a six-time deported illegal alien in Arizona was charged in a felony hit-and-run of a mother and her two young children who were seriously injured in the crash—six times deported, he returns.

When they return, do they not go to jail? Are we just going to continue to deport them time after time with no real consequence?

Mr. President, 121 homicides have been committed by aliens who were released from ICE custody over the last few years. People who were released after being held by Immigration and Customs Enforcement officers, illegally here—not deported but were released—have murdered 121 people.

So over 170,000 criminal aliens with final orders of removal are walking our streets. ICE releases tens of thousands of criminal aliens every year into our communities. The policies of this administration have effectively nullified law in a host of areas. That is plain fact.

I have talked to the officers personally. I know what the policies are. I know the effects of these policies are exactly what the administration wanted, exactly what the special interests wanted, exactly what the ACLU wanted, exactly what La Raza wanted. That is what they have been asking for. That is what this administration has delivered.

Now, when a murder occurs which becomes national news, they say that it is not our fault; it is Congress's fault.

These actions have effectively nullified plain law. George Washington University Law Professor Jonathan Turley—who supported President Obama's reelection—has documented that. These are facts. The number of acceptable crimes committed by illegal aliens is zero.

Congress must take action now to protect all Americans, including the millions of dutiful immigrants who are in our country, many of them in high-crime areas, to protect them from criminal gangs and violent offenders.

Just recently, I, along with Senators VITTER, PERDUE, COTTON, INHOFE, and BOOZMAN, introduced the Michael Davis, Jr. and Danny Oliver in Honor of State and Local Law Enforcement Act, a bill named for two sheriff's deputies in California who were murdered by an illegal alien with an extensive criminal record, and, I thought, three deportations. Talking to the widows of these officers recently, I am told that he may have been deported four times—and had an extensive criminal record.

So this bill is a companion to the House bill introduced earlier this year by the chairman of the House Subcommittee on Immigration and Border Security TREY GOWDY. It is a good bill.

Our bill is similar. In addition to enhancing cooperation with States and local law enforcement and eliminating loopholes that allow criminal aliens to obtain immigration benefits, this bill would constitute a clear, strong, and responsible response to sanctuary jurisdictions and other government actions. Specifically, it would withhold Federal funding from sanctuary jurisdictions that do not cooperate with the enforcement of Federal immigration laws or do not honor Federal immigration detainers, provide immunity to jurisdictions that honor detainers and hold aliens until ICE can pick them up, and provide a general sense of Congress that ''the Department of Homeland Security has probable cause to believe that an alien is inadmissible or deportable when it issues a detainer'' for an alien. That would clear up one of the loopholes being cited here to excuse some of these actions.

By the way, I believe it is 300 sanctuary cities and counties in the country out of 17,000 or so law enforcement jurisdictions. Some of them are quite large cities: Chicago, San Francisco, Los Angeles.

The passage of these sections alone could do more to combat sanctuary jurisdictions and protect the people of those communities and really the country from criminal aliens than what this administration has accomplished in the 7 years or so it has been in office.

It is time for Congress to make its first item of business the immediate passage of legislation to cut off Federal law enforcement moneys to sanctuary cities. Not one more parent should lose a son or daughter because American cities are harboring criminals. In any State—like mine, I was attorney general of Alabama—one jurisdiction is prosecuting a person for a crime, and when that is completed and another one has a warrant against them, they

file a detainer. When you are finished with the criminal, he is sent back, whether he is acquitted or whether he is convicted. This is basic law enforcement. It goes on in every jurisdiction in this country.

The Federal Government holds people for State jurisdictions and the State jurisdictions hold people for the Federal Government. I was a Federal prosecutor for 12 years. It is done all the time. It is shocking to me—absolutely shocking—that a great city of the United States of America would not honor a detainer by the U.S. Government.

The Immigration and Customs Enforcement officers should not second-guess why it is issued or not. It is up to that jurisdiction to try or acquit or treat responsibly the person they are now prepared to release to them. To ignore that is a breach of the most fundamental relationships between Federal law enforcement, and it is done for political reasons by political mayors, generally, and city councils to try to win votes, I suppose. It has no principle in fact.

I am also calling on Congress to move toward a series of measures, whether as stand-alone bills, in appropriations measures or in any other planned legislation, to establish immigration reforms that serve the interests of all lawful residents of the United States living here today. These are some things we need to do:

End the release of criminal aliens from Federal custody. We cannot just let them go after having been convicted of a crime. They need to be deported. The law says they shall be deported. It has been ignored.

Cut off visas to foreign countries that will not repatriate their aliens. It is an absolute outrage that countries like China refuse to take back people who are lawfully deported by the United States. Yet they want us to give visas to them. We should cut off funding. We should cut off their visas until they agree to promptly take back these individuals. That is the whole basis of international visa law. All nations know that. Most nations take their nationals back promptly. This refusal by these countries backs up our system, costs us millions of dollars in housing, and all kinds of other additional problems. It needs to end. We can end it just like that if the President would take action. The law requires it. The President doesn't really need a law to fix that one.

Suspend visas to countries with high overstay rates. Some of these countries have this huge number that get a visa and never return home and they reach these higher rates. We don't have to keep giving visas to countries whose residents don't return like they are supposed to and at the time they are supposed to.

We need to close the asylum loopholes and eliminate fraud. This is a huge issue and can be greatly abused. We need to end the catch and release at the border with mandatory detention and repatriation for illegal border crossers. This administration has ended Operation Streamline, which is a very effective policy. It started during the Bush administration and was continued for a while under President Obama. Now they have undermined that.

We need to protect the work site with E-Verify. If a person can't establish they are here lawfully with a lawful Social Security number, they don't need to be employed.

We need to curtail an oversupply of foreign work visas to protect American jobs first. The only immigration measures politicians should be discussing today are those that protect Americans, that protect American security and safety and American jobs and American communities. More than enough has been done for the special interests. They have had their day. They had their day too long.

Whether we are talking about employees at Walt Disney in Florida, unemployed construction workers in California or truck drivers in North Dakota, it is time for the needs of Americans who are out of work to come first. We don't have enough jobs for Americans. We don't need to bring in more foreign workers.

The PRESIDING OFFICER (Mr. PERDUE. The Senator's time has expired.

Mr. SESSIONS. I am sorry, Mr. President. I ask unanimous consent for one additional minute to wrap up.

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

Mr. SESSIONS. There is no more basic need than ensuring that all Americans live in a safe, secure, and peaceful community. I believe the legislation I have offered will take us in that direction. It is sound. It is responsible. It is consistent with American law. It is well within all of the constitutional requirements. I hope my colleagues will be able to study it as time goes by and pass it into law.

I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. WHITEHOUSE. I ask unanimous consent to speak for up to 20 minutes in morning business.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. WHITEHOUSE. Mr. President, I expect I will take less than the 20 minutes, just to reassure you, but I want to reserve that much time.

CLIMATE CHANGE

Mr. WHITEHOUSE. Mr. President, this is the 105th time I have come to the Senate floor to urge my colleagues to wake up to the reality of climate change. I know the Presiding Officer is a veteran of several of these speeches. For far too long, far too many of us in this Chamber have simply dismissed the evidence of climate change. They have ignored the sober warnings of scientists, generals, of doctors, of economists, even of big company CEOs that these risks are real. The warnings are clear: If we continue on our present path, we will leave our children and grandchildren with a world very different from our own and not for the better.

By denying the science, dismissing the risks or simply by their silence, Senate Republicans have effectively pledged allegiance to the fossil fuel companies—companies that make a lot of money polluting the atmosphere with carbon emissions and that spend big on politics.

Outside this Chamber, however, the American people want action. Americans overwhelmingly favor limits on greenhouse gases and getting more electricity from renewables. It is happening across the country. It is definitely true in Rhode Island, my home State, but it is not just Rhode Islanders.

Over this past recess, I went to Tennessee. I found that people in the Volunteer State see the effects, they see the risks, and they see the opportunities that come with climate change.

In Knoxville, I met with Mayor Madeline Rogero, and I heard about the great work she is doing. Knoxville is making their infrastructure more resilient to flooding and storms and working to reduce its greenhouse gas emissions, partnering with local utilities and citizens groups. Greenhouse gas emissions from the city's operations were down 12 percent in 2014, compared to 2005. Their goal is to make it to 20 percent.

Mayor Rogero told me about the risks climate change poses in Eastern Tennessee: changes in the Smoky Mountains parks nearby, programs like Round It Up that help people with utility bills getting hammered by earlier, hotter summer weather. She told me Knoxville wasn't alone. Even little Ducktown, TN, built a 28-kilowatt solar array.

I visited Oak Ridge National Laboratory, which is researching how climate change will affect Tennessee and the United States and the rest of the world. Let me tell you, they are not doubting climate change at Oak Ridge. They are planning for it. They are modeling warming up to 18 degrees Fahrenheit in the vast boreal forest regions of the Northern Hemisphere.

They are concerned about the phony science being propagated by the fossil fuel industry front groups—what I have called the parallel science designed to look like science without actually being peer-reviewed or meeting the standards—and they are saddened to see the public taken in and Congress stalled. They have a brilliant animation of industrial-era carbon emissions climate. If I could use a monitor instead of this piece of cardboard I would show it to you, but I can't. So you will have to find it. You can go to my website where I have a link: whitehouse.senate.gov/climatechange.

One employee at Oak Ridge, a Tennessean who had grown up nearby, told me about the recent trouble with fire ants. The fire ant is an invasive species from South America that can deliver a nasty sting. She said growing up she had never seen them—not a worry. Now she has to worry about a swarm of them getting on her children. Normally, cold nights and winter freezes limit the range of the fire ant. But this invasive species has moved north into Tennessee with the warming temperatures.

For those colleagues who believe the only values that matter are those that can be monetized, the USDA estimates that U.S. losses to the invasive fire ant are almost $6 billion a year.

Fire ants aren't the only invasive pests that benefit from warmer nights and winters. The threat of the invading emerald ash borer and the Asian longhorned beetle means that campers visiting Tennessee can't bring their own firewood into the Great Smoky Mountains National Park anymore. As of March 1, only heat-treated firewood is allowed, certified by the USDA or the State.

Climate change threatens the Great Smoky Mountains with much more than invasive species. The national park may lose up to 17 percent of the mammals that presently live there as climate change shifts their habitat and changes the composition of the forest.

The Tennessee Wildlife Resource Agency says that ''Tennessee's wildlife and natural resources face a serious threat from climate change.'' The agency did a comprehensive assessment of the potential effects climate change would have on the State's wildlife. These are some of its key findings:

> Tennessee's forests are expected to undergo changes in forest growth and composition. . . . [S]ome high elevation forest types will be dramatically impacted or lost entirely; brook trout populations are expected to decline; migratory songbirds may alter their ranges, with some species disappearing from Tennessee altogether; and larger floods and longer droughts could cause increased erosion, reduced water supply, and the spread of invasive species.

Meeting with local environmental leaders and advocates at the Southern Alliance for Clean Energy, I learned that air quality is another significant problem for the Volunteer State, especially in Eastern Tennessee.

Here is a map I got from them showing the counties that still get a D or an F for air quality: Sullivan County, D; Knox County, D; Loudon County, D; Jefferson County, D; Sevier County, F; Blount County, F; Hamilton County, which has Chattanooga in it, F; Cannon County, D; Wilson County, F; Williamson County, F; Shelby County, F.

If you fix the carbon pollution from the coal plants, you will fix a lot of these air quality problems, too, and these air quality problems in the famous Great Smoky Mountains. They were smoky enough, I guess, to begin with. This is not helping.

I also learned of the threats posed by flooding from storms. In May 2010, a massive storm rolled over Tennessee and caused $1.5 billion damage in Nashville alone. FEMA declared disaster areas in 30 counties and more than 60,000 families received Federal aid. Precipitation has measurably increased in parts of Tennessee during the last century, and as climate change continues, heavy rains and extreme weather are expected to increase. For fishermen, in addition to the warming of the stream water, streams that are blown out by extreme rains are bad for trout fishing.

In Tennessee I also saw great hope for climate action. Mayor Rogero is working with Oak Ridge National Laboratory to design a climate change sustainability plan for Knoxville and the area around it, including the lab campus. The laboratory is also a leading research center for advanced nuclear technology, including small modular reactors that could help unlock low-carbon energy with reduced risk of accidents or proliferation.

Tennessee is ripe with wind and solar potential, and the famous Tennessee Valley Authority, after a slow start, is getting around to renewables investments and supporting distributed generation. The TVA has learned from things such as having to derate powerplants on the Tennessee River because the river grew too warm to cool the thermal load of the plant and seeing giant demand sways from 12,000 to 35,000 megawatts.

I met with University of Tennessee professors who are helping the TVA make the move. The University of Tennessee has entire programs on climate change. They are not denying it. They have professors such as Dean Rivkin at the College of Law, Mary English at the Howard Baker Center, and John Nolt, recently the head of the faculty senate, who has written on the moral importance of counting climate casualties. By the way, Professor Nolt cites studies showing global deaths from the consequences of climate change every year in the range of 140,000, 300,000 and 400,000. But why should we care?

Private companies get it in Tennessee. I heard a lot about Wampler's Farm Sausage, headquartered in Lenoir City, which has invested in solar and biomass energy production to cut down on energy bills and provide stability to its business. For them it is about business and the environment. The company sees consumer demand ahead for sustainably produced products. In the words of company president Ted Wampler, Jr., ''being green is going to sell sausage.''

I had a nice dinner with lovely people from the Knoxville Garden Club. Some had come to Congress for the annual garden club trip to urge Congress to take action. They see in their garden the changes that are reflected in the USDA plant hardiness zone for Knoxville shifting in their very lifetimes.

A highlight of the trip was the annual meeting of the Outdoor Writers Association of America. I was invited by the executive director, Tom Saddler, and joined a panel with Dr. Cameron Wake from the University of New Hampshire, Hal Herring from Field & Stream magazine, and Todd Tanner, the president of Conservation Hawks. I urge anybody who is listening to this to take 10 minutes and look at the fly fishing clip ''Cold Waters'' on the Conservation Hawk's Web site. It is called co2ldwaters.org, but the trick is there is a ''2'' in the middle. The Web site is co2ldwaters.org. One thing was crystal clear from our panel and from the discussion that followed, and that is this: Real outdoorsmen don't deny climate change. If you don't believe me, believe legendary outdoorsman Yvon Chouinard. Look at the clip at co2ldwaters.org.

If we in this Chamber could wake up and stop denying this problem, we could do a lot to help. Real legislative action, such as a price on carbon, could unlock energy innovation and it could make the fat-cat, politician-buying polluters actually compete fair and square on a level playing field with clean energy. Of course they would rather not. They would rather pollute the world and rig the politics to rig the competition so they can keep polluting for free.

If you think from my comments that I am mad about the disgraceful political conduct of the oil and coal barons, well, you are right; I am. It is sickening. It is a disgrace. And no, it is not good enough to say just enough good things about climate change to get through a cocktail party at Davos, while you keep your corporate money flowing to the U.S. Chamber of Commerce, the American Petroleum Institute, and other denial front groups to stop progress at all costs. You can't have it both ways. I will know the Big Oil CEOs are serious when they publicly tell the Wall Street Journal editorial page that it is OK to knock off the climate denial.

What I would like is to take their high-priced lobbyists, to take their slippery lawyers, to take their paid-for bogus scientists and put them all up in the high country for a week with Yvon Chouinard or someone like him who really loves and knows the country they are wrecking. It just might be good for their souls.

Senator SCHATZ and I have a bill to level the energy playing field by levying a carbon fee on fossil fuel emissions. In our bill every nickel collected goes back to the American people, and most of it goes back through cutting taxes. When it is time for Republicans to break free of this filthy grip the fossil fuel industry has, we will be there. We will be there, and we will be waiting. Take a look at our bill. It would be a win-win-win for the American people, and it aligns with what so many Republicans outside of Congress are saying about the correct solution to the climate problem.

I hope my Republican colleagues, particularly my friends from Tennessee, take a close look at it. Both Senators from Tennessee recognize human-caused climate change. The senior Senator, our friend who has just done such a masterful job of bringing this elementary and secondary education bill to the floor and steering it so far through this process, is a renowned champion of clean energy research and of electric vehicles.

Tennessee's junior Senator said in 2009, when cap-and-trade ideas were swirling:

> I wish we would just talk about a carbon tax, 100 percent of which would be returned to the American people. So there's no net dollars that would come out of the American people's pockets.

Gentlemen, that is our bill. I am open to this discussion any time, but let's please not wait too long. As they know at Oak Ridge, as they know in the mayor's offices in Knoxville and Ducktown, as they know at the University of Tennessee, and as the rangers know up in the Great Smoky Mountains, time's a wasting, and we need to wake up.

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

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

MILLENNIUM COMPACTS FOR REGIONAL ECONOMIC INTEGRATION ACT

Mr. CARDIN. Mr. President, I wish to speak about the successes of the Millennium Challenge Corporation, or MCC, which is one of the U.S. Government's newest and most potent resources in the war against global poverty.

MCC was founded by a bipartisan act of Congress in 2004 as a new way to deliver foreign assistance. While the U.S. Agency for International Development, USAID, remains a critical tool for working with countries in need, MCC was given a very specific and focused goal: to reduce poverty through economic growth. The countries receiving MCC grants would be partners with a strong say in how their money would be spent. And, countries would need to compete for MCC dollars—only the best governed countries that performed better than their peers on matters of economic freedom, ruling justly, and investing in their people, would be worthy of MCC funding.

The MCC model is working. Countries are taking a hard look at their problems and poring over their performance scorecards so that they can become MCC-eligible. Academics have confirmed that the so-called ''MCC Effect''—MCC's ability to incentivize significant policy reforms from countries seeking a compact—is real and meaningful.

MCC countries are reforming in vital ways to be part of MCC. Ghana, for example, is reforming its entire power sector in order to receive MCC assistance. In Lesotho, women were fundamentally unequal citizens, unable to open a bank account without a man's permission. MCC made the Lesotho partnership contingent upon removing those barriers, and women now enjoy economic freedoms unavailable to them before.

With 11 years under its belt and a proven record of success, the MCC is looking towards the future and assessing how it can amplify its already significant effects on fighting poverty. One way we can do that is to give MCC the flexibility to coordinate its work on a regional basis. That is why I introduced S. 1605, the Millennium Compacts for Regional Economic Integration Act, or the M-CORE Act, along with Senators FLAKE, COONS, and ISAKSON on June 18, 2015. The M-CORE Act would enable MCC to establish concurrent compacts in eligible developing countries, enhancing their ability to promote economic growth and cross-border engagement between and among nations. Through the greater regional economic collaboration that MCC regional compacts will achieve, countries can address deficiencies in communications, transportation, and energy networks. MCC's bilateral compacts have increased access to reliable power, built highway corridors, and improved business climates, thereby promoting economic growth and cross-border engagement within MCC partner countries.

Regional investments can have an even greater rate of return. In Central America, for example, MCC's work on road infrastructure could have had an even greater impact if the roads connected across borders. And in Africa, neighboring countries could collaborate on a regional power pool, connect land-locked countries to transportation infrastructure, or address other policy, institutional, and logistical challenges that hamper economic growth and development.

MCC has, by mandate, always focused on economic analysis and rigorous data; and its approach to regional investments has been no exception. MCC's extensive analysis has concluded that a regional approach to poverty reduction, under the right circumstances, can present opportunities to take advantage of higher rates of return on investment and larger scale reductions in poverty.

In short, MCC regional investments have the potential to greatly enhance economic growth in well-governed regions of the developing world. I urge my Senate colleagues to join me in supporting this commonsense legislation.

REMEMBERING LINDA NORRIS

Mr. CRAPO. Mr. President, today I wish to honor the life of Linda Norris, a beloved former member of both my State and Washington, DC, staff who passed away recently. Linda was the very first member of Team Crapo and has left a lasting legacy in my office as well as in her adopted State of Idaho.

Linda retired from the Senate nearly 7 years ago after providing 18 years of service to Idahoans. Linda was the first staff member to join my congressional campaign as a member of my first House campaign staff. She was prominent and pivotal in my campaign and quickly became one of the most reliable and intuitive staff members. Linda then became my first regional director in Twin Falls, ID, serving throughout my service in the U.S. House of Representatives and into my service in the U.S. Senate. As State Director of Constituent Services, she established high constituent service standards, ones that are still used in my office, and she advocated strongly for military families and veterans. Her friendly nature, southern charm, and quick intellect helped defuse potential conflicts, and she represented the House and Senate offices with the utmost professionalism.

Whether she was working in Idaho or Washington, DC, her priority was to serve the people of Idaho, which she carried out with the utmost care and diligence. Her lasting legacy will be her influence over domestic violence awareness and prevention. More than 20 years ago, she arranged for me to visit a local shelter for abused children. The visit inspired an immovable commitment to increase awareness of domestic violence and to advocate for solutions and assistance for victims in every possible circumstance. Her interest and advocacy in this matter also spurred her into action when she recognized the need for training public servants who worked on public lands in how to handle domestic violence situations that arise when people are on public lands, not in their homes. With my strong support, she worked with the appropriate individuals within the U.S. Forest Service to initiate programs to train employees on domestic violence prevention. This remarkable achievement might be enough to most people, but Linda was a force that continued to search for ways to improve the lives of others.

She touched the lives of many Idaho military families and youth. As an Army wife herself, Linda had a personal understanding of military families. This experience gave her empathy to advocate effectively and attentively on behalf of Idaho military members, veterans, and their families. Linda also instituted and guided my military academy nomination process, helping countless Idaho youth on their path to success.

She was observant, inspired, tactful, and hard-working. Linda helped highlight the unrecognized good deeds of

fellow Idahoans by suggesting I create two awards: the Spirit of Idaho for volunteers, and the Spirit of Freedom for veterans and those who work with veterans. These awards recognize the extraordinary efforts of Idahoans and the service of veterans and volunteers serving veterans. She also helped achieve hard-sought land access and conservation policies. Linda was a nurse by training and profession, which is consistent with her gift for helping and caring for people, a behavior she demonstrated repeatedly. The legacy that she left upon her retirement remains today in the Crapo office.

Since news of her unexpected passing has reached my staff and former staff members, remembrances of Linda have poured in. I would like to share a few with you:

''Linda was a singular individual who set the pace for constituent services in Idaho. She cared for individuals and families, not 'cases'. Her approach influenced me and how I set up succeeding constituent services operations. Her zealous care for people has been emulated and has resulted in thousands of Idahoans getting the help they deserve from their government.''

''Linda was truly an amazing, generous, and gracious lady. She truly was beautiful both inside and out. Linda made me feel so welcome on my first trip to Idaho. She joked with people that she introduced me to that I was from way, way Southern Idaho. We decided that Lava Hot Springs would be my adopted hometown. Really being from Louisiana, I loved that Linda and I shared strong Southern roots, and great wacky stories.''

''She has that southern mixture of sweetness and sass with an underlying spirit and determination that was always apparent.''

Beyond her professional accomplishments, Linda was a great friend. Not only did she pay attention to my professional needs, but she also recognized when some personal time was needed. Many times when I was working in her region, she built in time in the schedule for a much needed clothes shopping trip, a visit to the eye doctor, or just some down time with my family. My wife, family, and I have all been blessed with her friendship. Linda will be missed beyond measure, and I extend deep condolences to family and friends. Thank you for your service, Linda. Rest in peace, dear friend.

RECOGNIZING CANDLE-LITE COMPANY ON ITS 175TH ANNIVERSARY

Mr. PORTMAN. Mr. President, today I wish to honor Candle-lite Company—the oldest continually operating candle company in the United States—as it celebrates its 175th anniversary.

Candle-lite Company was founded in 1840 by Thomas Emery, who traveled door-to-door selling candles in Cincinnati, OH. His venture continued to grow and eventually his son, Thomas Jr, joined the business. Candle-lite's products were manufactured in various locations in the Cincinnati area before manufacturing was moved to its current location in Leesburg, OH, in 1952.

Today, Candle-lite's 1 million-square-foot manufacturing and distribution facility in Leesburg employs over 600 Ohioans annually and the corporate headquarters in Blue Ash employs 70.

I congratulate Candle-lite and its employees in making its first 175 years a success and extend my best wishes for the next 175 years.

ADDITIONAL STATEMENTS

TRIBUTE TO RUTH GRIFFIN

● Ms. AYOTTE. Mr. President, today I wish to honor one of New Hampshire's most revered and accomplished leaders, Ruth Lewin Griffin, as she celebrates her 90th birthday.

Born in Fall River, MA, Ruth moved to Portsmouth, NH, at a young age and continues to reside there today. Most notably, she served as executive councilor for the third district of New Hampshire for 20 years. As a testament to her continued commitment to the Granite State, Ruth currently serves as chairman of the Portsmouth Housing Authority.

But Ruth's career of service began long before her time on the executive council. After graduating from Portsmouth High School, Ruth went on to pursue a degree from Wentworth Hospital School of Nursing. Using the skills she learned as a registered nurse, she dove headfirst into a career as a public servant, holding office as a State senator and State representative and serving on the Portsmouth Police Commission and board of education. She also served as a delegate to two Constitutional Conventions and as a Republican national committeewoman. Ruth has earned well-deserved praise for her service to our State, including being named one of New Hampshire's Ten Most Powerful Women for 6 years in a row, and most recently, she received the 2015 Granite State Legacy Award, which honors dedication to the State, its people, and way of life.

In addition to her tremendous service to New Hampshire, Ruth has been blessed with a wonderful family, including the late John Griffin, five children, five grandchildren, and two great-grandsons. Four generations of the Griffin family have lived on their family farm, raising sheep, chickens, and other livestock. As the matriarch of the family, Ruth strives to teach her family members the values she learned on the farm—hard work, humility, and perseverance. She will often tell you, invoking her family motto, that she lives her life ''by courage, not by cunning.''

Ruth embodies the spirit of a true New Hampshire leader. Her life is marked by her dedicated service and her devotion to making New Hampshire a better place to live and work. I had the privilege of serving alongside Ruth in the Governor's office and the attorney general's office and will be forever grateful for her wisdom, guidance, and mentorship. I am very proud to recognize and celebrate Ruth's birthday and her extraordinary contributions to the State. I wish Ruth and her family the best on this very special day and for many more years of health and happiness.●

REMEMBERING LAURA MYERS

● Mr. HELLER. Mr. President, today, we honor the life and legacy of Laura Myers, whose passing signifies a great loss to Nevada. I send my condolences and prayers to her family and friends during this time of hardship. Laura was an incredible person, committed to bringing joy to those around her through humanitarian service and fair-and-balanced news to residents across Nevada. She truly represented the best of journalistic excellence. She will be sorely missed by the entire Nevada family.

Laura was born on August 26, 1961, in Las Vegas. She spent the majority of her childhood in northern Nevada, where she received her education and graduated from the University of Nevada, Reno. She began her journalism career with the Reno Gazette-Journal in 1984 and took her first step in political coverage, reporting the Nevada Legislature, in 1987. She was then hired in 1988 by the Associated Press to cover news in Carson City and later in the San Francisco and San Jose, CA, areas.

Over the next 20 years, Laura pursued both her humanitarian and journalistic passion, leaving and returning to the AP several times and working with Habitat for Humanity in Uganda, Mongolia, and New York, alongside her day job throughout the 1990s and 2000s. Laura's first departure from the AP was in 1992 after she joined the Peace Corps, where she spent time working to help a remote village in Togo, West Africa. In 1995, Laura worked with the American Refugee Committee, managing logistics at a refugee camp in the Congo. Immediately after, she accepted another job offer from the AP with a position covering politics, foreign affairs, the military, and national security in Washington, DC.

In 2003, Laura left the AP and fulfilled her passion for movies, studying at the New York Film Academy. Afterwards, in 2006, Laura spent 10 months in North Africa and the Middle East as a management consultant for Arabic- and French-language newspapers. After filling another position with the AP in 2007, Laura worked for Food for All of Washington. From 1988 to 2008, her extraordinary hard work and good character maintained a good relationship with the AP, continuously preserving an opportunity to return. In 2009, after committing time to teaching English to adults in Egypt, Laura returned to Nevada and was hired as the Las Vegas

Review-Journal's political reporter in 2010. Her finals years were spent bringing unforgettable political coverage to the Las Vegas community.

Throughout her 30 years in Nevada journalism, Laura strived to travel the world and achieve a greater understanding of her surroundings. She sought to transcribe and bring an accurate picture of her findings to her readers. Her insatiable appetite to uncover important news stories and bring Nevadans pertinent political information made her the incredible journalist that she was. She embodied the Battle Born spirit of determination, fearlessness, confidence, and resilience. She was a fierce competitor, bringing out the absolute best of Nevada journalism. I worked with Laura for many years and have seen firsthand her unwavering dedication to her trade. Our relationship operated under an open-door policy, and I am grateful for everything she has done.

I extend my deepest sympathies to her family. We will always remember Laura for her invaluable contribution to the local community and for her compassion that touched so many lives around the globe. Her legacy of kindness, dedication, and true drive will echo on for years to come in Nevada journalism.

Laura fought to bring Nevada only the most accurate journalism. Even in her final weeks, her dedication to those around her never faltered. I am honored to commend her for her hard work and invaluable contribution to the Silver State. Today, I join the Las Vegas community and citizens of the Silver State to celebrate the life of an upstanding Nevadan and friend, Laura Myers.●

TRIBUTE TO DAVID SAMRICK

● Mr. PETERS. Mr. President, I wish to recognize Mr. David Samrick on the occasion of his recognition as the 2014 Service Center Executive of the Year by Metal Center News. Mr. Samrick has worked at Mill Steel since 1965, and was named president in 1976 after his father stepped back from day-to-day management of the family's company. Under his leadership, Mill Steel has grown from a single-location in Grand Rapids, MI into the 23rd largest service center organization selling flat-rolled steel from Canada to the gulf coast. I appreciate the opportunity to recognize Mr. Samrick's success as a business leader, as well as the contributions he has made to communities throughout western Michigan.

Mr. Samrick is the heart and soul of Mill Steel, the company founded by his parents in 1959. Its success is a testament to Mr. Samrick's team-building skills and his confidence in the company's leadership. Each member of the six-person leadership team has equity in the company, and all share the responsibility of directing its operations. The team reflects a diversity which is unique in the steel industry, a reflection of Mr. Samrick's belief in attracting the best talent available regardless of age or gender. An example of the breadth and diversity of experience at Mill Steel is the fact that—when you include Mr. Samrick—the company's leadership team includes individuals born in the 1940s, 50s, 60s, 70s and 80s.

The success of Mr. Samrick's approach to management is evident in Mill Steel's track record, especially during the past 5 years. The company's revenue first crossed the $100 million mark in the early 2000s. In 2010, Mill Steel expanded outside the Midwest with the purchase of the former Coated Steel facility in Birmingham, AL. Last year, it added a facility at the Port of Indiana to its holdings. This has allowed Mill Steel to become a prominent player in the flat-roll steel market from Toronto to Texas. It anticipates 700,000 tons of flat-rolled steel will pass through the doors of Mill Steel next year, with revenue expected to exceed $600 million in 2015.

Mill Steel's success is due in no small part to the company's hard work and the loyalty displayed between it and its clients. Mr. Samrick's patient and trusting leadership has helped Mill Steel remain flexible during economic downturns. This flexibility is also illustrated in the company's commitment to technology and service. In particular, the company's Rapid Response program allows it to regularly prepare and ship an order within 4 hours of being received. Mr. Samrick's trust in his team allows Mill Steel to address the dynamic needs of its customers, encouraging loyalty and trust across the board.

Mr. Samrick's successful approach to leadership is not only rooted in his confidence in the leadership and staff of Steel Mill; it reflects his love for his family and a desire to lead a balanced lifestyle. Mr. Samrick is devoted to his wife, two children and five grandchildren. He also embraces a culture of philanthropy, demonstrated by his role as a national leader on the American Israel Public Affairs Committee, and his longtime commitment to Big Brothers and Big Sisters of Western Michigan and its parent organization, D.A. Blodgett St. John's of Michigan.

For almost 20 years, Mill Steel has led the fundraising efforts of Big Brother and Big Sisters of Western Michigan. The company took leadership of the organization's annual golf outing in 1996. Since that time, the event has raised nearly $1.7 million, helping match 11,000 children with mentors. The annual golf outing culminates in a dinner where the Harry Samrick Scholarship, named in honor of Mr. Samrick's father, is awarded. It is one of the many ways Mr. Samrick and Mill Steel supports children, including services projects at group homes and visits to children hospitals.

Again, I would like to congratulate Mr. David Samrick on being recognized as the 2014 Service Center Executive of the Year by Metal Center News. I applaud Mr. Samrick's success, as well as his dedication to his family and community. I am confident his leadership will continue to shape the future of Steel Mill and communities throughout western Michigan.●

RECOGNIZING HASPEL

● Mr. VITTER. Mr. President, small businesses can often influence American culture and provide rich traditions that we celebrate for decades to come. Born out of the unique features of their hometowns, these businesses have become an important part of our history. The ''Throwback Thursday'' Small Business of the Week, Haspel of New Orleans, LA has created an all-American brand of clothing that has supported domestic enterprise and manufacturing.

In 1909, Joseph Haspel Sr. created his namesake seersucker brand to help Louisianians cope with the Mighty Mississippi's heat and humidity. Haspel recognized the need for versatile, lightweight clothing that could be worn during both the summer days and evenings. He based the puckered cloth off of a similar design used by workers in India, where the fabric was originally used to make overalls and laboring clothes. Haspel soon realized that a wide variety of folks could benefit from the innovative design—not simply just the day laborers for which the design was initially intended. From here, the seersucker business suit was born and quickly became a popular icon of the southern gentleman, worn at jazz concerts and cocktail parties alike. The style spread farther north and eventually solidified its place as an emblem of sophistication, having outfitted nearly every President since Calvin Coolidge. Haspel is now in its fourth generation as a family-owned business and continues to provide lightweight and stylish clothing across the country.

Joseph Haspel centered his brand on the unique culture of New Orleans and southern Louisiana. In addition to providing a cloth that would help people stay cool throughout the summer, he was committed to crafting clothes that were enjoyable to wear. To demonstrate his wash-and-wear fabric, Haspel supposedly jumped into the Atlantic Ocean in his suit, hung it up to dry, and wore it to an event later that evening. His commitment to durable, comfortable clothing has attracted loyal customers for over 100 years. This wash-and-wear material is used today for everything from suits to shorts.

Congratulations again to Haspel for being selected as the ''Throwback Thursday'' Small Business of the Week. Thank you for your continued embodiment of Louisiana culture and dedication to 100 percent made-in-America quality clothing.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to

the Senate by Mr. Pate, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The messages received today are printed at the end of the Senate proceedings.)

MESSAGE FROM THE HOUSE RECEIVED DURING ADJOURNMENT

ENROLLED BILLS SIGNED

Under the order of the Senate of January 6, 2015, the Secretary of the Senate, on June 26, 2015, during the adjournment of the Senate, received a message from the House of Representatives announcing that the Speaker pro tempore (Mr. THORNBERRY) has signed the following enrolled bills:

H.R. 893. An act to require the Secretary of the Treasury to mint coins in commemoration of the centennial of Boys Town, and for other purposes.

H.R. 1295. An act to extend the African Growth and Opportunity Act, the Generalized System of Preferences, the preferential duty treatment program for Haiti, and for other purposes.

Under the authority of the order of the Senate of January 6, 2015, the enrolled bills were signed on June 26, 2015, during the adjournment of the Senate, by the President pro tempore (Mr. HATCH).

MESSAGES FROM THE HOUSE

At 11:39 a.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate.

H.R. 907. An act to improve defense cooperation between the United States and the Hashemite Kingdom of Jordan.

H.R. 1531. An act to amend title 5, United States Code, to provide a pathway for temporary seasonal employees in Federal land management agencies to compete for vacant permanent positions under internal merit promotion procedures, and for other purposes.

The message also announced that the House has agreed to the amendment of the Senate to the bill (H.R. 91) to amend title 38, United States Code, to direct the Secretary of Veterans Affairs to issue, upon request, veteran identification cards to certain veterans.

ENROLLED BILL SIGNED

At 2:36 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the Speaker has signed the following enrolled bill:

H.R. 91. An act to amend title 38, United States Code, to direct the Secretary of Veterans Affairs to issue, upon request, veteran identification cards to certain veterans.

MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 907. An act to improve defense cooperation between the United States and the Hashemite Kingdom of Jordan; to the Committee on Foreign Relations.

H.R. 1531. An act to amend title 5, United States Code, to provide a pathway for temporary seasonal employees in Federal land management agencies to compete for vacant permanent positions under internal merit promotion procedures, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

MEASURES PLACED ON THE CALENDAR

The following bill was read the first and second times by unanimous consent, and placed on the calendar:

H.R. 2576. An act to modernize the Toxic Substances Control Act, and for other purposes.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC–2124. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Prohexadione calcium; Pesticide Tolerances'' (FRL No. 9927–25) received during adjournment of the Senate in the Office of the President of the Senate on June 30, 2015; to the Committee on Agriculture, Nutrition, and Forestry.

EC–2125. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Cuprous oxide; Exemption From the Requirement of a Tolerance'' (FRL No. 9929–51) received during adjournment of the Senate in the Office of the President of the Senate on June 30, 2015; to the Committee on Agriculture, Nutrition, and Forestry.

EC–2126. A communication from the Program Manager of the BioPreferred Program, Office of Procurement and Property Management, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Guidelines for Designating Biobased Products for Federal Procurement'' (RIN0599–AA23) received in the Office of the President of the Senate on June 24, 2015; to the Committee on Agriculture, Nutrition, and Forestry.

EC–2127. A communication from the Counsel, Legal Division, Bureau of Consumer Financial Protection, transmitting, pursuant to law, the report of a rule entitled ''Defining Larger Participants of the Automobile Financing Market and Defining Certain Automobile Leasing Activity as a Financial Product or Service'' (RIN3170–AA46) received during adjournment of the Senate in the Office of the President of the Senate on June 30, 2015; to the Committee on Banking, Housing, and Urban Affairs.

EC–2128. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency with respect to transnational criminal organizations that was declared in Executive Order 13581 of July 24, 2011; to the Committee on Banking, Housing, and Urban Affairs.

EC–2129. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled ''Suspension of Community Eligibility'' ((44 CFR Part 64) (Docket No. FEMA–2015–0001)) received in the Office of the President of the Senate on June 25, 2015; to the Committee on Banking, Housing, and Urban Affairs.

EC–2130. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Greenland Turbot in the Aleutian Islands Subarea of the of the Bering Sea and Aleutian Islands Management Area'' (RIN0648–XD920) received in the Office of the President of the Senate on June 24, 2015; to the Committee on Commerce, Science, and Transportation.

EC–2131. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to section 36(c) of the Arms Export Control Act (DDTC 14–114); to the Committee on Foreign Relations.

EC–2132. A communication from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting, pursuant to law, an annual report relative to the implementation of the Age Discrimination Act of 1975 for fiscal year 2014; to the Committee on Health, Education, Labor, and Pensions.

EC–2133. A communication from the General Counsel, Pension Benefit Guaranty Corporation, transmitting, pursuant to law, the report of a rule entitled ''Allocation of Assets in Single-Employer Plans; Benefits Payable in Terminated Single-Employer Plans; Interest Assumptions for Valuing and Paying Benefits'' (29 CFR Parts 4022 and 4044) received in the Office of the President of the Senate on June 25, 2015; to the Committee on Health, Education, Labor, and Pensions.

EC–2134. A communication from the Board of Trustees, National Railroad Retirement Board, transmitting, pursuant to law, the 2015 annual report on the financial status of the railroad unemployment insurance system; to the Committee on Health, Education, Labor, and Pensions.

EC–2135. A communication from the Railroad Retirement Board, transmitting, pursuant to law, a report entitled ''Twenty-Sixth Actuarial Valuation of the Assets and Liabilities Under the Railroad Retirement Acts as of December 31, 2013''; to the Committee on Health, Education, Labor, and Pensions.

EC–2136. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Revising Underground Storage Tank Regulations—Revisions to Existing Requirements and New Requirements for Secondary Containment and Operator Training'' ((RIN2050–AG46) (FRL No. 9913–64–OSWER)) received during adjournment of the Senate in the Office of the President of the Senate on June 30, 2015; to the Committee on Environment and Public Works.

EC–2137. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Performance Specification 18—Performance Specifications and Test Procedures for Hydrogen Chloride Continuous Emission Monitoring Systems and Stationary Sources'' ((RIN2060–AR81) (FRL No. 9929–25–OAR)) received during adjournment of the Senate in the Office of the President of the Senate on June 30, 2015; to the Committee on Environment and Public Works.

EC–2138. A communication from the Director of the Regulatory Management Division,

Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval of Alabama's Request to Relax the Federal Reid Vapor Pressure Gasoline Volatility Standard for Birmingham, Alabama'' ((RIN2060–AS58) (FRL No. 9929–91–OAR)) received during adjournment of the Senate in the Office of the President of the Senate on June 30, 2015; to the Committee on Environment and Public Works.

EC–2139. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval of Alabama's Request to Relax the Federal Reid Vapor Pressure Gasoline Volatility Standard for Birmingham, Alabama'' ((RIN2060–AS58) (FRL No. 9929–90–OAR)) received during adjournment of the Senate in the Office of the President of the Senate on June 30, 2015; to the Committee on Environment and Public Works.

EC–2140. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Technical Amendments to the Hazardous and Solid Waste Management System; Disposal of Coal Combustion Residuals from Electric Utilities—Correction of the Effective Date'' ((RIN2050–AE81) (FRL No. 9928–44–OSWER)) received during adjournment of the Senate in the Office of the President of the Senate on June 30, 2015; to the Committee on Environment and Public Works .

EC–2141. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval of Air Quality Implementation Plans; Sheboygan County, Wisconsin 8-Hour Ozone Nonattainment Area; Reasonable Further Progress Plan'' (FRL No. 9929–73–Region 5) received during adjournment of the Senate in the Office of the President of the Senate on June 30, 2015; to the Committee on Environment and Public Works.

EC–2142. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Implementation Plans; Texas; Revision to Control Organic Compound Emissions From Storage Tanks and Transport Vessels'' (FRL No. 9929–69–Region 6) received during adjournment of the Senate in the Office of the President of the Senate on June 30, 2015; to the Committee on Environment and Public Works.

EC–2143. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Implementation Plans; Mississippi; Memphis TN–MS-AR Emissions Inventory for the 2008 8-Hour Ozone Standard'' (FRL No. 9929–84–Region 4) received during adjournment of the Senate in the Office of the President of the Senate on June 30, 2015; to the Committee on Environment and Public Works.

EC–2144. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Implementation Plans; Arkansas; Prevention of Significant Deterioration; Greenhouse Gas Plantwide Applicability Limit Permitting Revisions'' (FRL No. 9929–81–Region 6) received during adjournment of the Senate in the Office of the President of the Senate on June 30, 2015; to the Committee on Environment and Public Works.

EC–2145. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; Maryland; Minor New Source Review Requirements'' (FRL No. 9930–08–Region 3) received during adjournment of the Senate in the Office of the President of the Senate on June 30, 2015; to the Committee on Environment and Public Works.

EC–2146. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Modification of Significant New Uses of Certain Chemical Substances'' ((RIN2070–AB27) (FRL No. 9928–93)) received during adjournment of the Senate in the Office of the President of the Senate on June 30, 2015; to the Committee on Environment and Public Works.

EC–2147. A communication from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting, pursuant to law, a report entitled ''Plan for Expanding Data in the Annual Comprehensive Error Rate Testing (CERT) Report''; to the Committee on Finance.

EC–2148. A communication from the Director, Office of Regulations and Reports Clearance, Social Security Administration, transmitting, pursuant to law, the report of a rule entitled ''Extension of Effective Date for Temporary Pilot Program Setting the Time and Place for a Hearing Before an Administrative Law Judge'' (RIN0960–AH75) received during adjournment of the Senate in the Office of the President of the Senate on June 30, 2015; to the Committee on Finance.

EC–2149. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Update of Weighted Average Interest Rates, Yield Curves, and Segment Rates'' (Notice 2015–42) received in the Office of the President of the Senate on June 24, 2015; to the Committee on Finance.

EC–2150. A communication from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting, pursuant to law, a report entitled ''Elder Justice Coordinating Council 2012–2014 Report to Congress''; to the Committee on Finance.

EC–2151. A communication from the Director, Office of Personnel Management, transmitting, pursuant to law, the Office's annual report on Federal agencies' use of the Physicians' Comparability Allowance (PCA) program; to the Committee on Homeland Security and Governmental Affairs.

EC–2152. A communication from the District of Columbia Auditor, transmitting, pursuant to law, a report entitled ''Review of District of Columbia's Compliance with the Recommendations of the Task Force on Emergency Medical Services (The Rosenbaum Task Force)''; to the Committee on Homeland Security and Governmental Affairs.

EC–2153. A communication from the District of Columbia Auditor, transmitting, pursuant to law, a report entitled ''ANC 8D Financial Operations Were Not Fully Compliant with Law''; to the Committee on Homeland Security and Governmental Affairs.

EC–2154. A communication from the Director, Administrative Office of the United States Courts, transmitting, pursuant to law, an annual report to Congress concerning intercepted wire, oral, or electronic communications; to the Committee on the Judiciary.

EC–2155. A communication from the Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, three (3) reports relative to vacancies in the Department of Justice, received during adjournment of the Senate in the Office of the President of the Senate on June 30, 2015; to the Committee on the Judiciary.

EC–2156. A communication from the Staff Director of the United States Commission on Civil Rights, transmitting, pursuant to law, a report relative to the United States Commission on Civil Rights renewing the charter of its federal advisory committee; to the Committee on the Judiciary.

EC–2157. A communication from the Director, Administrative Office of the United States Courts, transmitting, pursuant to law, a report entitled ''2014 Report of Statistics Required by the Bankruptcy Abuse Prevention and Consumer Protection Act of 2005''; to the Committee on the Judiciary.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. COCHRAN, from the Committee on Appropriations:

Special Report entitled ''Further Revised Allocation to Subcommittees of Budget Totals from the Concurrent resolution for Fiscal Year 2016'' (Rept. No. 114–78).

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. HOEVEN (for himself and Mr. KING):

S. 1715. A bill to require the Secretary of the Treasury to mint coins in commemoration of the 400th anniversary of arrival of the Pilgrims; to the Committee on Banking, Housing, and Urban Affairs.

By Ms. BALDWIN (for herself, Mr. BOOKER, Mr. BROWN, Ms. HIRONO, Mr. MURPHY, Mr. LEAHY, Mr. DURBIN, Mr. HEINRICH, Mr. CARDIN, Ms. STABENOW, Mr. MARKEY, and Mr. WHITEHOUSE):

S. 1716. A bill to provide access to higher education for the students of the United States; to the Committee on Health, Education, Labor, and Pensions.

By Mr. BROWN (for himself, Mr. PORTMAN, Mrs. MCCASKILL, Mr. BOOZMAN, Mr. VITTER, and Mr. COTTON):

S. 1717. A bill to amend title 46, United States Code, to exempt old vessels that only operate within inland waterways from the fire-retardant materials requirement if the owners of such vessels make annual structural alterations to at least 10 percent of the areas of the vessels that are not constructed of fire-retardant materials; to the Committee on Commerce, Science, and Transportation.

By Mr. ROBERTS:

S. 1718. A bill to provide for the repeal of certain provisions of the Patient Protection and Affordable Care Act that have the effect of rationing health care; to the Committee on Finance.

By Ms. COLLINS (for herself, Ms. BALDWIN, Ms. AYOTTE, Mr. BENNET, and Ms. MIKULSKI):

S. 1719. A bill to provide for the establishment and maintenance of a National Family Caregiving Strategy, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mrs. SHAHEEN (for herself, Ms. MIKULSKI, and Mr. CARDIN):

S. 1720. A bill to require the Secretary of the Treasury to redesign $10 Federal reserve notes so as to include a likeness of Harriet

Tubman, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. BLUMENTHAL (for himself and Mr. MCCAIN):

S. 1721. A bill to require the Secretary of Defense and the Secretary of Veterans Affairs to establish a joint uniform formulary with respect to systemic pain and psychotropic drugs that are critical for the transition of an individual from receiving health care services furnished by the Secretary of Defense to health care services furnished by the Secretary of Veterans Affairs, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. ROUNDS:

S. 1722. A bill to amend the Dodd-Frank Wall Street Reform and Consumer Protection Act to repeal certain additional disclosure requirements, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. BLUMENTHAL (for himself and Mr. GRAHAM):

S. Res. 217. A resolution designating October 8, 2015, as ''National Hydrogen and Fuel Cell Day''; to the Committee on the Judiciary.

By Mr. MENENDEZ (for himself, Ms. COLLINS, Mr. BROWN, Mr. RUBIO, Mr. BOOKER, Mr. MCCAIN, Mr. SCHUMER, Mr. TOOMEY, Mr. WARNER, Mr. PERDUE, Mrs. SHAHEEN, Ms. MURKOWSKI, Ms. MIKULSKI, Ms. AYOTTE, Mr. MARKEY, Mr. MORAN, Mr. CARPER, Mr. THUNE, Mrs. MCCASKILL, Ms. HIRONO, Mr. BENNET, Mr. KAINE, Mr. KING, Mrs. MURRAY, Ms. KLOBUCHAR, Mrs. GILLIBRAND, Mr. DURBIN, Mr. CASEY, Ms. CANTWELL, Mr. PETERS, Ms. WARREN, Mrs. FEINSTEIN, Mr. TESTER, and Mr. WYDEN):

S. Res. 218. A resolution congratulating the United States Women's National Team for winning the 2015 FIFA World Cup; considered and agreed to.

ADDITIONAL COSPONSORS

S. 149

At the request of Mr. HATCH, the names of the Senator from South Carolina (Mr. GRAHAM) and the Senator from Arkansas (Mr. BOOZMAN) were added as cosponsors of S. 149, a bill to amend the Internal Revenue Code of 1986 to repeal the excise tax on medical devices.

S. 198

At the request of Mr. DURBIN, the name of the Senator from Vermont (Mr. LEAHY) was added as a cosponsor of S. 198, a bill to amend the Internal Revenue Code of 1986 to modify the rules relating to inverted corporations.

S. 280

At the request of Mr. PORTMAN, the name of the Senator from North Dakota (Ms. HEITKAMP) was added as a cosponsor of S. 280, a bill to improve the efficiency, management, and interagency coordination of the Federal permitting process through reforms overseen by the Director of the Office of Management and Budget, and for other purposes.

S. 311

At the request of Mr. CASEY, the names of the Senator from Oregon (Mr. MERKLEY), the Senator from West Virginia (Mr. MANCHIN), the Senator from Missouri (Mrs. MCCASKILL), the Senator from California (Mrs. BOXER), the Senator from California (Mrs. FEINSTEIN), the Senator from New Jersey (Mr. MENENDEZ), the Senator from Minnesota (Ms. KLOBUCHAR), the Senator from Hawaii (Ms. HIRONO), the Senator from North Dakota (Ms. HEITKAMP) and the Senator from Virginia (Mr. KAINE) were added as cosponsors of S. 311, a bill to amend the Elementary and Secondary Education Act of 1965 to address and take action to prevent bullying and harassment of students.

S. 358

At the request of Mrs. SHAHEEN, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 358, a bill to amend title 10, United States Code, to ensure that women members of the Armed Forces and their families have access to the contraception they need in order to promote the health and readiness of all members of the Armed Forces, and for other purposes.

S. 436

At the request of Mr. MENENDEZ, the name of the Senator from Connecticut (Mr. MURPHY) was added as a cosponsor of S. 436, a bill to promote youth athletic safety and for other purposes.

S. 491

At the request of Ms. KLOBUCHAR, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of S. 491, a bill to lift the trade embargo on Cuba.

S. 578

At the request of Mr. SCHUMER, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 578, a bill to amend title XVIII of the Social Security Act to ensure more timely access to home health services for Medicare beneficiaries under the Medicare program.

S. 598

At the request of Mr. CARDIN, the name of the Senator from Louisiana (Mr. VITTER) was added as a cosponsor of S. 598, a bill to improve the understanding of, and promote access to treatment for, chronic kidney disease, and for other purposes.

S. 677

At the request of Mrs. BOXER, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. 677, a bill to prohibit the application of certain restrictive eligibility requirements to foreign nongovernmental organizations with respect to the provision of assistance under part I of the Foreign Assistance Act of 1961.

S. 681

At the request of Mrs. GILLIBRAND, the name of the Senator from Hawaii (Mr. SCHATZ) was added as a cosponsor of S. 681, a bill to amend title 38, United States Code, to clarify presumptions relating to the exposure of certain veterans who served in the vicinity of the Republic of Vietnam, and for other purposes.

S. 683

At the request of Mr. BOOKER, the name of the Senator from Maine (Mr. KING) was added as a cosponsor of S. 683, a bill to extend the principle of federalism to State drug policy, provide access to medical marijuana, and enable research into the medicinal properties of marijuana.

S. 757

At the request of Mr. NELSON, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 757, a bill to modify the prohibition on recognition by United States courts of certain rights relating to certain marks, trade names, or commercial names.

S. 766

At the request of Mr. HOEVEN, the name of the Senator from Arkansas (Mr. BOOZMAN) was added as a cosponsor of S. 766, a bill to limit the retrieval of data from vehicle event data recorders, and for other purposes.

S. 786

At the request of Mrs. GILLIBRAND, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 786, a bill to provide paid and family medical leave benefits to certain individuals, and for other purposes.

S. 812

At the request of Mr. MORAN, the name of the Senator from South Carolina (Mr. SCOTT) was added as a cosponsor of S. 812, a bill to enhance the ability of community financial institutions to foster economic growth and serve their communities, boost small businesses, increase individual savings, and for other purposes.

S. 861

At the request of Mr. CARPER, the name of the Senator from North Carolina (Mr. BURR) was added as a cosponsor of S. 861, a bill to amend titles XVIII and XIX of the Social Security Act to curb waste, fraud, and abuse in the Medicare and Medicaid programs.

S. 878

At the request of Mr. SANDERS, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 878, a bill to establish a State residential building energy efficiency upgrades loan pilot program.

S. 1020

At the request of Mr. VITTER, the name of the Senator from North Carolina (Mr. BURR) was added as a cosponsor of S. 1020, a bill to amend title XVIII of the Social Security Act to ensure the continued access of Medicare beneficiaries to diagnostic imaging services, and for other purposes.

S. 1148

At the request of Mr. NELSON, the name of the Senator from Hawaii (Ms.

HIRONO) was added as a cosponsor of S. 1148, a bill to amend title XVIII of the Social Security Act to provide for the distribution of additional residency positions, and for other purposes.

S. 1169

At the request of Mr. GRASSLEY, the names of the Senator from Texas (Mr. CORNYN) and the Senator from Illinois (Mr. DURBIN) were added as cosponsors of S. 1169, a bill to reauthorize and improve the Juvenile Justice and Delinquency Prevention Act of 1974, and for other purposes.

S. 1246

At the request of Ms. STABENOW, the names of the Senator from Wisconsin (Ms. BALDWIN) and the Senator from Georgia (Mr. ISAKSON) were added as cosponsors of S. 1246, a bill to amend the Internal Revenue Code of 1986 to revise the definition of municipal solid waste for purposes of the renewable electricity production credit.

S. 1300

At the request of Mrs. FEINSTEIN, the name of the Senator from South Carolina (Mr. GRAHAM) was added as a cosponsor of S. 1300, a bill to amend the section 221 of the Immigration and Nationality Act to provide relief for adoptive families from immigrant visa feeds in certain situations.

S. 1324

At the request of Mrs. CAPITO, the name of the Senator from Oklahoma (Mr. LANKFORD) was added as a cosponsor of S. 1324, a bill to require the Administrator of the Environmental Protection Agency to fulfill certain requirements before regulating standards of performance for new, modified, and reconstructed fossil fuel-fired electric utility generating units, and for other purposes.

S. 1383

At the request of Mr. PERDUE, the name of the Senator from Oklahoma (Mr. INHOFE) was added as a cosponsor of S. 1383, a bill to amend the Consumer Financial Protection Act of 2010 to subject the Bureau of Consumer Financial Protection to the regular appropriations process, and for other purposes.

S. 1428

At the request of Mr. BARRASSO, the name of the Senator from Utah (Mr. LEE) was added as a cosponsor of S. 1428, a bill to amend the USEC Privatization Act to require the Secretary of Energy to issue a long-term Federal excess uranium inventory management plan, and for other purposes.

S. 1458

At the request of Mr. COATS, the names of the Senator from Kansas (Mr. MORAN), the Senator from Nevada (Mr. HELLER), the Senator from Arkansas (Mr. COTTON) and the Senator from Alaska (Mr. SULLIVAN) were added as cosponsors of S. 1458, a bill to amend the Surface Mining Control and Reclamation Act of 1977 to ensure scientific transparency in the development of environmental regulations and for other purposes.

S. 1519

At the request of Mr. GARDNER, the name of the Senator from Idaho (Mr. RISCH) was added as a cosponsor of S. 1519, a bill to amend the Labor Management Relations Act, 1947 to address slowdowns, strikes, and lock-outs occurring at ports in the United States, and for other purposes.

S. 1526

At the request of Mr. PORTMAN, the name of the Senator from New Hampshire (Ms. AYOTTE) was added as a cosponsor of S. 1526, a bill to amend title 10 and title 41, United States Code, to improve the manner in which Federal contracts for construction and design services are awarded, to prohibit the use of reverse auctions for design and construction services procurements, to amend title 31 and 41, United States Code, to improve the payment protections available to construction contractors, subcontractors, and suppliers for work performed, and for other purposes.

S. 1554

At the request of Mr. CARDIN, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of S. 1554, a bill to amend the Federal Water Pollution Control Act and to direct the Secretary of the Interior to conduct a study with respect to stormwater runoff from oil and gas operations, and for other purposes.

S. 1562

At the request of Mr. WYDEN, the names of the Senator from New Hampshire (Mrs. SHAHEEN), the Senator from New Hampshire (Ms. AYOTTE), the Senator from Colorado (Mr. BENNET) and the Senator from Kansas (Mr. MORAN) were added as cosponsors of S. 1562, a bill to amend the Internal Revenue Code of 1986 to reform taxation of alcoholic beverages.

S. 1567

At the request of Mr. PETERS, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 1567, a bill to amend title 10, United States Code, to provide for a review of the characterization or terms of discharge from the Armed Forces of individuals with mental health disorders alleged to affect terms of discharge.

S. 1598

At the request of Mr. LEE, the name of the Senator from Georgia (Mr. ISAKSON) was added as a cosponsor of S. 1598, a bill to prevent discriminatory treatment of any person on the basis of views held with respect to marriage.

S. 1603

At the request of Mr. FLAKE, the names of the Senator from North Carolina (Mr. TILLIS) and the Senator from Louisiana (Mr. VITTER) were added as cosponsors of S. 1603, a bill to actively recruit members of the Armed Forces who are separating from military service to serve as Customs and Border Protection Officers.

S. 1632

At the request of Ms. COLLINS, the names of the Senator from West Virginia (Mrs. CAPITO) and the Senator from Michigan (Ms. STABENOW) were added as cosponsors of S. 1632, a bill to require a regional strategy to address the threat posed by Boko Haram.

S. 1660

At the request of Mr. ROBERTS, the name of the Senator from Kansas (Mr. MORAN) was added as a cosponsor of S. 1660, a bill to amend the Internal Revenue Code of 1986 to modify and make permanent bonus depreciation.

S. 1682

At the request of Mr. KIRK, the name of the Senator from Florida (Mr. RUBIO) was added as a cosponsor of S. 1682, a bill to extend the Iran Sanctions Act of 1996 and to require the Secretary of the Treasury to report on the use by Iran of funds made available through sanctions relief.

S. 1704

At the request of Mr. BARRASSO, the name of the Senator from Arizona (Mr. MCCAIN) was added as a cosponsor of S. 1704, a bill to amend the Indian Tribal Justice Act to secure urgent resources vital to Indian victims of crime, and for other purposes.

S. RES. 211

At the request of Mr. CARDIN, the name of the Senator from Arizona (Mr. MCCAIN) was added as a cosponsor of S. Res. 211, a resolution expressing the sense of the Senate regarding Srebrenica.

AMENDMENT NO. 1744

At the request of Mrs. FEINSTEIN, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of amendment No. 1744 proposed to H.R. 1735, an act to authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

AMENDMENT NO. 2096

At the request of Mr. KAINE, the name of the Senator from South Carolina (Mr. SCOTT) was added as a cosponsor of amendment No. 2096 intended to be proposed to S. 1177, an original bill to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves.

AMENDMENT NO. 2109

At the request of Ms. HIRONO, the names of the Senator from Nevada (Mr. REID), the Senator from Massachusetts (Mr. MARKEY), the Senator from Washington (Ms. CANTWELL) and the Senator from Wisconsin (Ms. BALDWIN) were added as cosponsors of amendment No. 2109 proposed to S. 1177, an original bill to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves.

AMENDMENT NO. 2110

At the request of Mr. DAINES, the names of the Senator from Florida (Mr. RUBIO) and the Senator from Colorado (Mr. GARDNER) were added as cosponsors of amendment No. 2110 intended to

be proposed to S. 1177, an original bill to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves.

AMENDMENT NO. 2119

At the request of Mr. GARDNER, the names of the Senator from Arizona (Mr. MCCAIN), the Senator from Arizona (Mr. FLAKE) and the Senator from Texas (Mr. CORNYN) were added as cosponsors of amendment No. 2119 intended to be proposed to S. 1177, an original bill to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Ms. COLLINS (for herself, Ms. BALDWIN, Ms. AYOTTE, Mr. BENNET, and Ms. MIKULSKI):

S. 1719. A bill to provide for the establishment and maintenance of a National Family Caregiving Strategy, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

Ms. COLLINS. Mr. President, I rise today to introduce legislation with my colleague from Wisconsin, Senator BALDWIN, to require the Secretary of Health and Human Services to develop a national strategy to recognize and support the more than 40 million family caregivers in the United States.

The U.S. population is aging. According to Census Bureau projections, 21 percent of our population will be 65 and older by 2040, up from just under 14 percent in 2012.

Every day, 10,000 baby boomers turn 65 years old, and as many as 90 percent of them have one or more chronic health conditions. Americans 85 and older—our oldest old—are the fastest growing segment of our population. This is the population that is most at risk of multiple and interacting health problems that can lead to disability and the need for round-the-clock care.

At the very time that our population is aging and the need for care and support is increasing, declining birthrates mean that the population of professional and informal caregivers is shrinking. Today, there are seven potential caregivers for each person over 80 and at the highest risk of requiring long-term care. By 2030, there will be four, and by 2050, the number drops to fewer than three. As a consequence, in the future, more people will have to rely on fewer caregivers.

Families will likely continue to be the most important source of support for people with long-term care needs. We must do more to support the 43 million family caregivers in the United States who, in 2009, provided an estimated $450 billion in uncompensated long-term care. This is an increase from $375 billion just 2 years earlier, and more than double the value of all paid long-term care.

Family caregivers provide tremendous value, but they also face many challenges. While the typical family caregiver is a 49-year old woman who takes care of an older relative, 34 percent of family caregivers are aged 65 or older. Nearly one in ten is 75 or older. Many of these caregivers are putting their own health at risk, since caregivers experience high levels of stress and have a greater incidence of chronic conditions like heart disease, cancer and depression.

Most family caregivers are employed and struggle to balance their work and caregiving responsibilities. Nearly seven in ten caregivers report making sacrifices in the workplace because of their caregiving responsibilities. They face financial hardships if they must reduce their hours, change jobs, or leave the workforce entirely because of caregiving demands. Family caregivers age 50 and older who leave the workforce to care for a parent lose, on average, nearly $304,000 in wages and benefits over their lifetime.

I am therefore introducing legislation with my colleague from Wisconsin to require the Secretary of Health and Human Services to develop a national strategy to recognize and support family caregivers. Titled the Recognize, Assist, Include, Support, and Engage, or RAISE Family Caregivers Act, the legislation is based on a recommendation of the bipartisan Commission on Long Term Care. It is modeled after a law that I co-authored in 2010 with then-Senator Evan Bayh that created a coordinated strategic national plan to combat Alzheimer's disease.

The RAISE Family Caregivers Act directs the Secretary of Health and Human Services to establish a National Family Caregiving Project to develop and sustain a national strategy to support family caregivers. The bill would create a Family Caregiving Advisory Council composed of relevant Federal agencies and non-federal members. It would include representatives of family caregivers, older adults with long-term care needs, individuals with disabilities, employers, health and social service providers, advocates for family caregivers, state and local officials, and others with expertise in family caregiving.

The Advisory Council would be charged with making recommendations to the Secretary. The strategy and plan would be updated annually to reflect new developments. The plan would include an initial inventory and assessment of federally-funded caregiver efforts. It would then identify specific actions that government, communities, employers, providers, and others can take to support family caregivers.

The Project would be funded from existing funding appropriated for the Department of Health and Human Services. No new funding is authorized. Like the National Alzheimer's Project Act, it would sunset in fifteen years.

Family caregivers are an invaluable resource to our aging society. Chances are that, sooner or later, we will all either be family caregivers or someone who needs one. The RAISE Family Caregivers Act will launch a coordinated, national strategic plan that will help us to leverage our resources, promote innovation and promising practices, and provide our nation's family caregivers with much-needed recognition and support. Our bipartisan legislation has been endorsed by AARP. I urge all of our colleagues to join us as cosponsors.

Mr. President, I ask unanimous consent that a letter of support be printed in the RECORD.

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

AARP,
Washington, DC, July 8, 2015.

Hon. SUSAN COLLINS,
U.S. Senate, Washington, DC.
Hon. TAMMY BALDWIN,
U.S. Senate, Washington, DC.

DEAR SENATORS COLLINS AND BALDWIN: AARP is very pleased to endorse the Recognize, Assist, Include, Support, and Engage (RAISE) Family Caregivers Act. Thank you for your efforts to work on a bipartisan basis to support family caregivers. Most of us are, have been, or will be a family caregiver or will need help to live independently. This is an ageless and nonpartisan issue.

Family caregivers are the backbone of services and supports in this country. They help make it possible for older adults and people with disabilities to live independently in their homes and communities. There are about 40 million family caregivers currently caring for adults. In 2009, family caregivers provided an estimated $450 billion in unpaid care to adults who needed help with daily activities such as bathing, dressing, meal preparation, and transportation, more than total Medicaid spending that year. Our country relies on the contributions family caregivers make and should recognize and support them. Family caregivers take on physical, emotional, and financial challenges in their caregiving roles.

The RAISE Family Caregivers Act would require the development of a national strategy to support family caregivers. The bill would create an advisory body to bring together relevant federal agencies and others from the private and public sectors to advise and make recommendations. The strategy would identify specific actions that government, communities, providers, employers, and others can take to recognize and support family caregivers and be updated annually.

By supporting family caregivers, we can help people stay at home where they want to be, helping to delay or prevent more costly nursing home care and unnecessary hospitalizations, and saving taxpayer dollars. We appreciate your bipartisan leadership and are committed to working with you to pass the RAISE Family Caregivers Act this year. If you have any questions, please feel free to contact me, or have your staff contact Rhonda Richards on our Government Affairs staff at (202) 434–3770 or rrichards@aarp.org.

Sincerely,

JOYCE A. ROGERS,
Senior Vice President, Government Affairs.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 217—DESIGNATING OCTOBER 8, 2015, AS ''NATIONAL HYDROGEN AND FUEL CELL DAY''

Mr. BLUMENTHAL (for himself and Mr. GRAHAM) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 217

Whereas hydrogen, which has an atomic mass of 1.008, is the most abundant chemical substance in the universe;

Whereas the United States is a world leader in the development and deployment of fuel cell and hydrogen technologies;

Whereas hydrogen fuel cells played an instrumental role in the United States space program, helping the United States achieve the mission of landing a man on the moon;

Whereas private industry, Federal and State governments, national laboratories, and universities continue to improve fuel cell and hydrogen technologies to address our most pressing energy, environmental, and economic issues;

Whereas fuel cells utilizing hydrogen and hydrogen-rich fuels to generate electricity are clean, efficient, resilient technologies being sold for stationary and backup power, zero-emission light duty motor vehicles and buses, industrial vehicles, and portable power;

Whereas stationary fuel cells are being placed in service for continuous and backup power to provide business and energy consumers with reliable power in the event of grid outages;

Whereas stationary fuel cells can help reduce water use compared to traditional power generation technologies;

Whereas fuel cell electric light duty motor vehicles and buses that utilize hydrogen can completely replicate the experience of internal combustion vehicles including comparable range and refueling times;

Whereas hydrogen fuel cell industrial vehicles are being deployed at logistical hubs and warehouses across the country and are also being exported to facilities in Europe and Asia;

Whereas hydrogen is a non-toxic gas that can be derived from a variety of domestically-available traditional and renewable resources, including solar, wind, biogas and the abundant supply of natural gas in the United States;

Whereas hydrogen and fuel cells can store energy to help enhance the grid and maximize opportunities to deploy renewable energy;

Whereas the United States currently produces and uses more than 11,000,000 metric tons of hydrogen per year; and

Whereas engineers and safety code and standard professionals have developed consensus-based protocols for safe delivery, handling, and use of hydrogen: Now, therefore, be it

Resolved, That the Senate designates October 8, 2015, as ''National Hydrogen and Fuel Cell Day''.

SENATE RESOLUTION 218—CONGRATULATING THE UNITED STATES WOMEN'S NATIONAL TEAM FOR WINNING THE 2015 FIFA WORLD CUP

Mr. MENENDEZ (for himself, Ms. COLLINS, Mr. BROWN, Mr. RUBIO, Mr. BOOKER, Mr. MCCAIN, Mr. SCHUMER, Mr. TOOMEY, Mr. WARNER, Mr. PERDUE, Mrs. SHAHEEN, Ms. MURKOWSKI, Ms. MIKULSKI, Ms. AYOTTE, Mr. MARKEY, Mr. MORAN, Mr. CARPER, Mr. THUNE, Mrs. MCCASKILL, Ms. HIRONO, Mr. BENNET, Mr. KAINE, Mr. KING, Mrs. MURRAY, Ms. KLOBUCHAR, Mrs. GILLIBRAND, Mr. DURBIN, Mr. CASEY, Ms. CANTWELL, Mr. PETERS, Ms. WARREN, Mrs. FEINSTEIN, Mr. TESTER, and Mr. WYDEN) submitted the following resolution; which was considered and agreed to:

S. RES. 218

Whereas on July 5, 2015, in Vancouver, Canada, the United States Women's National Team won the FIFA Women's World Cup;

Whereas during the FIFA World Cup the United States Women's National Team finished first in its group before eliminating teams representing the Republic of Colombia, the People's Republic of China, and the Federal Republic of Germany in the knockout stages to reach the final;

Whereas the United States secured a resounding 5 to 2 victory over Japan in the highest scoring Women's World Cup Final in history, which included the fastest hat trick in World Cup history by Carli Lloyd by the 16th minute of the game;

Whereas the run of the United States Women's National Team in the 2015 World Cup included a record-tying 540 consecutive minutes without conceding a goal;

Whereas the United States Women's National Team became the first team to win the FIFA Women's World Cup 3 times;

Whereas all 23 players on the roster should be congratulated, including captains Christie Rampone and Abby Wambach, Golden Ball winner Carli Lloyd, Golden Glove winner Hope Solo, as well as Shannon Boxx, Morgan Brian, Lori Chalupny, Whitney Engen, Ashlyn Harris, Tobin Heath, Lauren Holiday, Julie Johnston, Meghan Klingenberg, Ali Krieger, Sydney Leroux, Alex Morgan, Alyssa Naeher, Kelley O'Hara, Heather O'Reilly, Christen Press, Megan Rapinoe, Amy Rodriguez, and Becky Sauerbrunn;

Whereas head coach Jill Ellis displayed extraordinary leadership, adjusting the team's starting lineup as the FIFA Women's World Cup progressed in order to promote teamwork and capitalize on the talents of each player; and

Whereas dedicated fans, including a group of supporters known as the American Outlaws, and citizens across the United States showed their unmitigated support for the United States Women's National Team as the team competed in Canada, and can now celebrate because the United States women are world champions again:

Now, therefore, be it

Resolved, That the Senate—

(1) congratulates the United States Women's National Team for winning the 2015 FIFA Women's World Cup through teamwork and determination;

(2) recognizes the achievements of all of the players, coaches, and staff who contributed to the FIFA World Cup winning team; and

(3) celebrates the contributions of the millions of fans across the Nation who cheered the United States Women's National Team to victory, and made the players the best supported team in the world.

AMENDMENTS SUBMITTED AND PROPOSED

SA 2122. Ms. STABENOW submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table.

SA 2123. Mr. UDALL (for himself and Mr. TESTER) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2124. Mrs. MURRAY (for herself, Ms. MIKULSKI, Mrs. SHAHEEN, Ms. BALDWIN, and Mrs. BOXER) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra.

SA 2125. Mr. SANDERS submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2126. Mr. COONS (for himself and Mr. RUBIO) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2127. Mr. COONS (for himself, Mr. RUBIO, and Mrs. GILLIBRAND) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2128. Mr. KAINE (for himself, Ms. AYOTTE, Mr. WHITEHOUSE, Mr. CASEY, Mr. WARNER, and Mrs. BOXER) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2129. Mr. TESTER submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2130. Mr. SCHATZ submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2131. Mr. CASEY (for himself, Mr. ISAKSON, and Ms. WARREN) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2132. Mr. SCOTT (for himself, Mr. CRUZ, Mr. LEE, Mr. RUBIO, Mr. SASSE, and Mr. VITTER) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2133. Mr. SCOTT (for himself, Mr. CRUZ, Mr. RUBIO, and Mr. VITTER) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2134. Mr. SCOTT (for himself, Mr. CRUZ, Mr. HATCH, Mr. RUBIO, and Mr. VITTER) submitted an amendment intended to be proposed by him to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2135. Mrs. GILLIBRAND (for herself and Mr. PORTMAN) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2136. Mr. MURPHY submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the

bill S. 1177, supra; which was ordered to lie on the table.

SA 2137. Mr. PORTMAN (for himself and Mr. COONS) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2138. Ms. KLOBUCHAR (for herself and Mr. HOEVEN) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2139. Mr. ALEXANDER submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra.

SA 2140. Mrs. SHAHEEN submitted an amendment intended to be proposed by her to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2141. Mr. BENNET (for himself and Ms. AYOTTE) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2142. Mr. BLUMENTHAL (for himself, Mr. MURPHY, and Ms. CANTWELL) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2143. Mr. DURBIN submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2144. Mr. WICKER submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2145. Ms. AYOTTE (for herself and Mr. BLUMENTHAL) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2146. Mr. COTTON (for himself, Mr. SESSIONS, and Mr. CRUZ) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2147. Mr. PORTMAN (for himself and Mr. WHITEHOUSE) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2148. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2149. Mr. UDALL submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2150. Mrs. FEINSTEIN (for herself, Mr. CORNYN, and Mr. GARDNER) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2151. Mr. CARPER submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2152. Mr. CASEY (for himself, Mrs. MURRAY, Ms. HIRONO, Mr. DURBIN, Mr. MURPHY, Mr. HEINRICH, Ms. BALDWIN, Mr. UDALL, Mr. SCHATZ, Ms. MIKULSKI, Mr. FRANKEN, Mr. MARKEY, Mr. WHITEHOUSE, Mrs. GILLIBRAND, Mr. WYDEN, Mr. COONS, Ms. WARREN, Ms. CANTWELL, Mr. SCHUMER, Mrs. SHAHEEN, and Mr. SANDERS) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2153. Mr. REID (for Mr. KING (for himself and Mrs. CAPITO)) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2154. Mr. REID (for Mr. KING (for himself and Mrs. CAPITO)) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2155. Mr. THUNE submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2156. Mrs. CAPITO (for herself and Mr. DURBIN) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2157. Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2158. Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2159. Mr. BENNET submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2160. Mr. MENENDEZ submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2161. Mr. KIRK (for himself, Mr. REED, Ms. BALDWIN, and Mr. BROWN) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2162. Mr. LEE submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2163. Mr. LEE submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2164. Mr. ISAKSON submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2165. Mr. ISAKSON submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2166. Mr. BROWN (for himself, Mr. CASEY, and Mr. COONS) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2167. Mr. SCHATZ submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2168. Mr. SCHATZ submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2169. Mr. BOOKER submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2170. Mr. BOOKER submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2171. Ms. HEITKAMP submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2172. Mr. MERKLEY submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2173. Mr. BOOKER submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2174. Ms. HEITKAMP (for herself, Mr. THUNE, Ms. STABENOW, and Mr. TESTER) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2175. Mr. MARKEY submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2176. Mr. MARKEY submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2177. Mr. SANDERS submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 2122. Ms. STABENOW submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

At the end of the bill, add the following:

SEC. 1020___. EARLY PELL PROMISE ACT.

(a) SHORT TITLE.—This section may be cited as the ''Early Pell Promise Act''.

(b) EARLY FEDERAL PELL GRANT COMMITMENT PROGRAM.—Subpart 1 of part A of title IV of the Higher Education Act of 1965 (20

U.S.C. 1070a et seq.) is amended by adding at the end the following:

"SEC. 401B. EARLY FEDERAL PELL GRANT COMMITMENT PROGRAM.

''(a) PROGRAM AUTHORITY.—The Secretary is authorized to carry out an Early Federal Pell Grant Commitment Program (referred to in this section as the 'Program') under which the Secretary shall—

''(1) award grants to State educational agencies to pay the administrative expenses incurred in participating in the Program; and

''(2) make a commitment to award Federal Pell Grants to eligible students in accordance with this section.

''(b) PROGRAM REQUIREMENTS.—The Program shall meet the following requirements:

''(1) ELIGIBLE STUDENTS.—

''(A) IN GENERAL.—A student shall be eligible to receive a commitment from the Secretary to receive a Federal Pell Grant early in the student's academic career if the student—

''(i) is in 8th grade; and

''(ii) is eligible for a free or reduced price lunch under the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.).

''(2) FEDERAL PELL GRANT COMMITMENT.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), each eligible student who participates in the Program shall receive a commitment from the Secretary to receive a Federal Pell Grant during the first 2 academic years that the student is in attendance at an institution of higher education as an undergraduate student, if the student—

''(i) applies for Federal financial aid (via the FAFSA) during the student's senior year of secondary school and during the succeeding academic year; and

''(ii) enrolls at such institution of higher education—

''(I) not later than 3 years after such student receives a secondary school diploma or its recognized equivalent; or

''(II) if such student becomes a member of the Armed Forces, not later than 3 years after such student is discharged, separated, or released from the Armed Forces.

''(B) EXCEPTION TO COMMITMENT.—If an eligible student receives a commitment from the Secretary to receive a Federal Pell Grant during the first 2 academic years that the student is in attendance at an institution of higher education as an undergraduate student and the student applies for Federal financial aid (via the FAFSA) during the student's senior year of secondary school or during the succeeding academic year, and the expected family contribution of the student for either of such years is more than 2 times the threshold amount for Federal Pell Grant eligibility for such year, then such student shall not receive a Federal Pell Grant under this section for the succeeding academic year. Such student shall continue to be eligible for any other Federal student financial aid for which the student is otherwise eligible.

''(3) APPLICABILITY OF FEDERAL PELL GRANT REQUIREMENTS.—The requirements of section 401 shall apply to Federal Pell Grants awarded pursuant to this section, except that with respect to each eligible student who participates in the Program and is not subject the exception under paragraph (2)(B), the amount of each such eligible student's Federal Pell Grant only shall be calculated by deeming such student to have an expected family contribution equal to zero.

''(c) STATE EDUCATIONAL AGENCY APPLICATIONS.—

''(1) IN GENERAL.—Each State educational agency desiring to participate in the Program shall submit an application to the Secretary at such time and in such manner as the Secretary may require.

''(2) CONTENTS.—Each application shall include—

''(A) a description of the proposed targeted information campaign for the Program and a copy of the plan described in subsection (e)(2);

''(B) an assurance that the State educational agency will fully cooperate with the ongoing evaluation of the Program; and

''(C) such other information as the Secretary may require.

''(d) EVALUATION.—

''(1) IN GENERAL.—From amounts appropriated under subsection (f) for a fiscal year, the Secretary shall reserve not more than $1,000,000 to award a grant or contract to an organization outside the Department for an independent evaluation of the impact of the Program.

''(2) COMPETITIVE BASIS.—The grant or contract shall be awarded on a competitive basis.

''(3) MATTERS EVALUATED.—The evaluation described in this subsection shall consider metrics established by the Secretary that emphasize college access and success, encouraging low-income students to pursue higher education, and the cost effectiveness of the program.

''(4) DISSEMINATION.—The findings of the evaluation shall be widely disseminated to the public by the organization conducting the evaluation as well as by the Secretary.

''(e) TARGETED INFORMATION CAMPAIGN.—

''(1) IN GENERAL.—Each State educational agency receiving a grant under this section shall, in cooperation with the participating local educational agencies within the State and the Secretary, develop a targeted information campaign for the Program.

''(2) PLAN.—Each State educational agency receiving a grant under this section shall include in the application submitted under subsection (c) a written plan for their proposed targeted information campaign. The plan shall include the following:

''(A) OUTREACH.—Outreach to students and their families, at a minimum, at the beginning and end of each academic year.

''(B) DISTRIBUTION.—How the State educational agency plans to provide the outreach described in subparagraph (A) and to provide the information described in subparagraph (C).

''(C) INFORMATION.—The annual provision by the State educational agency to all students and families participating in the Program of information regarding—

''(i) the estimated statewide average higher education institution cost data for each academic year, which cost data shall be disaggregated by—

''(I) type of institution, including—

''(aa) 2-year public colleges;

''(bb) 4-year public colleges;

''(cc) 4-year private colleges; and

''(dd) private, for-profit colleges;

''(II) component, including—

''(aa) tuition and fees; and

''(bb) room and board;

''(ii) Federal Pell Grants, including—

''(I) the maximum Federal Pell Grant for each academic year;

''(II) when and how to apply for a Federal Pell Grant; and

''(III) what the application process for a Federal Pell Grant requires;

''(iii) State-specific college savings programs;

''(iv) State-based financial aid, including State-based merit aid; and

''(v) Federal financial aid available to students, including eligibility criteria for the Federal financial aid and an explanation of the Federal financial aid programs.

''(3) ANNUAL INFORMATION.—The information described in paragraph (2)(C) shall be provided to eligible students annually for the duration of the students' participation in the Program.

''(4) RESERVATION.—Each State educational agency receiving a grant under this section shall reserve $200,000 of the grant funds received each fiscal year to carry out the targeted information campaign described in this subsection.

''(f) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section such sums as may be necessary.''.

SA 2123. Mr. UDALL (for himself and Mr. TESTER) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

After section 9102, insert the following:

SEC. _____. RESERVATIONS FOR BUREAU OF INDIAN EDUCATION.

Part A of title IX (20 U.S.C. 7801 et seq.) is amended by adding at the end the following:

"SEC. 9104. RESERVATIONS FOR BUREAU OF INDIAN EDUCATION.

''(a) BIE RESERVATIONS FOR FORMULA-BASED EDUCATION PROGRAMS.—

''(1) IN GENERAL.—The Secretary shall ensure that any formula-based education program provides a reservation, in the amount described in paragraph (2), for the Bureau of Indian Education to be used in accordance with paragraph (3) on behalf of the schools or programs, as applicable, operated or funded by the Bureau of Indian Education.

''(2) AMOUNT OF RESERVATION.—

''(A) INCREASING BIE RESERVATIONS OF LESS THAN 0.5 PERCENT.—In the case of a formula-based education program that requires by law (including any regulation) reservation of program funds for the Bureau of Indian Education in an amount less than 0.5 percent of the total amount available to carry out the formula-based education program for a fiscal year, the Secretary shall increase the amount of such reservation to 0.5 percent of such total amount for such year.

''(B) MAINTAINING BIE RESERVATIONS EQUAL TO OR GREATER THAN 0.5 PERCENT.—In the case of a formula-based education program that requires by law (including any regulation) a reservation of program funds for the Bureau of Indian Education in an amount equal to or greater than 0.5 percent of the total amount available to carry out the formula-based education program for a fiscal year, the Secretary shall reserve the amount of funds required by such law for the Bureau for such year.

''(C) ESTABLISHING BIE RESERVATIONS FOR OTHER FORMULA-BASED EDUCATION PROGRAMS.—In the case of a formula-based education program for which no funds are provided or reserved by law (including any regulation) by the Secretary for the Bureau of Indian Education or for schools operated or funded by the Bureau, the Secretary shall reserve 0.5 percent of the total amount available to carry out the formula-based education program for the Bureau of Indian Education.

''(3) USE OF RESERVED FUNDS.—The Bureau of Indian Education shall use any funds reserved under a formula-based education program for the purposes and uses provided under such program.

''(b) REQUIREMENTS FOR COMPETITIVE EDUCATION PROGRAMS.—

''(1) IN GENERAL.—With respect to any competitive education program, the Secretary shall deem the Bureau of Indian Education

to be a State or State educational agency, as applicable, for purposes of applying for and receiving a grant, contract, or other assistance under the program, and shall allow the Bureau to use funds provided under the competitive education program to carry out the purposes and activities and services provided by the program for the schools or programs, as applicable, operated or funded by the Bureau.

''(2) TECHNICAL ASSISTANCE.—For each competitive education program, the Secretary may reserve not more than 0.5 percent of the total amount appropriated for the program for a fiscal year for technical assistance or capacity-building to assist the Bureau of Indian Education, and schools or programs operated or funded by the Bureau of Indian Education, in building the capacity and expertise needed to compete and qualify for assistance under the program.

''(3) NONAPPLICABILITY OF CERTAIN PROVISIONS.—Notwithstanding any other provision of law, the Bureau of Indian Education, when applying for or receiving a grant, contract, or assistance under a competitive education program, shall not be subject to any provision of the program that requires grant recipients to contribute funds toward the costs of the grant program.

''(c) DEFINITIONS.—In this section:

''(1) FORMULA-BASED EDUCATION PROGRAM.—The term 'formula-based education program' means any program administered by the Secretary under this Act that—

''(A) awards grants, contracts, or other assistance relating to early childhood, elementary, or secondary education to States or State educational agencies; and

''(B) allocates the program funds by statutory or regulatory formula.

''(2) COMPETITIVE EDUCATION PROGRAM.—The term 'competitive education program' means any program administered by the Secretary under this Act that—

''(A) awards grants, contracts, or other assistance relating to early childhood, elementary, or secondary education to States or State educational agencies on a competitive basis; and

''(B) does not contain any type of reservation of funds for the Bureau of Indian Education or the schools operated or funded by the Bureau of Indian Education.

''(d) RELATIONSHIP TO OTHER LAWS.—In the event of a conflict between this section and any law regarding a formula-based education program or competitive education program, this section shall control.''.

SA 2124. Mrs. MURRAY (for herself, Ms. MIKULSKI, Mrs. SHAHEEN, Ms. BALDWIN, and Mrs. BOXER) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; as follows:

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.

SA 2125. Mr. SANDERS submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

On page 69, strike lines 16 and 17 and insert the following:

dents;

(N) how the State educational agency will support multiple postsecondary and career pathways aligned with workforce and economic needs of the State; and

(O) any other information on how the

SA 2126. Mr. COONS (for himself and Mr. RUBIO) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

At the end of the bill, add the following:

PART C—AMERICAN DREAM ACCOUNTS

SEC. 10301. SHORT TITLE.

This part may be cited as the ''American Dream Accounts Act''.

SEC. 10302. FINDINGS.

Congress finds the following:

(1) Only 9.8 out of every 100 individuals from low-income families will graduate from an institution of higher education before reaching the age of 24.

(2) Lack of knowledge about how to apply to, and pay for, an institution of higher education is a barrier for many low-income students and students who would be in the first generation in their families to attend an institution of higher education.

(3) According to Public Agenda, most young adults give secondary school counselors fair or poor ratings for advice about attending an institution of higher education, including advice about how to decide what institution of higher education to attend, how to pay for higher education, what careers to pursue, and how to apply to an institution of higher education.

(4) More than 1,700,000 students fail to file the Free Application for Federal Student Aid (FAFSA), and about one-third of such students would qualify for a Federal Pell Grant.

(5) During the last 2 decades, costs of attending institutions of higher education have increased dramatically, but need-based financial aid has not kept pace with such increasing costs.

(6) In the 1990–1991 school year, the maximum Federal Pell Grant covered 45 percent of the average cost of attendance at a public 4-year institution of higher education (including tuition, fees, room, and board), but in the 2010–2011 school year, the maximum Federal Pell Grant covered only 34 percent of such cost.

(7) Parental and youth college savings are strong predictors of a youth's expectations about attendance at an institution of higher education.

(8) Only 32 percent of parents who earn less than $35,000 a year are saving for their child's education at an institution of higher education.

(9) According to the Center for Social Development, ''wilt'' occurs when a young person who expects to graduate from a 4-year institution of higher education has not yet attended such institution by the ages of 19 to 22.

(10) Children who have savings dedicated for attendance at an institution of higher education are 4 times more likely to attend a 4-year institution of higher education and avoid ''wilt''.

SEC. 10303. DEFINITIONS.

In this part:

(1) AMERICAN DREAM ACCOUNT.—The term ''American Dream Account'' means a personal online account for low-income students that monitors higher education readiness and includes a college savings account.

(2) APPROPRIATE COMMITTEES OF CONGRESS.—The term ''appropriate committees of Congress'' means the Committee on Health, Education, Labor, and Pensions, the Committee on Appropriations, and the Committee on Finance of the Senate, and the Committee on Education and the Workforce, the Committee on Appropriations, and the Committee on Ways and Means of the House of Representatives, as well as any other Committee of the Senate or House of Representatives that the Secretary determines appropriate.

(3) CHARTER SCHOOL.—The term ''charter school'' has the meaning given such term in section 5110 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7221i).

(4) COLLEGE SAVINGS ACCOUNT.—The term ''college savings account'' means a trust created or organized exclusively for the purpose of paying the qualified expenses of only an individual who, when the trust is created or organized, has not obtained 18 years of age, if the written governing instrument creating the trust contains the following requirements:

(A) The trustee is a Federally insured financial institution, or a State insured financial institution if a Federally insured financial institution is not available.

(B) The assets of the trust will be invested in accordance with the direction of the individual or of a parent or guardian of the individual, after consultation with the entity providing the initial contribution to the trust or, if applicable, a matching or other contribution for the individual.

(C) The assets of the trust will not be commingled with other property except in a common trust fund or common investment fund.

(D) Any amount in the trust that is attributable to an account seed or matched deposit may be paid or distributed from the trust only for the purpose of paying qualified expenses of the individual.

(5) DUAL OR CONCURRENT ENROLLMENT PROGRAM.—The term ''dual or concurrent enrollment program'' means a program of study—

(A) provided by an institution of higher education through which a student who has not graduated from high school with a regular high school diploma (as defined in section 200.19(b)(1)(iv) of title 34, Code of Federal Regulations, as such section was in effect on November 28, 2008) is able to earn postsecondary credit; and

(B) that shall consist of not less than 2 postsecondary credit-bearing courses and support and academic services that help a student persist and complete such courses.

(6) EARLY COLLEGE HIGH SCHOOL PROGRAM.—The term ''early college high school program'' means a formal partnership between at least 1 local educational agency and at least 1 institution of higher education that allows participants, who are primarily low-income students, to simultaneously complete requirements toward earning a regular high school diploma (as defined in section 200.19(b)(1)(iv) of title 34, Code of Federal Regulations, as such section was in effect on November 28, 2008) and earn not less than 12 transferable credits as part of an organized course of study toward a postsecondary degree or credential.

(7) ELIGIBLE ENTITY.—The term ''eligible entity'' means—

(A) a State educational agency;

(B) a local educational agency, including a charter school that operates as its own local educational agency;

(C) a charter management organization or charter school authorizer;

(D) an institution of higher education or a Tribal College or University;

(E) a nonprofit organization;

(F) an entity with demonstrated experience in educational savings or in assisting low-income students to prepare for, and attend, an institution of higher education;

(G) a consortium of 2 or more of the entities described in subparagraphs (A) through (F); or

(H) a consortium of 1 or more of the entities described in subparagraphs (A) through (F) and a public school, a charter school, a school operated by the Bureau of Indian Affairs, or a tribally controlled school.

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

(9) LOCAL EDUCATIONAL AGENCY.—The term ''local educational agency'' has the meaning given such term in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

(10) LOW-INCOME STUDENT.—The term ''low-income student'' means a student who is eligible to receive a free or reduced price lunch under the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.).

(11) PARENT.—The term ''parent'' has the meaning given such term in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

(12) QUALIFIED EXPENSES.—The term ''qualified expenses'' means, with respect to an individual, expenses that—

(A) are incurred after the individual receives a secondary school diploma or its recognized equivalent; and

(B) are associated with attending an institution of higher education, including—

(i) tuition and fees;

(ii) room and board;

(iii) textbooks;

(iv) supplies and equipment; and

(v) Internet access.

(13) SECRETARY.—The term ''Secretary'' means the Secretary of Education.

(14) STATE EDUCATIONAL AGENCY.—The term ''State educational agency'' has the meaning given such term in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

(15) TRIBAL COLLEGE OR UNIVERSITY.—The term ''Tribal College or University'' has the meaning given such term in section 316(b) of the Higher Education Act of 1965 (20 U.S.C. 1059c(b)).

(16) TRIBALLY CONTROLLED SCHOOL.—The term ''tribally controlled school'' has the meaning given such term in section 5212 of the Tribally Controlled Schools Act of 1988 (25 U.S.C. 2511).

SEC. 10304. GRANT PROGRAM.

(a) PROGRAM AUTHORIZED.—The Secretary is authorized to award grants, on a competitive basis, to eligible entities to enable such eligible entities to establish and administer American Dream Accounts for a group of low-income students.

(b) RESERVATION.—From the amounts appropriated each fiscal year to carry out this part, the Secretary shall reserve not more than 5 percent of such amount to carry out the evaluation activities described in section 10307.

(c) DURATION.—A grant awarded under this part shall be for a period of not more than 3 years. The Secretary may extend such grant for an additional 2-year period if the Secretary determines that the eligible entity has demonstrated significant progress, based on the factors described in section 10305(b)(11).

SEC. 10305. APPLICATIONS; PRIORITY.

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

(b) CONTENTS.—At a minimum, the application described in subsection (a) shall include the following:

(1) A description of the characteristics of a group of not less than 30 low-income public school students who—

(A) are, at the time of the application, attending a grade not higher than grade 9; and

(B) will, under the grant, receive an American Dream Account.

(2) A description of how the eligible entity will engage, and provide support (such as tutoring and mentoring for students, and training for teachers and other stakeholders) either online or in person, to—

(A) the students in the group described in paragraph (1);

(B) the family members and teachers of such students; and

(C) other stakeholders such as school administrators and school counselors.

(3) An identification of partners who will assist the eligible entity in establishing and sustaining American Dream Accounts.

(4) A description of what experience the eligible entity or the partners of the eligible entity have in managing college savings accounts, preparing low-income students for postsecondary education, managing online systems, and teaching financial literacy.

(5) A demonstration that the eligible entity has sufficient resources to provide an initial deposit into the college savings account portion of each American Dream Account.

(6) A description of how the eligible entity will help increase the value of the college savings account portion of each American Dream Account, such as by providing matching funds or incentives for academic achievement.

(7) A description of how the eligible entity will notify each participating student in the group described in paragraph (1), on a semi-annual basis, of the current balance and status of the college savings account portion of the American Dream Account of the student.

(8) A plan that describes how the eligible entity will monitor participating students in the group described in paragraph (1) to ensure that the American Dream Account of each student will be maintained if a student in such group changes schools before graduating from secondary school.

(9) A plan that describes how the American Dream Accounts will be managed for not less than 1 year after a majority of the students in the group described in paragraph (1) graduate from secondary school.

(10) A description of how the eligible entity will encourage students in the group described in paragraph (1) who fail to graduate from secondary school to continue their education.

(11) A description of how the eligible entity will evaluate the grant program, including by collecting, as applicable, the following data about the students in the group described in paragraph (1) during the grant period, or until the time of graduation from a secondary school, whichever comes first, and, if sufficient grant funds are available, after the grant period:

(A) Attendance rates.

(B) Progress reports.

(C) Grades and course selections.

(D) The student graduation rate, as defined as the percentage of students who graduate from secondary school with a regular diploma in the standard number of years.

(E) Rates of student completion of the Free Application for Federal Student Aid described in section 483 of the Higher Education Act of 1965 (20 U.S.C. 1090).

(F) Rates of enrollment in an institution of higher education.

(G) Rates of completion at an institution of higher education.

(12) A description of what will happen to the funds in the college savings account portion of the American Dream Accounts that are dedicated to participating students described in paragraph (1) who have not matriculated at an institution of higher education at the time of the conclusion of the period of American Dream Account management described in paragraph (9), including how the eligible entity will give students this information.

(13) A description of how the eligible entity will ensure that participating students described in paragraph (1) will have access to the Internet.

(14) A description of how the eligible entity will take into consideration how funds in the college savings account portion of American Dream Accounts will affect participating families' eligibility for public assistance.

(c) PRIORITY.—In awarding grants under this part, the Secretary shall give priority to applications from eligible entities that—

(1) are described in subparagraph (G) or (H) of section 10303(7);

(2) serve the largest number of low-income students;

(3) in the case of an eligible entity described in subparagraph (A) or (B) of section 10303(7), provide opportunities for participating students described in subsection (b)(1) to participate in a dual or concurrent enrollment program or early college high school program at no cost to the student or the student's family; or

(4) as of the time of application, have been awarded a grant under chapter 2 of subpart 2 of part A of title IV of the Higher Education Act of 1965 (20 U.S.C. 1070a–21 et seq.) (commonly referred to as the ''GEAR UP program'').

SEC. 10306. AUTHORIZED ACTIVITIES.

(a) IN GENERAL.—An eligible entity that receives a grant under this part shall use such grant funds to establish an American Dream Account for each participating student described in section 10305(b)(1), that will be used to—

(1) open a college savings account for such student;

(2) monitor the progress of such student online, which—

(A) shall include monitoring student data relating to—

(i) grades and course selections;

(ii) progress reports; and

(iii) attendance and disciplinary records; and

(B) may also include monitoring student data relating to a broad range of information, provided by teachers and family members, related to postsecondary education readiness, access, and completion;

(3) provide opportunities for such students, either online or in person, to learn about financial literacy, including by—

(A) assisting such students in financial planning for enrollment in an institution of higher education;

(B) assisting such students in identifying and applying for financial aid (such as loans, grants, and scholarships) for an institution of higher education; and

(C) enhancing student understanding of consumer, economic, and personal finance concepts;

(4) provide opportunities for such students, either online or in person, to learn about preparing for enrollment in an institution of higher education, including by providing instruction to students about—

(A) choosing the appropriate courses to prepare for postsecondary education;

(B) applying to an institution of higher education;

(C) building a student portfolio, which may be used when applying to an institution of higher education;

(D) selecting an institution of higher education;

(E) choosing a major for the student's postsecondary program of education or a career path; and

(F) adapting to life at an institution of higher education; and

(5) provide opportunities for such students, either online or in person, to identify skills or interests, including career interests.

(b) ACCESS TO AMERICAN DREAM ACCOUNT.—

(1) IN GENERAL.—Subject to paragraphs (3) and (4), and in accordance with applicable Federal laws and regulations relating to privacy of information and the privacy of children, an eligible entity that receives a grant under this part shall allow vested stakeholders, as described in paragraph (2), to have secure access, through an Internet website, to an American Dream Account.

(2) VESTED STAKEHOLDERS.—The vested stakeholders that an eligible entity shall permit to access an American Dream Account are individuals (such as the student's teachers, school counselors, school administrators, or other individuals) that are designated, in accordance with section 444 of the General Education Provisions Act (20 U.S.C. 1232g, commonly known as the ''Family Educational Rights and Privacy Act of 1974''), by the parent of a participating student in whose name such American Dream Account is held, as having permission to access the account. A student's parent may withdraw such designation from an individual at any time.

(3) EXCEPTION FOR COLLEGE SAVINGS ACCOUNT.—An eligible entity that receives a grant under this part shall not be required to give vested stakeholders, as described in paragraph (2), access to the college savings account portion of a student's American Dream Account.

(4) ADULT STUDENTS.—Notwithstanding paragraphs (1), (2), and (3), if a participating student is age 18 or older, an eligible entity that receives a grant under this part shall not provide access to such participating student's American Dream Account without the student's consent, in accordance with section 444 of the General Education Provisions Act (20 U.S.C. 1232g, commonly known as the ''Family Educational Rights and Privacy Act of 1974'').

(5) INPUT OF STUDENT INFORMATION.—Student data collected pursuant to subsection (a)(2)(A) shall be entered into an American Dream Account only by a school administrator or the designee of such administrator.

(c) PROHIBITION ON USE OF STUDENT INFORMATION.—An eligible entity that receives a grant under this part shall not use any student-level information or data for the purpose of soliciting, advertising, or marketing any financial or non-financial consumer product or service that is offered by such eligible entity, or on behalf of any other person.

(d) PROHIBITION ON THE USE OF GRANT FUNDS.—An eligible entity shall not use grant funds provided under this part to provide any deposits into a college savings account portion of a student's American Dream Account.

SEC. 10307. REPORTS AND EVALUATIONS.

(a) IN GENERAL.—Not later than 1 year after the Secretary has disbursed grants under this part, and annually thereafter until each grant disbursed under this part has ended, the Secretary shall prepare and submit a report to the appropriate committees of Congress, which shall include an evaluation of the effectiveness of the grant program established under this part.

(b) CONTENTS.—The report described in subsection (a) shall—

(1) list the grants that have been awarded under section 10304(a);

(2) include the number of students who have an American Dream Account established through a grant awarded under section 10304(a);

(3) provide data (including the interest accrued on college savings accounts that are part of an American Dream Account) in the aggregate, regarding students who have an American Dream Account established through a grant awarded under section 10304(a), as compared to similarly situated students who do not have an American Dream Account;

(4) identify best practices developed by the eligible entities receiving grants under this part;

(5) identify any issues related to student privacy and stakeholder accessibility to American Dream Accounts;

(6) provide feedback from participating students and the parents of such students about the grant program, including—

(A) the impact of the program;

(B) aspects of the program that are successful;

(C) aspects of the program that are not successful; and

(D) any other data required by the Secretary; and

(7) provide recommendations for expanding the American Dream Accounts program.

SEC. 10308. ELIGIBILITY TO RECEIVE FEDERAL STUDENT FINANCIAL AID.

Notwithstanding any other provision of law, any funds that are in the college savings account portion of a student's American Dream Account shall not affect such student's eligibility to receive Federal student financial aid, including any Federal student financial aid under the Higher Education Act of 1965 (20 U.S.C. 1001 et seq.), and shall not be considered in determining the amount of any such Federal student aid.

SEC. 10309. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to carry out this part such sums as may be necessary for fiscal year 2016 and each of the 4 succeeding fiscal years.

SA 2127. Mr. COONS (for himself, Mr. RUBIO, and Mrs. GILLIBRAND) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

At the end of the bill, add the following:

PART C—AMERICAN DREAM ACCOUNTS

SEC. 10301. SHORT TITLE.

This part may be cited as the ''American Dream Accounts Act''.

SEC. 10302. FINDINGS.

Congress finds the following:

(1) Only 9.8 out of every 100 individuals from low-income families will graduate from an institution of higher education before reaching the age of 24.

(2) Lack of knowledge about how to apply to, and pay for, an institution of higher education is a barrier for many low-income students and students who would be in the first generation in their families to attend an institution of higher education.

(3) According to Public Agenda, most young adults give secondary school counselors fair or poor ratings for advice about attending an institution of higher education, including advice about how to decide what institution of higher education to attend, how to pay for higher education, what careers to pursue, and how to apply to an institution of higher education.

(4) More than 1,700,000 students fail to file the Free Application for Federal Student Aid (FAFSA), and about one-third of such students would qualify for a Federal Pell Grant.

(5) During the last 2 decades, costs of attending institutions of higher education have increased dramatically, but need-based financial aid has not kept pace with such increasing costs.

(6) In the 1990–1991 school year, the maximum Federal Pell Grant covered 45 percent of the average cost of attendance at a public 4-year institution of higher education (including tuition, fees, room, and board), but in the 2010–2011 school year, the maximum Federal Pell Grant covered only 34 percent of such cost.

(7) Parental and youth college savings are strong predictors of a youth's expectations about attendance at an institution of higher education.

(8) Only 32 percent of parents who earn less than $35,000 a year are saving for their child's education at an institution of higher education.

(9) According to the Center for Social Development, ''wilt'' occurs when a young person who expects to graduate from a 4-year institution of higher education has not yet attended such institution by the ages of 19 to 22.

(10) Children who have savings dedicated for attendance at an institution of higher education are 4 times more likely to attend a 4-year institution of higher education and avoid ''wilt''.

SEC. 10303. DEFINITIONS.

In this part:

(1) AMERICAN DREAM ACCOUNT.—The term ''American Dream Account'' means a personal online account for low-income students that monitors higher education readiness and includes a college savings account.

(2) APPROPRIATE COMMITTEES OF CONGRESS.—The term ''appropriate committees of Congress'' means the Committee on Health, Education, Labor, and Pensions, the Committee on Appropriations, and the Committee on Finance of the Senate, and the Committee on Education and the Workforce, the Committee on Appropriations, and the Committee on Ways and Means of the House of Representatives, as well as any other Committee of the Senate or House of Representatives that the Secretary determines appropriate.

(3) CHARTER SCHOOL.—The term ''charter school'' has the meaning given such term in section 5110 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7221i).

(4) COLLEGE SAVINGS ACCOUNT.—The term ''college savings account'' means a trust created or organized exclusively for the purpose of paying the qualified expenses of only an individual who, when the trust is created or organized, has not obtained 18 years of age, if the written governing instrument creating the trust contains the following requirements:

(A) The trustee is a Federally insured financial institution, or a State insured financial institution if a Federally insured financial institution is not available.

(B) The assets of the trust will be invested in accordance with the direction of the individual or of a parent or guardian of the individual, after consultation with the entity providing the initial contribution to the trust or, if applicable, a matching or other contribution for the individual.

(C) The assets of the trust will not be commingled with other property except in a common trust fund or common investment fund.

(D) Any amount in the trust that is attributable to an account seed or matched deposit may be paid or distributed from the trust only for the purpose of paying qualified expenses of the individual.

(5) DUAL OR CONCURRENT ENROLLMENT PROGRAM.—The term ''dual or concurrent enrollment program'' means a program of study—

(A) provided by an institution of higher education through which a student who has not graduated from high school with a regular high school diploma (as defined in section 200.19(b)(1)(iv) of title 34, Code of Federal Regulations, as such section was in effect on November 28, 2008) is able to earn postsecondary credit; and

(B) that shall consist of not less than 2 postsecondary credit-bearing courses and support and academic services that help a student persist and complete such courses.

(6) EARLY COLLEGE HIGH SCHOOL PROGRAM.—The term ''early college high school program'' means a formal partnership between at least 1 local educational agency and at least 1 institution of higher education that allows participants, who are primarily low-income students, to simultaneously complete requirements toward earning a regular high school diploma (as defined in section 200.19(b)(1)(iv) of title 34, Code of Federal Regulations, as such section was in effect on November 28, 2008) and earn not less than 12 transferable credits as part of an organized course of study toward a postsecondary degree or credential.

(7) ELIGIBLE ENTITY.—The term ''eligible entity'' means—

(A) a State educational agency;

(B) a local educational agency, including a charter school that operates as its own local educational agency;

(C) a charter management organization or charter school authorizer;

(D) an institution of higher education or a Tribal College or University;

(E) a nonprofit organization;

(F) an entity with demonstrated experience in educational savings or in assisting low-income students to prepare for, and attend, an institution of higher education;

(G) a consortium of 2 or more of the entities described in subparagraphs (A) through (F); or

(H) a consortium of 1 or more of the entities described in subparagraphs (A) through (F) and a public school, a charter school, a school operated by the Bureau of Indian Affairs, or a tribally controlled school.

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

(9) LOCAL EDUCATIONAL AGENCY.—The term ''local educational agency'' has the meaning given such term in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

(10) LOW-INCOME STUDENT.—The term ''low-income student'' means a student who is eligible to receive a free or reduced price lunch under the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.).

(11) PARENT.—The term ''parent'' has the meaning given such term in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

(12) QUALIFIED EXPENSES.—The term ''qualified expenses'' means, with respect to an individual, expenses that—

(A) are incurred after the individual receives a secondary school diploma or its recognized equivalent; and

(B) are associated with attending an institution of higher education, including—

(i) tuition and fees;

(ii) room and board;

(iii) textbooks;

(iv) supplies and equipment; and

(v) Internet access.

(13) SECRETARY.—The term ''Secretary'' means the Secretary of Education.

(14) STATE EDUCATIONAL AGENCY.—The term ''State educational agency'' has the meaning given such term in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

(15) TRIBAL COLLEGE OR UNIVERSITY.—The term ''Tribal College or University'' has the meaning given such term in section 316(b) of the Higher Education Act of 1965 (20 U.S.C. 1059c(b)).

(16) TRIBALLY CONTROLLED SCHOOL.—The term ''tribally controlled school'' has the meaning given such term in section 5212 of the Tribally Controlled Schools Act of 1988 (25 U.S.C. 2511).

SEC. 10304. GRANT PROGRAM.

(a) PROGRAM AUTHORIZED.—The Secretary shall establish a pilot program and award 10 grants to eligible entities to enable such eligible entities to establish and administer American Dream Accounts for a group of low-income students.

(b) RESERVATION.—From the amounts appropriated each fiscal year to carry out this part, the Secretary shall reserve not more than 5 percent of such amount to carry out the evaluation activities described in section 10307.

(c) DURATION.—A grant awarded under this part shall be for a period of not more than 3 years. The Secretary may extend such grant for an additional 2-year period if the Secretary determines that the eligible entity has demonstrated significant progress, based on the factors described in section 10305(b)(11).

SEC. 10305. APPLICATIONS; PRIORITY.

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

(b) CONTENTS.—At a minimum, the application described in subsection (a) shall include the following:

(1) A description of the characteristics of a group of not less than 30 low-income public school students who—

(A) are, at the time of the application, attending a grade not higher than grade 9; and

(B) will, under the grant, receive an American Dream Account.

(2) A description of how the eligible entity will engage, and provide support (such as tutoring and mentoring for students, and training for teachers and other stakeholders) either online or in person, to—

(A) the students in the group described in paragraph (1);

(B) the family members and teachers of such students; and

(C) other stakeholders such as school administrators and school counselors.

(3) An identification of partners who will assist the eligible entity in establishing and sustaining American Dream Accounts.

(4) A description of what experience the eligible entity or the partners of the eligible entity have in managing college savings accounts, preparing low-income students for postsecondary education, managing online systems, and teaching financial literacy.

(5) A demonstration that the eligible entity has sufficient resources to provide an initial deposit into the college savings account portion of each American Dream Account.

(6) A description of how the eligible entity will help increase the value of the college savings account portion of each American Dream Account, such as by providing matching funds or incentives for academic achievement.

(7) A description of how the eligible entity will notify each participating student in the group described in paragraph (1), on a semi-annual basis, of the current balance and status of the college savings account portion of the American Dream Account of the student.

(8) A plan that describes how the eligible entity will monitor participating students in the group described in paragraph (1) to ensure that the American Dream Account of each student will be maintained if a student in such group changes schools before graduating from secondary school.

(9) A plan that describes how the American Dream Accounts will be managed for not less than 1 year after a majority of the students in the group described in paragraph (1) graduate from secondary school.

(10) A description of how the eligible entity will encourage students in the group described in paragraph (1) who fail to graduate from secondary school to continue their education.

(11) A description of how the eligible entity will evaluate the grant program, including by collecting, as applicable, the following data about the students in the group described in paragraph (1) during the grant period, or until the time of graduation from a secondary school, whichever comes first, and, if sufficient grant funds are available, after the grant period:

(A) Attendance rates.

(B) Progress reports.

(C) Grades and course selections.

(D) The student graduation rate, as defined as the percentage of students who graduate from secondary school with a regular diploma in the standard number of years.

(E) Rates of student completion of the Free Application for Federal Student Aid described in section 483 of the Higher Education Act of 1965 (20 U.S.C. 1090).

(F) Rates of enrollment in an institution of higher education.

(G) Rates of completion at an institution of higher education.

(12) A description of what will happen to the funds in the college savings account portion of the American Dream Accounts that are dedicated to participating students described in paragraph (1) who have not matriculated at an institution of higher education at the time of the conclusion of the period of American Dream Account management described in paragraph (9), including how the eligible entity will give students this information.

(13) A description of how the eligible entity will ensure that participating students described in paragraph (1) will have access to the Internet.

(14) A description of how the eligible entity will take into consideration how funds in the college savings account portion of American Dream Accounts will affect participating families' eligibility for public assistance.

(c) PRIORITY.—In awarding grants under this part, the Secretary shall give priority to applications from eligible entities that—

(1) are described in subparagraph (G) or (H) of section 10303(7);

(2) serve the largest number of low-income students;

(3) in the case of an eligible entity described in subparagraph (A) or (B) of section 10303(7), provide opportunities for participating students described in subsection (b)(1) to participate in a dual or concurrent enrollment program or early college high school program at no cost to the student or the student's family; or

(4) as of the time of application, have been awarded a grant under chapter 2 of subpart 2 of part A of title IV of the Higher Education Act of 1965 (20 U.S.C. 1070a–21 et seq.) (commonly referred to as the ''GEAR UP program'').

SEC. 10306. AUTHORIZED ACTIVITIES.

(a) IN GENERAL.—An eligible entity that receives a grant under this part shall use such grant funds to establish an American Dream Account for each participating student described in section 10305(b)(1), that will be used to—

(1) open a college savings account for such student;

(2) monitor the progress of such student online, which—

(A) shall include monitoring student data relating to—

(i) grades and course selections;

(ii) progress reports; and

(iii) attendance and disciplinary records; and

(B) may also include monitoring student data relating to a broad range of information, provided by teachers and family members, related to postsecondary education readiness, access, and completion;

(3) provide opportunities for such students, either online or in person, to learn about financial literacy, including by—

(A) assisting such students in financial planning for enrollment in an institution of higher education;

(B) assisting such students in identifying and applying for financial aid (such as loans, grants, and scholarships) for an institution of higher education; and

(C) enhancing student understanding of consumer, economic, and personal finance concepts;

(4) provide opportunities for such students, either online or in person, to learn about preparing for enrollment in an institution of higher education, including by providing instruction to students about—

(A) choosing the appropriate courses to prepare for postsecondary education;

(B) applying to an institution of higher education;

(C) building a student portfolio, which may be used when applying to an institution of higher education;

(D) selecting an institution of higher education;

(E) choosing a major for the student's postsecondary program of education or a career path; and

(F) adapting to life at an institution of higher education; and

(5) provide opportunities for such students, either online or in person, to identify skills or interests, including career interests.

(b) ACCESS TO AMERICAN DREAM ACCOUNT.—

(1) IN GENERAL.—Subject to paragraphs (3) and (4), and in accordance with applicable Federal laws and regulations relating to privacy of information and the privacy of children, an eligible entity that receives a grant under this part shall allow vested stakeholders, as described in paragraph (2), to have secure access, through an Internet website, to an American Dream Account.

(2) VESTED STAKEHOLDERS.—The vested stakeholders that an eligible entity shall permit to access an American Dream Account are individuals (such as the student's teachers, school counselors, school administrators, or other individuals) that are designated, in accordance with section 444 of the General Education Provisions Act (20 U.S.C. 1232g, commonly known as the ''Family Educational Rights and Privacy Act of 1974''), by the parent of a participating student in whose name such American Dream Account is held, as having permission to access the account. A student's parent may withdraw such designation from an individual at any time.

(3) EXCEPTION FOR COLLEGE SAVINGS ACCOUNT.—An eligible entity that receives a grant under this part shall not be required to give vested stakeholders, as described in paragraph (2), access to the college savings account portion of a student's American Dream Account.

(4) ADULT STUDENTS.—Notwithstanding paragraphs (1), (2), and (3), if a participating student is age 18 or older, an eligible entity that receives a grant under this part shall not provide access to such participating student's American Dream Account without the student's consent, in accordance with section 444 of the General Education Provisions Act (20 U.S.C. 1232g, commonly known as the ''Family Educational Rights and Privacy Act of 1974'').

(5) INPUT OF STUDENT INFORMATION.—Student data collected pursuant to subsection (a)(2)(A) shall be entered into an American Dream Account only by a school administrator or the designee of such administrator.

(c) PROHIBITION ON USE OF STUDENT INFORMATION.—An eligible entity that receives a grant under this part shall not use any student-level information or data for the purpose of soliciting, advertising, or marketing any financial or non-financial consumer product or service that is offered by such eligible entity, or on behalf of any other person.

(d) PROHIBITION ON THE USE OF GRANT FUNDS.—An eligible entity shall not use grant funds provided under this part to provide any initial deposits into a college savings account portion of a student's American Dream Account.

SEC. 10307. REPORTS AND EVALUATIONS.

(a) IN GENERAL.—Not later than 1 year after the Secretary has disbursed grants under this part, and annually thereafter until each grant disbursed under this part has ended, the Secretary shall prepare and submit a report to the appropriate committees of Congress, which shall include an evaluation of the effectiveness of the grant program established under this part.

(b) CONTENTS.—The report described in subsection (a) shall—

(1) list the grants that have been awarded under section 10304(a);

(2) include the number of students who have an American Dream Account established through a grant awarded under section 10304(a);

(3) provide data (including the interest accrued on college savings accounts that are part of an American Dream Account) in the aggregate, regarding students who have an American Dream Account established through a grant awarded under section 10304(a), as compared to similarly situated students who do not have an American Dream Account;

(4) identify best practices developed by the eligible entities receiving grants under this part;

(5) identify any issues related to student privacy and stakeholder accessibility to American Dream Accounts;

(6) provide feedback from participating students and the parents of such students about the grant program, including—

(A) the impact of the program;

(B) aspects of the program that are successful;

(C) aspects of the program that are not successful; and

(D) any other data required by the Secretary; and

(7) provide recommendations for expanding the American Dream Accounts program.

SEC. 10308. ELIGIBILITY TO RECEIVE FEDERAL STUDENT FINANCIAL AID.

Notwithstanding any other provision of law, any funds that are in the college savings account portion of a student's American Dream Account shall not affect such student's eligibility to receive Federal student financial aid, including any Federal student financial aid under the Higher Education Act of 1965 (20 U.S.C. 1001 et seq.), and shall not be considered in determining the amount of any such Federal student aid.

SEC. 10309. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to carry out this part such sums as may be necessary for fiscal year 2016 and each of the 4 succeeding fiscal years.

SA 2128. Mr. KAINE (for himself, Ms. AYOTTE, Mr. WHITEHOUSE, Mr. CASEY, Mr. WARNER, and Mrs. BOXER) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

After section 5010, insert the following:

SEC. 5011. MIDDLE SCHOOL TECHNICAL EDUCATION PROGRAM.

Title V (20 U.S.C. 7201 et seq.), as amended by section 5001, is further amended by inserting after part I, as added by section 5010, the following:

''PART J—MIDDLE SCHOOL TECHNICAL EDUCATION PROGRAM

''SEC. 5951. PURPOSE; DEFINITIONS.

''(a) PURPOSE.—The purpose of this part is to support the development of middle school career exploration programs linked to career and technical education programs of study.

''(b) DEFINITIONS.—In this part:

''(1) CAREER AND TECHNICAL EDUCATION EXPLORATION PROGRAM.—The term 'career and technical education exploration program' means a program that is developed through an organized, systemic framework and is designed to aid students in making informed plans and decisions about future education and career opportunities and enrollment in career and technical education programs of study.

''(2) ELIGIBLE PARTNERSHIP.—The term 'eligible partnership' means an entity that—

''(A) shall include—

''(i) not less than 1 local educational agency that receives funding under section 131 of the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2351), or an area career and technical education school

or educational service agency described in such section;

''(ii) not less than 1 eligible institution that receives funding under section 132 of the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2352); and

''(iii) not less than 1 representative of either a local or regional business, industry, nonprofit organization, or apprenticeship program; and

''(B) may include other representatives of the community, including representatives of parents' organizations, labor organizations, nonprofit organizations, employers, and representatives of local workforce development boards (established under subtitle A of title I of the Workforce Innovation and Opportunity Act).

''SEC. 5952. CAREER EXPLORATION PROGRAM DEVELOPMENT GRANTS.

''(a) AUTHORIZATION.—The Secretary shall create a pilot program to support the establishment of career and technical education exploration programs. In carrying out the pilot program, the Secretary shall award grants to eligible partnerships to enable the eligible partnerships to develop middle school career and technical education exploration programs that are aligned with career and technical education programs of study described in section 122(c)(1)(A) of the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2342(c)(1)(A)).

''(b) GRANT DURATION.—Grants awarded under this part shall be for a period of not more than 4 years.

''(c) APPLICATION.—An eligible partnership seeking a grant under this section shall submit an application to the Secretary at such time and in such manner as the Secretary may require. Each application shall include—

''(1) a description of the partner entities comprising the eligible partnership, the roles and responsibilities of each partner, and a demonstration of each partner's capacity to support the program;

''(2) a description of how the eligible partnership will use grant funds to carry out each of the activities described under subsection (e);

''(3) a description of how the middle school career and technical education exploration program aligns to regional economies and local emerging workforce needs;

''(4) a description of how the new middle school career and technical education exploration program is linked to—

''(A) 1 or more career and technical education programs of study offered by the agency or school described in section 5951(b)(2)(A)(i); and

''(B) 1 or more career and technical education programs of study offered by the postsecondary institution described in section 5951(b)(2)(A)(ii);

''(5) a description of the students that will be served by the middle school career and technical education exploration program;

''(6) a description of how the middle school career and technical education exploration program funded by the grant will be replicable;

''(7) a description of how the eligible partnership will disseminate information about best practices resulting from the middle school career and technical education exploration program to similar career and technical education programs of study, including such programs in urban and rural areas;

''(8) a description of how the middle school career and technical education exploration program will be implemented;

''(9) a description of how the middle school career and technical education exploration program will provide accessibility to students, especially economically disadvantaged, low-performing, and urban and rural students; and

''(10) a description of how the eligible partnership will carry out the evaluation required under subsection (f).

''(d) SELECTION OF GRANTEES.—

''(1) IN GENERAL.—The Secretary shall determine, based on the peer review process described in paragraph (3) and subject to the requirement in paragraph (4), which eligible partnership applicants shall receive funding under this part, and the amount of the grant funding under this part that each selected eligible partnership will receive.

''(2) GRANT AMOUNTS.—In determining the amount of each grant awarded under this part, the Secretary shall—

''(A) ensure that all grants are of sufficient size, scope, and quality to be effective; and

''(B) take into account the total amount of funds available for all grants under this part and the types of activities proposed to be carried out by the eligible partnership.

''(3) PEER REVIEW PROCESS.—

''(A) ESTABLISHMENT OF PEER REVIEW COMMITTEE.—The Secretary shall convene a peer review committee to review applications for grants under this part and to make recommendations to the Secretary regarding the selection of grantees.

''(B) MEMBERS OF THE PEER REVIEW COMMITTEE.—The peer review committee shall include the following members:

''(i) Educators who have experience implementing career and technical education programs and career exploration programs.

''(ii) Experts in the field of career and technical education.

''(4) RURAL OR SMALL LOCAL EDUCATIONAL AGENCIES.—The Secretary shall set aside not less than 5 percent of the funds made available to award grants under this part to award grants to eligible partnerships that include rural or small local educational agencies, as defined by the Secretary.

''(e) USE OF FUNDS.—Each eligible partnership receiving a grant under this section shall use grant funds to develop and implement a middle school career and technical education exploration program that—

''(1) shall—

''(A) include introductory courses or experiential activities, such as student apprenticeships or other work-based learning methods and project-based learning experiences;

''(B) include the implementation of a plan that demonstrates the transition from the middle school career and technical education exploration program to a career and technical education program of study that is offered by the entity described in section 5951(b)(2)(A)(i);

''(C) include programs and activities related to the development of individualized graduation and career plans for students; and

''(D) offer career guidance and academic counseling that—

''(i) provides information about postsecondary education and career options; and

''(ii) provides participating students with readily available career and labor market information, such as information about employment sectors, educational requirements, information on workforce supply and demand, and other information on careers that are aligned to State or local economic priorities; and

''(2) may include expanded learning time activities that—

''(A) focus on career exploration, including apprenticeships and internships;

''(B) are available to all students in a middle school; and

''(C) take place during a time that is outside of the standard hours of enrollment for students that are served by the local educational agency.

''(f) EVALUATIONS AND REPORT.—

''(1) EVALUATION.—

''(A) IN GENERAL.—Each eligible partnership that receives a grant under this part shall collect appropriate data or otherwise document through records (in a manner that complies with section 444 of the General Education Provisions Act (20 U.S.C. 1232g), commonly known as the 'Family Educational Rights and Privacy Act of 1974', and other applicable Federal and State privacy laws) the information necessary to conduct an evaluation of grant activities, including an evaluation of—

''(i) the extent of student participation in the middle school career and technical education exploration program carried out under this part;

''(ii) the impact of the middle school career and technical education exploration program carried out under this part on the students' transition to, or planned participation in, career and technical programs of study (as described in section 122(c)(1)(A) of the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2342(c)(1)(A)); and

''(iii) any other measurable outcomes specified by the Secretary.

''(B) RESOURCES OF THE ELIGIBLE PARTNERSHIP.—The evaluation described in this paragraph shall reflect the resources and capacity of the local educational agency, area career and technical education school, or educational service agency that is part of the eligible partnership in a manner determined by the Secretary.

''(2) REPORT.—The eligible partnership shall prepare and submit to the Secretary a report containing the results of the evaluation described in paragraph (1).''.

SA 2129. Mr. TESTER submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

On page 38, beginning on line 15, strike ''be administered—'' and all that follows through line 19, and insert ''be administered not less than one time, during—''

''(aa) grades 3 through 5;

''(bb) grades 6 through 9; and

''(cc) grades 10 through 12; and''.

SA 2130. Mr. SCHATZ submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

On page 69, between lines 16 and 17, insert the following:

''(N) if applicable, whether the State conducts periodic assessments of the condition of elementary school and secondary school facilities in the State, which may include an assessment of the age of the facility and the state of repair of the facility;

SA 2131. Mr. CASEY (for himself, Mr. ISAKSON, and Ms. WARREN) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that

every child achieves; which was ordered to lie on the table; as follows:

On page 39 line 15, insert '', such as interoperability with and ability to use assistive technology,'' after ''accommodations''.

SA 2132. Mr. SCOTT (for himself, Mr. CRUZ, Mr. LEE, Mr. RUBIO, Mr. SASSE, and Mr. VITTER) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

After section 1010, insert the following:

SEC. 1011. FUNDS TO FOLLOW THE LOW-INCOME CHILD STATE OPTION.

Subpart 2 of part A of title I is amended by inserting after section 1122 the following:

''SEC. 1123. FUNDS TO FOLLOW THE LOW-INCOME CHILD STATE OPTION.

''(a) FUNDS FOLLOW THE LOW-INCOME CHILD.—Notwithstanding any other provisions in this title requiring a State to reserve or distribute funds, a State may, in accordance with and as permitted by State law, distribute funds under this subpart among the local educational agencies in the State based on the number of eligible children enrolled in the public schools operated by each local educational agency and the number of eligible children within each local educational agency's geographical area whose parents elect to send their child to a private school, for the purposes of ensuring that funding under this subpart follows low-income children to the public school they attend and that payments will be made to the parents of eligible children who choose to enroll their eligible children in private schools.

''(b) ELIGIBLE CHILD.—

''(1) DEFINITION.—In this section, the term 'eligible child' means a child aged 5 to 17, inclusive from a family with an income below the poverty level on the basis of the most recent satisfactory data published by the Department of Commerce.

''(2) CRITERIA OF POVERTY.—In determining the families with incomes below the poverty level for the purposes of this section, a State educational agency shall use the criteria of poverty used by the Census Bureau in compiling the most recent decennial census, as the criteria have been updated by increases in the Consumer Price Index for All Urban Consumers, published by the Bureau of Labor Statistics.

''(c) IDENTIFICATION OF ELIGIBLE CHILDREN; ALLOCATION AND DISTRIBUTION OF FUNDS.—

''(1) IDENTIFICATION OF ELIGIBLE CHILDREN.—On an annual basis, on a date to be determined by the State educational agency, each local educational agency shall inform the State educational agency of the number of eligible children enrolled in public schools served by the local educational agency and the number of eligible children within each local educational agency's geographical area whose parents elect to send their child to a private school.

''(2) AMOUNT OF PAYMENT.—

''(A) IN GENERAL.—Subject to subparagraph (B), the amount of payment for each eligible child described in this section shall be equal to—

''(i) the total amount allotted to the State under this subpart; divided by

''(ii) the total number of eligible children in the State identified under paragraph (1).

''(B) LIMITATION.—In the case of a payment made to the parents of an eligible child who elects to attend a private school, the amount of the payment described in subparagraph (A) for each eligible child shall not exceed the cost for tuition, fees, and transportation for the eligible child to attend the private school.

''(3) ALLOCATION TO LOCAL EDUCATIONAL AGENCIES.—Based on the identification of eligible children in paragraph (1), the State educational agency shall provide to a local educational agency an amount equal to the product of—

''(A) the amount available for each eligible child in the State, as determined in paragraph (2); multiplied by

''(B) the number of eligible children identified by the local educational agency under paragraph (1).

''(4) DISTRIBUTION TO SCHOOLS.—From amounts allocated under paragraph (3) and notwithstanding any provisions in this title requiring a local educational agency to reserve funds, each local educational agency that receives funds under such paragraph shall distribute a portion of such funds to the public schools served by the local educational agency, which amount shall—

''(A) be based on the number of eligible children enrolled in such schools and included in the count submitted under paragraph (1); and

''(B) be distributed in a manner that would, in the absence of such Federal funds, supplement the funds made available from non-Federal resources for the education of pupils participating in programs under this part, and not to supplant such funds (in accordance with the method of determination described in section 1117).

''(5) DISTRIBUTION TO PARENTS.—

''(A) IN GENERAL.—From the amounts allocated under paragraph (3) and notwithstanding any provisions in this title requiring a local educational agency to reserve funds, each local educational agency that receives funds under such paragraph shall distribute a portion of such funds, in an amount equal to the amount described in paragraph (2), to the parents of each eligible child within the local educational agency's geographical area who elect to send their child to a private school and whose child is included in the count of such eligible children under paragraph (1), which amount shall be distributed in a manner so as to ensure that such payments will be used for the payment of tuition, fees, and transportation expenses (if any).

''(B) RESERVATION.—A local educational agency described in this paragraph may reserve not more than 1 percent of the funds available for distribution under subparagraph (A) to pay administrative costs associated with carrying out the activities described in such subparagraph.

''(d) TECHNICAL ASSISTANCE.—The Secretary, in consultation with the Secretary of Commerce, shall provide technical assistance to the State educational agencies that choose to allocate grant funds in accordance with subsection (a), for the purpose of assisting local educational agencies and schools in such States to determine an accurate methodology to identify the number of eligible children under subsection (c)(1).

''(e) RULE OF CONSTRUCTION.—Payments to parents under this subsection (c)(5) shall be considered assistance to the eligible child and shall not be considered assistance to the school that enrolls the eligible child. The amount of any payment under this section shall not be treated as income of the child or his or her parents for purposes of Federal tax laws or for determining eligibility for any other Federal program.

''(f) REQUIREMENTS FOR PARTICIPATING PRIVATE SCHOOLS.—A private school that enrolls eligible children whose parents receive funds under this section—

''(1) shall be accredited, licensed, or otherwise operating in accordance with State law;

''(2) shall ensure that the amount of any tuition or fees charged by the school to an eligible child whose parents receive funds from a local educational agency through a distribution under this section does not exceed the amount of tuition or fees that the school charges to students whose parents do not receive such funds;

''(3) shall be academically accountable to the parent for meeting the educational needs of the student; and

''(4) shall not discriminate against eligible children on the basis of race, color, national origin, or sex, except that—

''(A) the prohibition of sex discrimination shall not apply to a participating school that is operated by, supervised by, controlled by, or connected to a religious organization to the extent that the application of such prohibition is inconsistent with the religious tenets or beliefs of the school; and

''(B) notwithstanding this paragraph or any other provision of law, a parent may choose, and a school may offer, a single-sex school, class, or activity.

''(g) PROHIBITIONS ON CONTROL OF PARTICIPATING PRIVATE SCHOOLS.—Notwithstanding any other provision of law, a private school that enrolls eligible children whose parents receive funds under this section—

''(1) may be a school that is operated by, supervised by, controlled by, or connected to, a religious organization to exercise its right in matters of employment consistent with title VII of the Civil Rights Act of 1964 (42 U.S.C. 2000e et seq.), including the exemptions in that title; and

''(2) consistent with the First Amendment of the Constitution of the United States, shall not—

''(A) be required to make any change in the school's teaching mission;

''(B) be required to remove religious art, icons, scriptures, or other symbols; or

''(C) be precluded from retaining religious terms in its name, selecting its board members on a religious basis, or including religious references in its mission statements and other chartering or governing documents.

''(h) EVALUATION.—Every 2 years, the Secretary shall conduct an evaluation of eligible children whose parents receive funds under this section, which shall include an evaluation of—

''(1) 4-year adjusted cohort graduation rates; and

''(2) parental satisfaction regarding the relevant activities carried out under this section.

''(i) REQUESTS FOR DATA AND INFORMATION.—Each school that enrolls eligible children whose parents receive funds under this section shall comply with all requests for data and information regarding evaluations conducted under subsection (h).

''(j) RULES OF CONDUCT AND OTHER SCHOOL POLICIES.—A school that enrolls eligible children whose parents receive funds under this section may require such children to abide by any rules of conduct and other requirements applicable to all other students at the school.

''(k) REPORT TO PARENTS.—

''(1) IN GENERAL.—Each school that enrolls eligible children whose parents receive funds under this section shall report, at least once during the school year, to such parents on—

''(A) their child's academic achievement, as measured by a comparison with—

''(i) the aggregate academic achievement of other students at the school who are eligible children whose parents receive funds under this section and who are in the same grade or level, as appropriate; and

''(ii) the aggregate academic achievement of the student's peers at the school who are

in the same grade or level, as appropriate; and

''(B) the safety of the school, including the incidence of school violence, student suspensions, and student expulsions.

''(2) PROHIBITION ON DISCLOSURE OF PERSONAL INFORMATION.—No report under this subsection may contain any personally identifiable information, except that a student's parent may receive a report containing personally identifiable information relating to their own child.''.

SA 2133. Mr. SCOTT (for himself, Mr. CRUZ, Mr. RUBIO, and Mr. VITTER) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

After part A of title X, insert the following:

PART B—EDUCATION PORTABILITY FOR INDIVIDUALS WITH DISABILITIES

SEC. 10201. PURPOSE.

The purpose of this part is to provide options to States to innovate and improve the education of children with disabilities by expanding the choices for students and parents under the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.).

SEC. 10202. AMENDMENTS TO THE INDIVIDUALS WITH DISABILITIES EDUCATION ACT.

(a) CHILDREN ENROLLED IN PRIVATE SCHOOLS BY THEIR PARENTS.—Section 612(a)(10)(A) of the Individuals with Disabilities Education Act (20 U.S.C. 1412(a)(10)(A)) is amended by adding at the end the following:

''(viii) PARENT OPTION PROGRAM.—If a State has established a program that meets the requirements of section 663(c)(11) (whether statewide or in limited areas of the State) and that allows a parent of a child described in section 663(c)(11)(A) to use public funds, or private funds in accordance with 633(c)(11)(B)(ii), to pay some or all of the costs of attendance at a private school—

''(I) funds allocated to the State under section 611 may be used by the State to supplement such public or private funds, if the Federal funds are distributed to parents who make a genuine independent choice as to the appropriate school for their child, except that in no case shall the amount of Federal funds provided under this subclause to a parent of a child with a disability for a year exceed the total amount of tuition, fees, and transportation costs for the child for the year;

''(II) the authorization of a parent to exercise this option fulfills the State's obligation under paragraph (1) with respect to the child during the period in which the child is enrolled in the selected school; and

''(III) a selected school accepting such funds shall not be required to carry out any of the requirements of this title with respect to such child.''.

(b) RESEARCH AND INNOVATION TO IMPROVE SERVICES AND RESULTS FOR CHILDREN WITH DISABILITIES.—Section 663(c) of the Individuals with Disabilities Education Act (20 U.S.C. 1463(c)) is amended—

(1) in paragraph (9), by striking ''and'' after the semicolon;

(2) in paragraph (10), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following:

''(11) supporting the post-award planning and design, and the initial implementation (which may include costs for informing the community, acquiring necessary equipment and supplies, and other initial operational costs), during a period of not more than 3 years, of State programs that allow the parent of a child with a disability to make a genuine independent choice of the appropriate public or private school for their child, if the program—

''(A) requires that the child be a child who has received an initial evaluation described in section 614(a) and has been identified as a child with a disability, in accordance with part B;

''(B)(i) permits the parent to receive from the State funds to be used to pay some or all of the costs of attendance at the selected school (which may include tuition, fees, and transportation costs); or

''(ii) permits persons to receive a State tax credit for donations to an entity that provides funds to parents of eligible students described in subparagraph (A), to be used by the parents to pay some or all of the costs of attendance at the selected school (which may include tuition, fees, and transportation costs);

''(C) prohibits any school that agrees to participate in the program from discriminating against eligible students on the basis of race, color, national origin, or sex, except that—

''(i) the prohibition of sex discrimination shall not apply to a participating school that is operated by, supervised by, controlled by, or connected to a religious organization to the extent that the application of such prohibition is inconsistent with the religious tenets or beliefs of the school; and

''(ii) notwithstanding this subparagraph or any other provision of law, a parent may choose, and a school may offer, a single-sex school, class, or activity;

''(D) notwithstanding any other provision of law, allows any school participating in the program that is operated by, supervised by, controlled by, or connected to, a religious organization to exercise its right in matters of employment consistent with title VII of the Civil Rights Act of 1964 (42 U.S.C. 2000e et seq.), including the exemptions in that title;

''(E) allows a school to participate in the program without, consistent with the First Amendment of the Constitution of the United States—

''(i) necessitating any change in the participating school's teaching mission;

''(ii) requiring any private participating school to remove religious art, icons, scriptures, or other symbols; or

''(iii) precluding any private participating school from retaining religious terms in its name, selecting its board members on a religious basis, or including religious references in its mission statements and other chartering or governing documents; and

''(F) requires a participating school selected for a child with a disability to be—

''(i) accredited, licensed, or otherwise operating in accordance with State law; and

''(ii) academically accountable to the parent for meeting the educational needs of the student.''.

SA 2134. Mr. SCOTT (for himself, Mr. CRUZ, Mr. HATCH, Mr. RUBIO, and Mr. VITTER) submitted an amendment intended to be proposed by him to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

At the end, add the following:

TITLE XI—CHOICE ACT

SECTION 11001. SHORT TITLE.

This title may be cited as the ''Creating Hope and Opportunity for Individuals and Communities through Education Act'' or the ''CHOICE Act''.

PART A—IMPROVING THE SCHOLARSHIPS FOR OPPORTUNITY AND RESULTS ACT

SEC. 11101. PURPOSE.

The purpose of this part is to amend the Scholarships for Opportunity and Results Act (Public Law 112–10, 125 Stat. 199) in order to improve provisions concerning opportunity scholarships available for low-income students in the District of Columbia.

SEC. 11102. IMPROVEMENTS TO THE SCHOLARSHIPS FOR OPPORTUNITY AND RESULTS ACT.

(a) CARRYOVER AMOUNTS.—Section 3014 of division C of the Department of Defense and Full-Year Continuing Appropriations Act, 2011 (Public Law 112–10, 125 Stat. 212) is amended by adding at the end the following:

''(c) CARRYOVER AMOUNTS.—

''(1) IN GENERAL.—Amounts appropriated under this section shall remain available until expended.

''(2) USE OF CARRYOVER AMOUNTS.—Of the funds appropriated under this section that are unobligated, are not expended in the fiscal year for which such funds are appropriated, and are not necessary for the continuation of the scholarships already awarded, the Secretary shall, for the subsequent fiscal year—

''(A) use 2 percent of such funds to carry out outreach and parental education and assistance activities described in section 3007(c) that are in addition to any such activities carried out by an eligible entity under such section; and

''(B) use the remaining amount of such funds to provide opportunity scholarships to eligible students who have not previously received such a scholarship.''.

(b) CLARIFICATION IN STUDENT ELIGIBILITY.—Section 3013(3) of division C of the Department of Defense and Full-Year Continuing Appropriations Act, 2011 (Public Law 112–10, 125 Stat. 211) is amended, in the matter preceding subparagraph (A), by inserting '', is enrolled, or will be enrolled for the next school year, in a public or private elementary school or secondary school,'' after ''District of Columbia''.

PART B—EDUCATION PORTABILITY FOR INDIVIDUALS WITH DISABILITIES

SEC. 11201. PURPOSE.

The purpose of this part is to provide options to States to innovate and improve the education of children with disabilities by expanding the choices for students and parents under the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.).

SEC. 11202. AMENDMENTS TO THE INDIVIDUALS WITH DISABILITIES EDUCATION ACT.

(a) CHILDREN ENROLLED IN PRIVATE SCHOOLS BY THEIR PARENTS.—Section 612(a)(10)(A) of the Individuals with Disabilities Education Act (20 U.S.C. 1412(a)(10)(A)) is amended by adding at the end the following:

''(viii) PARENT OPTION PROGRAM.—If a State has established a program that meets the requirements of section 663(c)(11) (whether statewide or in limited areas of the State) and that allows a parent of a child described in section 663(c)(11)(A) to use public funds, or private funds in accordance with 633(c)(11)(B)(ii), to pay some or all of the costs of attendance at a private school—

''(I) funds allocated to the State under section 611 may be used by the State to supplement such public or private funds, if the Federal funds are distributed to parents who make a genuine independent choice as to the appropriate school for their child, except that in no case shall the amount of Federal funds provided under this subclause to a parent of a child with a disability for a year exceed the total amount of tuition, fees, and

transportation costs for the child for the year;

''(II) the authorization of a parent to exercise this option fulfills the State's obligation under paragraph (1) with respect to the child during the period in which the child is enrolled in the selected school; and

''(III) a selected school accepting such funds shall not be required to carry out any of the requirements of this title with respect to such child.''.

(b) RESEARCH AND INNOVATION TO IMPROVE SERVICES AND RESULTS FOR CHILDREN WITH DISABILITIES.—Section 663(c) of the Individuals with Disabilities Education Act (20 U.S.C. 1463(c)) is amended—

(1) in paragraph (9), by striking ''and'' after the semicolon;

(2) in paragraph (10), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following:

''(11) supporting the post-award planning and design, and the initial implementation (which may include costs for informing the community, acquiring necessary equipment and supplies, and other initial operational costs), during a period of not more than 3 years, of State programs that allow the parent of a child with a disability to make a genuine independent choice of the appropriate public or private school for their child, if the program—

''(A) requires that the child be a child who has received an initial evaluation described in section 614(a) and has been identified as a child with a disability, in accordance with part B;

''(B)(i) permits the parent to receive from the State funds to be used to pay some or all of the costs of attendance at the selected school (which may include tuition, fees, and transportation costs); or

''(ii) permits persons to receive a State tax credit for donations to an entity that provides funds to parents of eligible students described in subparagraph (A), to be used by the parents to pay some or all of the costs of attendance at the selected school (which may include tuition, fees, and transportation costs);

''(C) prohibits any school that agrees to participate in the program from discriminating against eligible students on the basis of race, color, national origin, or sex, except that—

''(i) the prohibition of sex discrimination shall not apply to a participating school that is operated by, supervised by, controlled by, or connected to a religious organization to the extent that the application of such prohibition is inconsistent with the religious tenets or beliefs of the school; and

''(ii) notwithstanding this subparagraph or any other provision of law, a parent may choose, and a school may offer, a single-sex school, class, or activity;

''(D) notwithstanding any other provision of law, allows any school participating in the program that is operated by, supervised by, controlled by, or connected to, a religious organization to exercise its right in matters of employment consistent with title VII of the Civil Rights Act of 1964 (42 U.S.C. 2000e et seq.), including the exemptions in that title;

''(E) allows a school to participate in the program without, consistent with the First Amendment of the Constitution of the United States—

''(i) necessitating any change in the participating school's teaching mission;

''(ii) requiring any private participating school to remove religious art, icons, scriptures, or other symbols; or

''(iii) precluding any private participating school from retaining religious terms in its name, selecting its board members on a religious basis, or including religious references in its mission statements and other chartering or governing documents; and

''(F) requires a participating school selected for a child with a disability to be—

''(i) accredited, licensed, or otherwise operating in accordance with State law; and

''(ii) academically accountable to the parent for meeting the educational needs of the student.''.

PART C—MILITARY SCHOLARSHIPS

SEC. 11301. PURPOSE.

The purpose of this part is to ensure high-quality education for children of military personnel who live on military installations and thus have less freedom to exercise school choice for their children, in order to improve the ability of the Armed Forces to retain such military personnel.

SEC. 11302. MILITARY SCHOLARSHIP PROGRAM.

(a) DEFINITIONS.—In this section:

(1) ESEA DEFINITIONS.—The terms ''child'', ''elementary school'', ''secondary school'', and ''local educational agency'' have the meanings given the terms in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

(2) ELIGIBLE MILITARY STUDENT.—The term ''eligible military student'' means a child who—

(A) is a military dependent student;

(B) lives on a military installation selected to participate in the program under subsection (b)(2); and

(C) chooses to attend a participating school, rather than a school otherwise assigned to the child.

(3) MILITARY DEPENDENT STUDENT.—The term ''military dependent student'' has the meaning given the term in section 572(e) of the National Defense Authorization Act for Fiscal Year 2006 (20 U.S.C. 7703b(e)).

(4) PARTICIPATING SCHOOL.—The term ''participating school'' means a public or private elementary school or secondary school that—

(A) accepts scholarship funds provided under this section on behalf of an eligible military student for the costs of tuition, fees, or transportation of the eligible military student; and

(B) is accredited, licensed, or otherwise operating in accordance with State law.

(5) SECRETARY.—The term ''Secretary'' means the Secretary of Defense.

(b) PROGRAM AUTHORIZED.—

(1) IN GENERAL.—From amounts made available under subsection (g) and beginning for the first full school year following the date of enactment of this part, the Secretary shall carry out a 5-year pilot program to award scholarships to enable eligible military students to attend the public or private elementary schools or secondary schools selected by the eligible military students' parents.

(2) SCOPE OF PROGRAM.—

(A) IN GENERAL.—The Secretary shall select not less than 5 military installations to participate in the pilot program described in paragraph (1). In making such selection, the Secretary shall choose military installations where eligible military students would most benefit from expanded educational options.

(B) INELIGIBILITY.—A military installation that provides, on its premises, education for all elementary school and secondary school grade levels through one or more Department of Defense dependents' schools shall not be eligible for participation in the program.

(3) AMOUNT OF SCHOLARSHIPS.—

(A) IN GENERAL.—The annual amount of each scholarship awarded to an eligible military student under this section shall not exceed the lesser of—

(i) the cost of tuition, fees, and transportation associated with attending the participating school selected by the parents of the student; or

(ii)(I) in the case of an eligible military student attending elementary school—

(aa) $8,000 for the first full school year following the date of enactment of this part; or

(bb) the amount determined under subparagraph (B) for each school year following such first full school year; or

(II) in the case of an eligible military student attending secondary school—

(aa) $12,000 for the first full school year following the date of enactment of this part; or

(bb) the amount determined under subparagraph (B) for each school year following such first full school year.

(B) ADJUSTMENT FOR INFLATION.—For each school year after the first full school year following the date of enactment of this part, the amounts specified in subclauses (I) and (II) of subparagraph (A)(ii) shall be adjusted to reflect changes for the 12-month period ending the preceding June in the Consumer Price Index for All Urban Consumers published by the Bureau of Labor Statistics of the Department of Labor.

(4) PAYMENTS TO PARENTS.—The Secretary shall make scholarship payments under this section to the parent of the eligible military student in a manner that ensures such payments will be used for the payment of tuition, fees, and transportation expenses (if any) in accordance with this section.

(c) SELECTION OF SCHOLARSHIPS RECIPIENTS.—

(1) RANDOM SELECTION.—If more eligible military students apply for scholarships under the program under this section than the Secretary can accommodate, the Secretary shall select the scholarship recipients through a random selection process from students who submitted applications by the application deadline specified by the Secretary.

(2) CONTINUED ELIGIBILITY.—

(A) IN GENERAL.—An individual who is selected to receive a scholarship under the program under this section shall continue to receive a scholarship for each year of the program until the individual—

(i) graduates from secondary school or elects to no longer participate in the program;

(ii) exceeds the maximum age for which the State in which the student lives provides a free public education; or

(iii) is no longer an eligible military student.

(B) CONTINUED PARTICIPATION FOR MILITARY TRANSFERS.—

(i) TRANSFER TO PRIVATE NON-MILITARY HOUSING.—Notwithstanding subparagraph (A)(iii), an individual receiving a scholarship under this section for a school year who meets the requirements of subparagraphs (A) and (C) of subsection (a)(2) and whose family, during such school year, moves into private non-military housing that is not considered to be part of the military installation, shall continue to receive the scholarship for use at the participating school for the remaining portion of the school year.

(ii) TRANSFER TO A DIFFERENT MILITARY INSTALLATION.—Notwithstanding subparagraph (A)(iii), an individual receiving a scholarship under this section for a school year whose family is transferred to a different military installation shall no longer be eligible to receive such scholarship beginning on the date of the transfer. Such individual may apply to participate in any program offered under this section for the new military installation for a subsequent school year, if such individual qualifies as an eligible military student for such school year.

(d) NONDISCRIMINATION AND OTHER PROVISIONS.—

(1) NON-DISCRIMINATION.—A participating school shall not discriminate against program participants or applicants on the basis of race, color, national origin, or sex.

(2) APPLICABILITY AND SINGLE-SEX SCHOOLS, CLASSES, OR ACTIVITIES.—

(A) IN GENERAL.—Notwithstanding any other provision of law, the prohibition of sex discrimination in paragraph (1) shall not apply to a participating school that is operated by, supervised by, controlled by, or connected to a religious organization to the extent that the application of paragraph (1) is inconsistent with the religious tenets or beliefs of the school.

(B) SINGLE-SEX SCHOOLS, CLASSES, OR ACTIVITIES.—Notwithstanding paragraph (1) or any other provision of law, a parent may choose, and a participating school may offer, a single-sex school, class, or activity.

(3) CHILDREN WITH DISABILITIES.—Nothing in this section may be construed to alter or modify the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.).

(4) RULES OF CONDUCT AND OTHER SCHOOL POLICIES.—A participating school, including the schools described in subsection (e), may require eligible students to abide by any rules of conduct and other requirements applicable to all other students at the school.

(e) RELIGIOUSLY AFFILIATED SCHOOLS.—

(1) IN GENERAL.—Notwithstanding any other provision of law, a participating school that is operated by, supervised by, controlled by, or connected to, a religious organization may exercise its right in matters of employment consistent with title VII of the Civil Rights Act of 1964 (42 U.S.C. 2000e et seq.), including the exemptions in that title.

(2) MAINTENANCE OF PURPOSE.—Notwithstanding any other provision of law, funds made available under this title to eligible military students that are received by a participating school, as a result of their parents' choice, shall not, consistent with the First Amendment of the Constitution of the United States—

(A) necessitate any change in the participating school's teaching mission;

(B) require any private participating school to remove religious art, icons, scriptures, or other symbols; or

(C) preclude any private participating school from retaining religious terms in its name, selecting its board members on a religious basis, or including religious references in its mission statements and other chartering or governing documents.

(f) REPORTS.—

(1) ANNUAL REPORTS.—Not later than July 30 of the year following the year of the date of enactment of this part, and each subsequent year through the year in which the final report is submitted under paragraph (2), the Secretary shall prepare and submit to Congress an interim report on the scholarships awarded under the pilot program under this section that includes the content described in paragraph (3) for the applicable school year of the report.

(2) FINAL REPORT.—Not later than 90 days after the end of the pilot program under this section, the Secretary shall prepare and submit to Congress a report on the scholarships awarded under the program that includes the content described in paragraph (3) for each school year of the program.

(3) CONTENT.—Each annual report under paragraph (1) and the final report under paragraph (2) shall contain—

(A) the number of applicants for scholarships under this section;

(B) the number, and the average dollar amount, of scholarships awarded;

(C) the number of participating schools;

(D) the number of elementary school students receiving scholarships under this section and the number of secondary school students receiving such scholarships; and

(E) the results of a survey, conducted by the Secretary, regarding parental satisfaction with the scholarship program under this section.

(g) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section $10,000,000 for each of fiscal years 2016 through 2020.

(h) OFFSET IN DEPARTMENT OF EDUCATION SALARIES.—Notwithstanding any other provision of law, for fiscal year 2016 and each of the 4 succeeding fiscal years, the Secretary of Education shall return to the Treasury $10,000,000 of the amounts made available to the Secretary for salaries and expenses of the Department of Education for such year.

SA 2135. Mrs. GILLIBRAND (for herself and Mr. PORTMAN) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

Beginning on page 270, strike line 18 and all that follows through line 16 on page 273 and insert the following:

''(b) STATE ALLOTMENTS.—

''(1) HOLD HARMLESS.—

''(A) IN GENERAL.—Subject to paragraph (2), from the funds appropriated under section 2003(a) for a fiscal year that remain after the Secretary makes the reservations under subsection (a), the Secretary shall allot to each State an amount equal to the total amount that such State received for fiscal year 2001 under—

''(i) section 2202(b) of this Act (as in effect on the day before the date of enactment of the No Child Left Behind Act of 2001); and

''(ii) section 306 of the Department of Education Appropriations Act, 2001 (as enacted into law by section 1(a)(1) of Public Law 106-554).

''(B) RATABLE REDUCTION.—If the funds described in subparagraph (A) are insufficient to pay the full amounts that all States are eligible to receive under subparagraph (A) for any fiscal year, the Secretary shall ratably reduce those amounts for the fiscal year.

''(2) ALLOTMENT OF ADDITIONAL FUNDS.—

''(A) IN GENERAL.—Subject to subparagraph (B), for any fiscal year for which the funds appropriated under section 2003(a) and not reserved under subsection (a) exceed the total amount required to make allotments under paragraph (1), the Secretary shall allot to each State the sum of—

''(i) an amount that bears the same relationship to 20 percent of the excess amount as the number of individuals age 5 through 17 in the State, as determined by the Secretary on the basis of the most recent satisfactory data, bears to the number of those individuals in all such States, as so determined; and

''(ii) an amount that bears the same relationship to 80 percent of the excess amount as the number of individuals age 5 through 17 from families with incomes below the poverty line in the State, as determined by the Secretary on the basis of the most recent satisfactory data, bears to the number of those individuals in all such States, as so determined.

''(B) EXCEPTION.—No State receiving an allotment under subparagraph (A) may receive less than one-half of 1 percent of the total excess amount allotted under such subparagraph for a fiscal year.

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

SA 2136. Mr. MURPHY submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

On page 630, between lines 4 and 5, insert the following:

SEC. 5011. PROMISE NEIGHBORHOODS.

Title V (20 U.S.C. 7201 et seq.), as amended by section 5001, is further amended by inserting after part I, as added by section 5010, the following:

''PART J—PROMISE NEIGHBORHOODS

''SEC. 5910. SHORT TITLE.

''This part may be cited as the 'Promise Neighborhoods Act of 2015'.

''SEC. 5911. PURPOSE.

''The purpose of this part is to significantly improve the academic and developmental outcomes of children living in our Nation's most distressed communities from birth through college and career entry, including ensuring school readiness, high school graduation, and college and career readiness for such children, through the use of data-driven decisionmaking and access to a community-based continuum of high-quality services, beginning at birth.

''SEC. 5912. DEFINITIONS.

''In this part:

''(1) CHILD.—The term 'child' means an individual from birth through age 21.

''(2) COLLEGE AND CAREER READINESS.—The term 'college and career readiness' means the level of preparation a student needs in order to meet the challenging State academic standards under section 1111(b)(1).

''(3) COMMUNITY OF PRACTICE.—The term 'community of practice' means a group of entities that interact regularly to share best practices to address 1 or more persistent problems, or improve practice with respect to such problems, in 1 or more neighborhoods.

''(4) COMPREHENSIVE SCHOOL READINESS ASSESSMENT.—The term 'comprehensive school readiness assessment' means an objective tool that—

''(A) screens for school readiness across domains, including language, cognitive, physical, motor, sensory, and social-emotional domains, and through a developmental screening; and

''(B) may also include other sources of information, such as child observations by parents and others, verbal and written reports, child work samples (for children aged 3 to 5), and health and developmental histories.

''(5) DEVELOPMENTAL SCREENING.—The term 'developmental screening' means the use of a standardized tool to identify a child who may be at risk of a developmental delay or disorder.

''(6) EXPANDED LEARNING TIME.—The term 'expanded learning time' means the activities and programs described in subparagraphs (A) and (B) of section 4201(b)(1).

''(7) FAMILY AND COMMUNITY ENGAGEMENT.—The term 'family and community engagement' means the process of engaging family and community members in education meaningfully and at all stages of the planning, implementation, and school and neighborhood improvement process, including, at a minimum—

''(A) disseminating a clear definition of the neighborhood to the members of the neighborhood;

''(B) ensuring representative participation by the members of such neighborhood in the planning and implementation of the activities of each grant awarded under this part;

''(C) regular engagement by the eligible entity and the partners of the eligible entity with family members and community partners;

''(D) the provision of strategies and practices to assist family and community members in actively supporting student achievement and child development; and

''(E) collaboration with institutions of higher education, workforce development centers, and employers to align expectations and programming with college and career readiness.

''(8) FAMILY AND STUDENT SUPPORTS.—The term 'family and student supports' includes—

''(A) health programs (including both mental health and physical health services);

''(B) school, public, and child-safety programs;

''(C) programs that improve family stability;

''(D) workforce development programs (including those that meet local business needs, such as internships and externships);

''(E) social service programs;

''(F) legal aid programs;

''(G) financial literacy education programs;

''(H) adult education and family literacy programs;

''(I) parent, family, and community engagement programs; and

''(J) programs that increase access to learning technology and enhance the digital literacy skills of students.

''(9) FAMILY MEMBER.—The term 'family member' means a parent, relative, or other adult who is responsible for the education, care, and well-being of a child.

''(10) INTEGRATED STUDENT SUPPORTS.—The term 'integrated student supports' means wraparound services, supports, and community resources, which shall be offered through a site coordinator for at-risk students, that have been shown by evidence-based research—

''(A) to increase academic achievement and engagement;

''(B) to support positive child development; and

''(C) to increase student preparedness for success in college and the workforce.

''(11) NEIGHBORHOOD.—The term 'neighborhood' means a defined geographical area in which there are multiple signs of distress, demonstrated by indicators of need, including poverty, childhood obesity rates, academic failure, and rates of juvenile delinquency, adjudication, or incarceration.

''(12) PIPELINE SERVICES.—The term 'pipeline services' means a continuum of supports and services for children from birth through college entry, college success, and career attainment, including, at a minimum, strategies to address through services or programs (including integrated student supports) the following:

''(A) Prenatal education and support for expectant parents.

''(B) High-quality early learning opportunities.

''(C) High-quality schools and out-of-school-time programs and strategies.

''(D) Support for a child's transition to elementary school, including the administration of a comprehensive school readiness assessment.

''(E) Support for a child's transition from elementary school to middle school, from middle school to high school, and from high school into and through college and into the workforce.

''(F) Family and community engagement.

''(G) Family and student supports.

''(H) Activities that support college and career readiness, including coordination between such activities, such as—

''(i) assistance with college admissions, financial aid, and scholarship applications, especially for low-income and low-achieving students; and

''(ii) career preparation services and supports.

''(I) Neighborhood-based support for college-age students who have attended the schools in the pipeline, or students who are members of the community, facilitating their continued connection to the community and success in college and the workforce.

''SEC. 5913. PROGRAM AUTHORIZED.

''(a) IN GENERAL.—

''(1) PROGRAM AUTHORIZED.—From amounts appropriated to carry out this part, the Secretary shall award grants, on a competitive basis, to eligible entities to implement a comprehensive, evidence-based continuum of coordinated services and supports that engages community partners to improve academic achievement, student development, and college and career readiness, measured by common outcomes, by carrying out the activities described in section 5916 in neighborhoods with high concentrations of low-income individuals and persistently low-achieving schools or schools with an achievement gap.

''(2) SUFFICIENT SIZE AND SCOPE.—Each grant awarded under this part shall be of sufficient size and scope to allow the eligible entity to carry out the purpose of this part.

''(b) DURATION.—A grant awarded under this part shall be for a period of not more than 5 years.

''(c) CONTINUED FUNDING.—Continued funding of a grant under this part, including a grant renewed under subsection (b)(2), after the third year of the grant period shall be contingent on the eligible entity's progress toward meeting the performance metrics described in section 5918(a).

''(d) MATCHING REQUIREMENT.—

''(1) IN GENERAL.—Each eligible entity receiving a grant under this part shall contribute matching funds in an amount equal to not less than 100 percent of the amount of the grant. Such matching funds shall come from Federal, State, local, and private sources.

''(2) PRIVATE SOURCES.—The Secretary—

''(A) shall require that a portion of the matching funds come from private sources; and

''(B) may allow the use of in-kind donations to satisfy the matching funds requirement.

''(3) ADJUSTMENT.—The Secretary may adjust the matching funds requirement for applicants that demonstrate high need, including applicants from rural areas or applicant that wish to provide services on tribal lands.

''(e) FINANCIAL HARDSHIP WAIVER.—

''(1) IN GENERAL.—The Secretary may waive or reduce, on a case-by-case basis, the matching requirement described in subsection (d), for a period of 1 year at a time, if the eligible entity demonstrates significant financial hardship.

''(2) PRIVATE SOURCES WAIVER.—The Secretary may waive or reduce, on a case-by-case basis, the requirement described in subsection (d) that a portion of matching funds come from private sources if the eligible entity demonstrates an inability to access such funds in the State.

''SEC. 5914. ELIGIBLE ENTITIES.

''In this part, the term 'eligible entity' means—

''(1) an institution of higher education, as defined in section 102 of the Higher Education Act of 1965;

''(2) an Indian tribe or tribal organization, as defined under section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b); or

''(3) not less than 1 nonprofit entity working in coordination with not less than 1 of the following entities:

''(A) A high-need local educational agency.

''(B) A charter school funded by the Bureau of Indian Education that is not a local educational agency, except that such school shall not be the fiscal agent for the eligible entity partnership.

''(C) An institution of higher education, as defined in section 102 of the Higher Education Act of 1965.

''(D) The office of a chief elected official of a unit of local government.

''(E) An Indian tribe or tribal organization, as defined under section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b).

''SEC. 5915. APPLICATION REQUIREMENTS.

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

''(b) CONTENTS OF APPLICATION.—At a minimum, an application described in subsection (a) shall include the following:

''(1) A plan to significantly improve the academic outcomes of children living in a neighborhood that is served by the eligible entity, by providing pipeline services that address the needs of children in the neighborhood, as identified by the needs analysis described in paragraph (4) and supported by evidence-based practices.

''(2) A description of the neighborhood that the eligible entity will serve.

''(3) Measurable annual goals for the outcomes of the grant, including—

''(A) performance goals, in accordance with the metrics described in section 5918(a), for each year of the grant; and

''(B) projected participation rates and any plans to expand the number of children served or the neighborhood proposed to be served by the grant program.

''(4) An analysis of the needs and assets of the neighborhood identified in paragraph (2), including—

''(A) a description of the process through which the needs analysis was produced, including a description of how parents, family, and community members were engaged in such analysis;

''(B) an analysis of community assets, including programs already provided from Federal and non-Federal sources, within, or accessible to, the neighborhood, including, at a minimum—

''(i) early learning programs, including high-quality child care, Early Head Start programs, Head Start programs, and prekindergarten programs;

''(ii) the availability of healthy food options and opportunities for physical activity;

''(iii) existing family and student supports;

''(iv) locally owned businesses and employers; and

''(v) institutions of higher education;

''(C) evidence of successful collaboration within the neighborhood;

''(D) the steps that the eligible entity is taking, at the time of the application, to address the needs identified in the needs analysis; and

''(E) any barriers the eligible entity, public agencies, and other community-based organizations have faced in meeting such needs.

''(5) A description of the data used to identify the pipeline services to be provided, including data regarding—

''(A) school readiness;

''(B) academic achievement and college and career readiness;

''(C) graduation rates;

''(D) health indicators;

''(E) rates of enrollment, remediation, persistence, and completion at institutions of higher education, as available; and

''(F) conditions for learning, including school climate surveys, discipline rates, and student attendance and incident data.

''(6) A description of the process used to develop the application, including the involvement of family and community members.

''(7) An estimate of—

''(A) the number of children, by age, who will be served by each pipeline service; and

''(B) for each age group, the percentage of children (of such age group), within the neighborhood, who the eligible entity proposes to serve, disaggregated by each service, and the goals for increasing such percentage over time.

''(8) A description of how the pipeline services will facilitate the coordination of the following activities:

''(A) Providing high-quality early learning opportunities for children, beginning prenatally and extending through grade 3, by—

''(i) supporting high-quality early learning opportunities that provide children with access to programs that support the cognitive and developmental skills, including social and emotional skills, needed for success in elementary school;

''(ii) providing for opportunities, through parenting classes, baby academies, home visits, family and community engagement, or other evidence-based strategies, for families and expectant parents to—

''(I) acquire the skills to promote early learning, development, and health and safety, including learning about child development and positive discipline strategies (such as through the use of technology and public media programming);

''(II) learn about the role of families and expectant parents in their child's education; and

''(III) become informed about educational opportunities for their children, including differences in quality among early learning opportunities;

''(iii) ensuring successful transitions between early learning programs and elementary school, including through the establishment of memoranda of understanding between early learning providers and local educational agencies serving young children and families;

''(iv) ensuring appropriate screening, diagnostic assessments, and referrals for children with disabilities, developmental delays, or other special needs, consistent with the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.), where applicable;

''(v) improving the early learning workforce in the community, including through—

''(I) investments in the recruitment, retention, distribution, and support of high-quality professionals, especially those with certification and experience in child development;

''(II) the provision of high-quality teacher preparation and professional development; or

''(III) the use of joint professional development for early learning providers and elementary school teachers and administrators; and

''(vi) enhancing data systems and data sharing among the eligible entity, partners, early learning providers, schools, and local educational agencies operating in the neighborhood.

''(B) Supporting, enhancing, operating, or expanding rigorous and comprehensive education reforms designed to significantly improve educational outcomes for children in early learning programs through grade 12, which may include—

''(i) operating schools or working in close collaboration with local schools to provide high-quality academic programs, curricula, and integrated student supports;

''(ii) providing expanded learning time, which may include the integration and use of arts education in such learning time; and

''(iii) providing programs and activities that ensure that students—

''(I) are prepared for the college admissions, scholarship, and financial aid application processes; and

''(II) graduate college and career ready.

''(C) Supporting access to a healthy lifestyle, which may include—

''(i) the provision of high-quality and nutritious meals;

''(ii) access to programs that promote physical activity, physical education, and fitness; and

''(iii) education to promote a healthy lifestyle and positive body image.

''(D) Providing social, health, and mental health services and supports, including referrals for essential care and preventative screenings, for children, family, and community members, which may include—

''(i) dental services;

''(ii) vision care; and

''(iii) speech, language, and auditory screenings and referrals.

''(E) Supporting students and family members as the students transition from early learning programs into elementary school, from elementary school to middle school, from middle school to high school, from high school into and through college and into the workforce, including through evidence-based strategies to address challenges that students may face as they transition, such as the following:

''(i) Early college high schools.

''(ii) Dual enrollment programs.

''(iii) Career academies.

''(iv) Counseling and support services.

''(v) Dropout prevention and recovery strategies.

''(vi) Collaboration with the juvenile justice system and reentry counseling for adjudicated youth.

''(vii) Advanced Placement or International Baccalaureate courses.

''(viii) Teen parent classrooms.

''(ix) Graduation and career coaches.

''(9) A description of the strategies that will be used to provide pipeline services (including a description of the process used to identify such strategies and the outcomes expected and a description of which programs and services will be provided to children, family members, community members, and children not attending schools or programs operated by the eligible entity or its partner providers) to support the purpose of this part.

''(10) An explanation of the process the eligible entity will use to establish and maintain family and community engagement.

''(11) An explanation of how the eligible entity will continuously evaluate and improve the continuum of high-quality pipeline services, including—

''(A) a description of the metrics, consistent with section 5918(a), that will be used to inform each component of the pipeline; and

''(B) the processes for using data to improve instruction, optimize integrated student supports, provide for continuous program improvement, and hold staff and partner organizations accountable.

''(12) An identification of the fiscal agent, which may be any entity described in section 5914 (not including paragraph (2) of such section).

''(13) A list of the non-Federal sources of funding that the eligible entity will secure to comply with the matching funds requirement described in section 5913(d), in addition to other programs from which the eligible entity has already secured funding, including programs funded by the Department or programs of the Department of Health and Human Services, the Department of Housing and Urban Development, the Department of Justice, or the Department of Labor.

''(c) MEMORANDUM OF UNDERSTANDING.—An eligible entity, as part of the application described in this section, shall submit a preliminary memorandum of understanding, signed by each partner entity or agency. The preliminary memorandum of understanding shall describe, at a minimum—

''(1) each partner's financial and programmatic commitment with respect to the strategies described in the application, including an identification of the fiscal agent;

''(2) each partner's long-term commitment to providing pipeline services that, at a minimum, accounts for the cost of supporting the continuum of supports and services (including a plan for how to support services and activities after grant funds are no longer available) and potential changes in local government;

''(3) each partner's mission and the plan that will govern the work that the partners do together;

''(4) each partner's long-term commitment to supporting the continuum of supports and services through data collection, monitoring, reporting, and sharing; and

''(5) each partner's commitment to ensure sound fiscal management and controls, including evidence of a system of supports and personnel.

''SEC. 5916. USE OF FUNDS.

''(a) IN GENERAL.—Each eligible entity that receives a grant under this part shall use the grant funds to—

''(1) support planning activities to develop and implement pipeline services;

''(2) implement the pipeline services, as described in the application under section 5915; and

''(3) continuously evaluate the success of the program and improve the program based on data and outcomes.

''(b) SPECIAL RULES.—

''(1) FUNDS FOR PIPELINE SERVICES.—Each eligible entity that receives a grant under this part, for the first and second year of the grant, shall use not less than 50 percent of the grant funds to carry out the activities described in subsection (a)(1).

''(2) OPERATIONAL FLEXIBILITY.—Each eligible entity that operates a school in a neighborhood served by a grant program under this part shall provide such school with the operational flexibility, including autonomy over staff, time, and budget, needed to effectively carry out the activities described in the application under section 5915.

''(3) LIMITATION ON USE OF FUNDS FOR EARLY CHILDHOOD EDUCATION PROGRAMS.—Funds under this part that are used to improve early childhood education programs shall not be used to carry out any of the following activities:

''(A) Assessments that provide rewards or sanctions for individual children or teachers.

''(B) A single assessment that is used as the primary or sole method for assessing program effectiveness.

''(C) Evaluating children, other than for the purposes of improving instruction, classroom environment, professional development, or parent and family engagement, or program improvement.

''SEC. 5917. REPORT AND PUBLICLY AVAILABLE DATA.

''(a) REPORT.—Each eligible entity that receives a grant under this part shall prepare

and submit an annual report to the Secretary, which shall include—

''(1) information about the number and percentage of children in the neighborhood who are served by the grant program, including a description of the number and percentage of children accessing each support or service offered as part of the pipeline services;

''(2) information relating to the performance metrics described in section 5918(a); and

''(3) other indicators that may be required by the Secretary, in consultation with the Director of the Institute of Education Sciences.

''(b) PUBLICLY AVAILABLE DATA.—Each eligible entity that receives a grant under this part shall make publicly available, including through electronic means, the information described in subsection (a). To the extent practicable, such information shall be provided in a form and language accessible to parents and families in the neighborhood, and such information shall be a part of statewide longitudinal data systems.

''SEC. 5918. PERFORMANCE ACCOUNTABILITY AND EVALUATION.

''(a) PERFORMANCE METRICS.—Each eligible entity that receives a grant under this part shall collect data on performance indicators of pipeline services and family and student supports and report the results to the Secretary, who shall use the results as a consideration in continuing grants after the third year and in awarding grant renewals. The indicators shall, at a minimum, include the following:

''(1) Evidence of increasing qualifications for staff in early care and education programs attended by children in the neighborhood.

''(2) With respect to the children served by the grant—

''(A) the percentage of children who are ready for kindergarten, as measured by a comprehensive developmental screening instrument;

''(B) the percentage of school-age children proficient in core academic subjects;

''(C) evidence of narrowing student achievement gaps among the categories described in section 1111(b)(2)(B)(xi);

''(D) the percentage of children who are reading at grade level by the end of grade 3;

''(E) the percentage of children who successfully transition from grade 8 to grade 9;

''(F) for each school year during the grant period, the percentage of students in prekindergarten, elementary school, and secondary school who miss more than 10 percent of school days for any reason, excused or unexcused, and the number and percentage of students who are suspended or expelled for any reason, starting in prekindergarten;

''(G) the percentage of children who graduate with a high school diploma;

''(H) the percentage of children who enter postsecondary education and remain after 1 year;

''(I) the percentage of children who are healthy, as measured by a child-health index that includes cognitive, nutritional, physical, social, mental-health, and emotional domains;

''(J) the percentage of children who feel safe, as measured by a school climate survey;

''(K) rates of student mobility and homelessness;

''(L) opportunities for family members of children to receive education and job training; and

''(M) the percentage of children who have digital literacy skills and access to broadband internet and a connected computing device at home and at school.

''(b) EVALUATION.—The Secretary shall evaluate the implementation and impact of the activities funded under this part, in accordance with section 9601.

''SEC. 5919. NATIONAL ACTIVITIES.

''From the amounts appropriated to carry out this part for a fiscal year, in addition to the amounts that may be reserved in accordance with section 9601, the Secretary may reserve not more than 8 percent for national activities, which may include—

''(1) research on the activities carried out under this part;

''(2) identification and dissemination of best practices, including through support for a community of practice;

''(3) technical assistance, including assistance relating to family and community engagement and outreach to potential partner organizations;

''(4) professional development, including development of materials related to professional development; and

''(5) other activities consistent with the purpose of this part.

''SEC. 5920. AUTHORIZATION OF APPROPRIATIONS.

''There are authorized to be appropriated to carry out this part such sums as may be necessary for each of fiscal years 2016 through 2021.''.

SA 2137. Mr. PORTMAN (for himself and Mr. COONS) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

On page 69, between lines 16 and 17, insert the following:

''(N) how the State educational agency will demonstrate a coordinated plan to seamlessly transition students from secondary school into postsecondary education or careers without remediation, including a description of the specific transition activities that the State educational agency will carry out, such as providing students with access to early college high school or dual or concurrent enrollment opportunities;

On page 106, line 3, insert ''early college high school or'' after ''access to''.

On page 314, between lines 21 and 22, insert the following:

''(C) providing teachers, principals, and other school leaders with professional development activities that enhance or enable the provision of postsecondary coursework through dual or concurrent enrollment and early college high school settings across a local educational agency.

SA 2138. Ms. KLOBUCHAR (for herself and Mr. HOEVEN) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

On page 370, between lines 18 and 19, insert the following:

''(3) STEM-FOCUSED SPECIALTY SCHOOL.—The term 'STEM-focused specialty school' means a school, or a dedicated program within a school, that engages students in rigorous, relevant, and integrated learning experiences focused on science, technology, engineering, and mathematics, which include authentic school-wide research.

On page 382, line 12, strike the period and insert the following: ''; and

''(viii) support the creation and enhancement of STEM-focused specialty schools that improve student academic achievement in science, technology, engineering, and mathematics, including computer science, and prepare more students to be ready for postsecondary education and careers in such subjects.

Beginning on page 384, strike line 3 and all that follows through line 23 on page 384 and insert the following:

''(c) EVALUATION AND MANAGEMENT.—The Secretary shall—

''(1) acting through the Director of the Institute of Education Sciences, and in consultation with the Director of the National Science Foundation—

''(A) evaluate the implementation and impact of the activities supported under this part, including progress measured by the metrics established under subsection (a); and

''(B) identify best practices to improve instruction in science, technology, engineering, and mathematics subjects;

''(2) disseminate, in consultation with the National Science Foundation, research on best practices to improve instruction in science, technology, engineering, and mathematics subjects;

''(3) ensure that the Department is taking appropriate action to—

''(A) identify all activities being supported under this part; and

''(B) avoid unnecessary duplication of efforts between the activities being supported under this part and other programmatic activities supported by the Department or by other Federal agencies; and

''(4) develop a rigorous system to—

''(A) identify the science, technology, engineering, and mathematics education-specific needs of States and stakeholders receiving funds through subgrants under this part;

''(B) make public and widely disseminate programmatic activities relating to science, technology, engineering, and mathematics that are supported by the Department or by other Federal agencies; and

''(C) develop plans for aligning the programmatic activities supported by the Department and other Federal agencies with the State and stakeholder needs.

SA 2139. Mr. ALEXANDER submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; as follows:

On page 185, between lines 18 and 19, insert the following:

SEC. 1011A. SCHOLARSHIPS FOR KIDS PROGRAM.

(a) IN GENERAL.—Part A of title I (20 U.S.C. 6301 et seq.) is amended by adding at the end the following:

''Subpart 3—Scholarships for Kids Program

''SEC. 1131. PURPOSE.

''The purpose of this subpart is to improve the academic achievement of the disadvantaged by encouraging State efforts to expand the educational choices available to low-income students.

''SEC. 1132. SCHOLARSHIPS FOR KIDS PROGRAM.

''(a) DEFINITIONS.—In this section:

''(1) ELIGIBLE CHILD.—

''(A) IN GENERAL.—The term 'eligible child' means a child residing in a participating State who—

''(i) is not older than 21;

''(ii) is entitled to a free public education through grade 12; and

''(iii)(I) is from a family with an income below the poverty level; or

''(II) is a child described in subparagraph (B).

''(B) EXCEPTION FOR CONTINUING ELIGIBILITY.—A participating State may elect to serve a child as an eligible child under an approved program under this section if—

''(i) such child was an eligible child described in subparagraph (A) during the previous fiscal year;

''(ii) such child is from a family with an income that is not greater than 200 percent of the poverty level on the basis of the most recent satisfactory data published by the Department of Commerce for the preceding year; and

''(iii) the State educational agency has determined that the child qualifies for continuing eligibility, as defined by the participating State in its declaration of intent under subsection (d).

''(C) CRITERIA OF POVERTY.—In determining if a family has an income below the poverty level for purposes of this section, a State shall use the poverty threshold, for the most recently completed calendar year, most recently published by the Bureau of the Census.

''(2) PARTICIPATING STATE.—The term 'participating State' means a State whose declaration of intent to exercise the State option for a Scholarships for Kids program is approved by the Secretary as described in subsection (d).

''(3) STATE.—The term 'State' means each of the several States of the United States, the District of Columbia, and the Commonwealth of Puerto Rico.

''(4) SUPPLEMENTAL EDUCATIONAL SERVICES PROGRAM.—The term 'supplemental educational services program' means a program providing tutoring and other supplemental academic enrichment services that are—

''(A) in addition to instruction provided during the school day; and

''(B) are of high-quality, evidence-based, and specifically designed to increase the academic achievement of eligible children, as determined by the State.

''(b) SCHOLARSHIPS FOR KIDS PROGRAM AUTHORIZED.—

''(1) IN GENERAL.—Notwithstanding any other provision of law and to the extent permitted under State law, a participating State may use the funds made available under subpart 2 to carry out a Scholarships for Kids program in accordance with subsection (c).

''(2) INAPPLICABILITY OF OTHER REQUIREMENTS.—Notwithstanding any other provision of law, a participating State carrying out a Scholarships for Kids program that meets the requirements of this section, and the local educational agencies in such State, shall not be required to meet any other requirements under this Act or any other law, except as provided in paragraph (3), in order to receive funds under subpart 2.

''(3) ACADEMIC STANDARDS, ACADEMIC ASSESSMENTS, AND REPORTING ON PERFORMANCE DISAGGREGATED BY STUDENT SUBGROUP.—A participating State carrying out a Scholarships for Kids program that meets the requirements of this section, and the local educational agencies in such State, shall comply with paragraphs (1) and (2) of subsection (b), and subsection (d), of section 1111, and with the requirements of subpart 2 of part F of title IX (except for section 9521).

''(c) USE OF FUNDS.—

''(1) STUDENT GRANTS.—

''(A) IN GENERAL.—Each participating State shall use the funds made available under section 1122 and not reserved under paragraph (2) or (3) to carry out a Scholarships for Kids program, under which the State shall—

''(i) establish a per-pupil amount for the grants under this section, based on the number of eligible children in the State, as described in subparagraph (B); and

''(ii) make a grant available on behalf of each eligible child, in the amount determined under such subparagraph, that the parents of the eligible child may use for any of the following purposes, as allowed by State law:

''(I) To supplement the budget of any public school the eligible child is able to attend without fees.

''(II) To pay for all, or a portion, of any fees required to attend another public school in the participating State.

''(III) To pay for all, or a portion, of the tuition and fees required to attend an accredited or otherwise State-approved private school.

''(IV) To pay for all, or a portion, of the fees required to participate in a State-approved supplemental educational services program.

''(B) CALCULATION OF GRANT AMOUNTS.—Each participating State shall calculate the amount of the grant to be awarded to each eligible child for each fiscal year by dividing the allocation to the participating State under this subpart remaining after the participating State reserves any funds under paragraph (2) or (3), by the total number of eligible children, as determined by the participating State.

''(2) ADMINISTRATIVE EXPENSES.—A participating State may reserve not more than 3 percent of its allocation under section 1122 for administrative costs associated with carrying out the participating State's duties and functions under this section, including—

''(A) certifying the eligibility of children living in the participating State;

''(B) disseminating information to parents of eligible children about public schools, private schools, and programs of supplemental educational services that are available to eligible children in the participating State;

''(C) paying the costs of administering any tests required to be administered to eligible children participating in the program; and

''(D) providing subgrants to local educational agencies in the participating State for any of these purposes.

''(3) TRANSPORTATION FOR ELIGIBLE CHILDREN.—A participating State may reserve not more than 2 percent of its allocation under section 1122 to provide transportation for eligible children to the public school, private school, or supplemental educational services program the eligible children attend in accordance with paragraph (1)(A)(ii).

''(d) STATE DECLARATION OF INTENT.—

''(1) IN GENERAL.—In order to carry out a Scholarships for Kids program under this section, a State educational agency shall submit a declaration of intent to exercise the State option for a Scholarships for Kids program to the Secretary that satisfies the requirements of this subsection.

''(2) CONTENTS.—Each declaration of intent submitted under paragraph (1) shall provide the following:

''(A) A description of the program to be administered under this section, including the per-student amount calculated under subsection (c)(1)(B) that will follow each eligible child to the school or supplemental educational services program the eligible child attends.

''(B) An assurance that funds made available under this section will be spent in accordance with the requirements of this section.

''(C)(i) An assurance that the State will provide a parent of each eligible child within the State who receives or is offered a grant under this section with the option to use grant funds for 1 (or more than 1 if the parent so chooses) of any of the following, as allowed by State law:

''(I) To supplement the budget of any public school the eligible child is able to attend without fees.

''(II) To pay for all, or a portion, of any fees required to attend another public school in the participating State.

''(III) To pay for all, or a portion, of the tuition and fees to attend an accredited or otherwise State-approved private school.

''(IV) To pay for all, or a portion, of the fees required to participate in a supplemental educational services program.

''(ii) A description of the procedures the State will implement to carry out the requirements of clause (i), including any accreditation or other method by which the State will approve private schools and providers of supplemental educational services programs to accept grant funds under this section.

''(D) An assurance that the State will publish, in a widely read or distributed medium, an annual report that contains—

''(i) the number of students, schools, and providers of programs of supplemental educational services that participated in the program assisted under this section;

''(ii) information regarding the academic progress of students receiving a grant under this section in meeting challenging State academic standards under section 1111(b)(1), if the State requires that students receiving a grant participate in the academic assessments administered under section 1111(b)(2); and

''(iii) such other information as the State may require.

''(E) A description of how the State will define continuing eligibility with respect to children who have participated in the State's Scholarships for Kids program for the preceding year, in accordance with subsection (a)(1)(B).

''(F) An assurance that the State will assist each local educational agency, public school, and participating private school affected by the State declaration of intent to meet the requirements of this section.

''(G) An assurance that the State will use Federal funds awarded as grants to eligible children under this section to supplement any funds from non-Federal sources that would, in the absence of such Federal funds, be made available to such students or to the schools or programs of supplemental educational services the students attend, and not to supplant such funds.

''(H) An assurance that the State will comply with the requirements of paragraphs (1) and (2) of subsection (b), and subsection (d), of section 1111.

''(I) An assurance that the State will participate in biennial State academic assessments in grades 4 and 8 in reading and mathematics under the National Assessment of Educational Progress carried out under section 303(b)(3) of the National Assessment of Educational Progress Authorization Act if the Secretary pays the costs of administering such assessments.

''(3) REVIEW AND APPROVAL BY THE SECRETARY.—

''(A) IN GENERAL.—The Secretary shall—

''(i) establish a process to review the declarations of intent received from States under this subsection; and

''(ii) by not later than 30 days after the submission of a State declaration of intent, approve the State declaration or, if the Secretary clearly demonstrates that the State declaration of intent does not meet the requirements of this subsection, carry out the requirements of paragraph (4).

''(B) STANDARD AND NATURE OF REVIEW.—The Secretary shall conduct a good faith review of State declarations of intent in their totality and in deference to State and local

judgments, with the goal of promoting parental choice.

''(4) STATE DECLARATION OF INTENT DETERMINATION, DEMONSTRATION, AND REVISION.—If the Secretary determines that a State declaration of intent does not meet the requirements of this subsection, the Secretary shall, prior to disapproving the declaration of intent—

''(A) immediately notify the State of the determination;

''(B) provide to the State a detailed description of the specific requirements of this subsection that the Secretary determined were not met in the declaration of intent;

''(C) offer the State an opportunity to revise and resubmit its declaration of intent within 30 days of the determination;

''(D) provide technical assistance, upon request of the State, in order to assist the State in meeting the requirements of this subsection; and

''(E) provide an opportunity for a public hearing not later than 30 days after receiving from the State a revised declaration of intent, with public notice provided not less than 15 days before the hearing.

''(5) STATE DECLARATION OF INTENT DISAPPROVAL.—The Secretary shall have the authority to disapprove a State declaration of intent if—

''(A) the State has been notified and offered an opportunity to revise and resubmit the declaration of intent with technical assistance, in accordance with paragraph (4); and

''(B)(i) the State does not submit a revised declaration of intent; or

''(ii) the State submits a revised declaration of intent that the Secretary determines, after an opportunity for a hearing conducted in accordance with paragraph (4)(E), does not meet the requirements of this subsection.

''(6) RECOGNITION BY OPERATION OF LAW.—If the Secretary fails to take action on a declaration of intent submitted by a State within the time specified in paragraph (3)(A)(ii), the declaration of intent, as submitted, shall be deemed to be approved.

''(7) LIMITATIONS.—The Secretary shall not have the authority to require a State, as a condition of approval of the State declaration of intent under this subsection, to—

''(A) submit any standards for academic content or student academic achievement for review or approval;

''(B) enter into a voluntary partnership with another State to develop and implement academic assessments, challenging State academic standards, and accountability systems;

''(C) include in, or delete from, such a declaration of intent any criterion that specifies, describes, or prescribes any standard or measure that the State uses to establish, implement, or improve—

''(i) the challenging State academic standards;

''(ii) assessments;

''(iii) State accountability systems;

''(iv) systems that measure student growth;

''(v) measures of other academic indicators; or

''(vi) teacher and principal evaluation systems; or

''(D) require the collection, publication, or transmission to the Department of individual student data that is not expressly required to be collected under this Act.

''(e) ACCOUNTABILITY FOR ACADEMIC PROGRESS.—A participating State may require each eligible child receiving a grant under this section to take academic assessments implemented by the State educational agency under section 1111(b)(2) or an alternative assessment approved by the State educational agency of the participating State, if the participating State pays any costs associated with administering the assessment.

''(f) NONDISCRIMINATION AND OTHER REQUIREMENTS FOR SCHOOLS AND PROVIDERS OF SUPPLEMENTAL EDUCATIONAL SERVICES PROGRAMS.—

''(1) NONDISCRIMINATION.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), a school or provider of a supplemental educational services program that participates in a program under this section by accepting grant funds under this section on behalf of an eligible child under this section shall agree to not discriminate against program participants or applicants on the basis of race, color, national origin, religion, or sex.

''(B) EXCEPTIONS.—

''(i) IN GENERAL.—Notwithstanding any other provision of law, the prohibition of sex discrimination in subparagraph (A) shall not apply to a participating school that is operated by, supervised by, controlled by, or connected to a religious organization to the extent that the application of subparagraph (A) is inconsistent with the religious tenets or beliefs of the school.

''(ii) SINGLE-SEX SCHOOL, CLASS, OR ACTIVITY.—Notwithstanding subparagraph (A) or any other provision of law, a parent may choose, and a school may offer, a single-sex school, class, or activity.

''(C) APPLICABILITY.—Section 909 of the Education Amendments of 1972 (20 U.S.C. 1688) shall apply to this section as if such section 909 were part of this section.

''(2) CHILDREN WITH DISABILITIES.—Nothing in this section shall be construed to alter or modify the Individuals with Disabilities Education Act.

''(3) RULES OF CONDUCT AND OTHER SCHOOL POLICIES.—A participating school or provider of supplemental educational services may require eligible children attending the school or receiving the services, respectively, to abide by any rules of conduct or other requirements applicable to all other students served by the school or the provider of supplemental educational services.

''(4) RELIGIOUSLY AFFILIATED SCHOOLS AND PROVIDERS OF SUPPLEMENTAL EDUCATIONAL SERVICES.—

''(A) IN GENERAL.—Notwithstanding any other provision of law, a school or provider of supplemental educational services participating in a program under this section that is operated by, supervised by, controlled by, or connected to, a religious organization may exercise its right in matters of employment consistent with title VII of the Civil Rights Act of 1964 (42 U.S.C. 2000e–1 et seq.), including the exemptions in such title.

''(B) MAINTENANCE OF PURPOSE.—Notwithstanding any other provision of law, funds made available under this section to eligible students that are received by a participating school or supplemental educational services provider, as a result of their parents' choice, shall not, consistent with the first amendment of the Constitution of the United States—

''(i) necessitate any change in the participating school's teaching mission;

''(ii) require any participating school to remove religious art, icons, scriptures, or other symbols; or

''(iii) preclude any participating school from retaining religious terms in its name, selecting its board members on a religious basis, or including religious references in its mission statements and other chartering or governing documents.

''(g) NATIONAL PROGRAM ASSESSMENT.—

''(1) IN GENERAL.—The Secretary, acting through the Director of the Institute of Education Sciences, shall carry out a national assessment of activities carried out with Federal funds under this section in order—

''(A) to determine the effectiveness of this section in achieving the purposes of this section; and

''(B) to provide timely information to the President, Congress, the States, local educational agencies, and the public on how to implement this section more effectively, including recommendations for legislative and administrative action that can achieve the purposes of this section more effectively.

''(2) SCOPE OF ASSESSMENT.—The national assessment shall assess activities supported under this section, including—

''(A) the implementation of programs assisted under this section by participating States and the impact of such programs on improving the academic achievement of low-income children to meet the challenging State academic standards adopted by the participating States under section 1111(b)(1), based on the State academic assessments adopted under section 1111(b)(2), to the extent applicable;

''(B) the types of programs and services in participating States that have demonstrated the greatest effectiveness in helping low-income students reach the challenging State academic standards developed by the participating States; and

''(C) the effectiveness of States, local educational agencies, schools, and other recipients of assistance under this section in achieving the purposes of this section, by—

''(i) improving the academic achievement of low-income children and their performance on State assessments, where applicable, as compared with other children; and

''(ii) improving the participation of parents of low-income children in the education of their children.

''(3) SOURCES OF INFORMATION AND DATA COLLECTION.—

''(A) IN GENERAL.—In conducting the assessment under this subsection, the Secretary shall—

''(i) analyze existing data from States required for reports under this Act and the Individuals with Disabilities Education Act, and summarize major findings from such reports; and

''(ii) analyze data from the National Assessment of Educational Progress carried out under section 303(b)(2) of the National Assessment of Educational Progress Authorization Act.

''(B) SPECIAL RULE.—The information and data used to prepare the assessment, as described in subparagraph (A), shall be derived from existing State and local reporting requirements and data sources. Nothing in this paragraph shall be construed as authorizing, requiring, or allowing any additional reporting requirements, data elements, or information to be reported to the Secretary not otherwise explicitly authorized by any other Federal law.

''(4) REPORTS.—

''(A) INTERIM REPORT.—Not later than 3 years after the date of enactment of the Every Child Achieves Act of 2015, the Secretary shall transmit to the President, the Committee on Education and the Workforce of the House of Representatives, and the Committee on Health, Education, Labor, and Pensions of the Senate, an interim report on the national assessment conducted under this subsection.

''(B) FINAL REPORT.—Not later than 5 years after the date of enactment of the Every Child Achieves Act of 2015, the Secretary shall transmit to the President, the Committee on Education and the Workforce of the House of Representatives, and the Committee on Health, Education, Labor, and Pensions of the Senate, a final report on the

national assessment conducted under this subsection.

''(h) PROHIBITION AGAINST FEDERAL MANDATES, DIRECTION, OR CONTROL.—Nothing in this subsection shall be construed to authorize the Secretary or any other officer or employee of the Federal Government to mandate, direct, control, or exercise any direction or supervision over the instructional content or materials, curriculum, program of instruction, challenging State academic standards, or academic assessments of a State, local educational agency, elementary school or secondary school, or provider of supplemental educational services.''.

(b) AUTHORIZATION OF APPROPRIATIONS.—Section 1002 (20 U.S.C. 6302), as amended by section 1002 of this Act, is further amended to read as follows:

''SEC. 1002. AUTHORIZATION OF APPROPRIATIONS.

''For the purpose of carrying out part A, there are authorized to be appropriated $23,837,351,000 for fiscal year 2016 and each of the 5 succeeding fiscal years.''.

(c) PROGRAM CONSOLIDATION.—

(1) CONSOLIDATION OF CERTAIN FEDERAL EDUCATION PROGRAMS.—The following provisions are repealed:

(A) Section 1003 and parts B, C, D, and E of title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.).

(B) Titles II, III, IV, V, VI, and VII of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6601 et seq., 6801 et seq., 7101 et seq., 7301 et seq., 7401 et seq.).

(C) Clauses (iii) and (iv) of section 105(f)(1)(B) of the Compact of Free Association Amendments Act of 2003 (48 U.S.C. 1921d(f)(1)(B)(iii) and (iv)).

(D) The Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2301 et seq.).

(E) Subtitle B of title VII of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11431 et seq.).

(F) The Educational Technical Assistance Act of 2002 (20 U.S.C. 9601 et seq.).

(G) Part A of title II of the Higher Education Act of 1965 (20 U.S.C. 1022 et seq.).

(H) Sections 402B and 402C of the Higher Education Act of 1965 (20 U.S.C. 1070a–12, 1070a–13).

(I) Section 410 of the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7630).

(J) Section 1417(j) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3152(j)).

(K) Section 4101 of the Patient Protection and Affordable Care Act (42 U.S.C. 280h–4 note).

(L) Section 9 of the National Science Foundation Authorization Act of 2002 (42 U.S.C. 1862n).

(M) Section 399Z–1 of the Public Health Service Act (42 U.S.C. 280h–5).

(N) Sections 14005, 14006, and 14007 of the American Recovery and Reinvestment Act of 2009 (Public Law 111–5; 123 Stat. 282).

(2) EFFECTIVE DATE.—Paragraph (1) shall take effect on October 1, 2016.

(3) ADDITIONAL CONFORMING AMENDMENTS.—

(A) IN GENERAL.—After consultation with the appropriate committees of Congress and the Director of the Office of Management and Budget, each applicable Secretary shall prepare recommended legislation containing technical and conforming amendments to reflect the changes made by this section.

(B) SUBMISSION TO CONGRESS.—Not later than 6 months after the date of enactment of this Act, each applicable Secretary shall submit the recommended legislation referred to under subparagraph (A) to the appropriate committees of Congress.

(C) DEFINITION OF APPLICABLE SECRETARY.—For purposes of this section, the term ''applicable Secretary'' means a Secretary with authority over a program or provision of law described in paragraph (1).

SA 2140. Mrs. SHAHEEN submitted an amendment intended to be proposed by her to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

At the end of part B of title X, add the following:

SEC. 10234. REPEAL OF DUPLICATIVE INSPECTION AND GRADING PROGRAM.

(a) FOOD, CONSERVATION, AND ENERGY ACT OF 2008.—Effective June 18, 2008, section 11016 of the Food, Conservation, and Energy Act of 2008 (Public Law 110–246; 122 Stat. 2130) is repealed.

(b) AGRICULTURAL ACT OF 2014.—Effective February 7, 2014, section 12106 of the Agricultural Act of 2014 (Public Law 113–79; 128 Stat. 981) is repealed.

(c) APPLICATION.—The Federal Meat Inspection Act (21 U.S.C. 601 et seq.) and the Agricultural Marketing Act of 1946 (7 U.S.C. 1621 et seq.) shall be applied and administered as if the provisions of law struck by this section had not been enacted.

SA 2141. Mr. BENNET (for himself and Ms. AYOTTE) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

On page 622, line 18, insert ''such as through entities administering shared services,'' after ''strategies,''.

On page 624, line 9, insert ''which may include the use of shared services models'' after ''time in program''.

SA 2142. Mr. BLUMENTHAL (for himself, Mr. MURPHY, and Ms. CANTWELL) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

On page 267, between lines 17 and 18, insert the following:

''(2) SOCIAL AND EMOTIONAL LEARNING.—The term 'social and emotional learning' means the process through which children and adults acquire the knowledge, attitudes, and skills associated with the core areas of social and emotional competency, including—

''(A) self-awareness and self-management to achieve school and life success, such as—

''(i) identifying and recognizing strengths, needs, emotions, values, and self-efficacy;

''(ii) emotion regulation, including impulse control and stress management;

''(iii) self-motivation and discipline; and

''(iv) goal setting and organizational skills;

''(B) social awareness and interpersonal skills to establish and maintain positive relationships, such as perspective taking and respect for others, communication, working cooperatively, negotiation, conflict management, and help-seeking; and

''(C) decisionmaking skills and responsible behaviors in personal, academic, and community contexts, such as situational analysis, problem solving, reflection, and personal, social, and ethical responsibility.

''(3) SOCIAL AND EMOTIONAL LEARNING PROGRAMMING.—The term 'social and emotional learning programming' refers to evidence-based classroom instruction and schoolwide activities and initiatives that—

''(A) integrate social and emotional learning into the school curriculum;

''(B) provide systematic instruction whereby social and emotional skills are taught, modeled, practiced, and applied so that students use the skills as part of the students' daily behavior;

''(C) teach students to apply social and emotional skills to—

''(i) prevent specific problem behaviors such as substance use, violence, bullying, and school failure; and

''(ii) promote positive behaviors in class, school, and community activities; and

''(D) establish safe and caring learning environments that foster student participation, engagement, and connection to learning, the school, and the community.''.

On page 281, between lines 9 and 10, insert the following:

''(IV) programs that supplement, not supplant training for teachers, principals, other school leaders, or specialized instructional support personnel in practices that have demonstrated effectiveness in improving student achievement, attainment, behavior, and school climate through addressing the social and emotional development needs of students, such as through social and emotional learning programming.''.

On page 302, between lines 17 and 18, insert the following:

''(vi) address the social and emotional development needs of students to improve student achievement, attainment, behavior, and school climate such as through social and emotional learning programming;''.

SA 2143. Mr. DURBIN submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

At the end of title X, insert the following:

PART C—PROTECTING STUDENT ATHLETES FROM CONCUSSIONS

SECTION 10301. SHORT TITLE.

This part may be cited as the ''Protecting Student Athletes from Concussions Act of 2015''.

SEC. 10302. MINIMUM STATE REQUIREMENTS.

(a) MINIMUM REQUIREMENTS.—Each State that receives funds under the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.) and does not meet the requirements described in this section, as of the date of enactment of this part, shall, not later than the last day of the fifth full fiscal year after the date of enactment of this part (referred to in this part as the ''compliance deadline''), enact legislation or issue regulations establishing the following minimum requirements:

(1) LOCAL EDUCATIONAL AGENCY CONCUSSION SAFETY AND MANAGEMENT PLAN.—Each local educational agency in the State, in consultation with members of the community in which such agency is located, shall develop and implement a standard plan for concussion safety and management that—

(A) educates students, parents, and school personnel about concussions, through activities such as—

(i) training school personnel, including coaches, teachers, athletic trainers, related

services personnel, and school nurses, on concussion safety and management, including training on the prevention, recognition, and academic consequences of concussions and response to concussions; and

(ii) using, maintaining, and disseminating to students and parents—

(I) release forms and other appropriate forms for reporting and record keeping;

(II) treatment plans; and

(III) concussion prevention and post-injury observation and monitoring fact sheets;

(B) encourages supports, where feasible, for a student recovering from a concussion (regardless of whether or not the concussion occurred during school-sponsored activities, during school hours, on school property, or during an athletic activity), such as—

(i) guiding the student in resuming participation in athletic activity and academic activities with the help of a multi-disciplinary concussion management team, which may include—

(I) a health care professional, the parents of such student, a school nurse, relevant related services personnel, and other relevant school personnel; and

(II) an individual who is assigned by a public school to oversee and manage the recovery of such student; and

(ii) providing appropriate academic accommodations aimed at progressively reintroducing cognitive demands on the student; and

(C) encourages the use of best practices designed to ensure, with respect to concussions, the uniformity of safety standards, treatment, and management, such as—

(i) disseminating information on concussion safety and management to the public; and

(ii) applying uniform best practice standards for concussion safety and management to all students enrolled in public schools.

(2)POSTING OF INFORMATION ON CONCUSSIONS.—Each public elementary school and each public secondary school shall post on school grounds, in a manner that is visible to students and school personnel, and make publicly available on the school website, information on concussions that—

(A) is based on peer-reviewed scientific evidence (such as information made available by the Centers for Disease Control and Prevention);

(B) shall include information on—

(i) the risks posed by sustaining a concussion;

(ii) the actions a student should take in response to sustaining a concussion, including the notification of school personnel; and

(iii) the signs and symptoms of a concussion; and

(C) may include information on—

(i) the definition of a concussion;

(ii) the means available to the student to reduce the incidence or recurrence of a concussion; and

(iii) the effects of a concussion on academic learning and performance.

(3)RESPONSE TO CONCUSSION.—If an individual designated from among school personnel for purposes of this part, one of whom shall attend every school-sponsored athletic activity, suspects that a student has sustained a concussion (regardless of whether or not the concussion occurred during school-sponsored activities, during school hours, on school property, or during an athletic activity)—

(A) the student shall be—

(i) immediately removed from participation in a school-sponsored athletic activity; and

(ii) prohibited from returning to participate in a school-sponsored athletic activity on the day such student is removed from participation; and

(B) the designated individual shall report to the parent or guardian of such student—

(i) any information that the designated school employee is aware of regarding the date, time, and type of the injury suffered by such student (regardless of where, when, or how a concussion may have occurred); and

(ii) any actions taken to treat such student.

(4)RETURN TO ATHLETICS.—If a student has sustained a concussion (regardless of whether or not the concussion occurred during school-sponsored activities, during school hours, on school property, or during an athletic activity), before such student resumes participation in school-sponsored athletic activities, the school shall receive a written release from a health care professional, that—

(A) states that the student is capable of resuming participation in such activities; and

(B) may require the student to follow a plan designed to aid the student in recovering and resuming participation in such activities in a manner that—

(i) is coordinated, as appropriate, with periods of cognitive and physical rest while symptoms of a concussion persist; and

(ii) reintroduces cognitive and physical demands on such student on a progressive basis only as such increases in exertion do not cause the reemergence or worsening of symptoms of a concussion.

(b)NONCOMPLIANCE.—

(1)FIRST YEAR.—If a State described in subsection (a) fails to comply with subsection (a) by the compliance deadline, the Secretary of Education shall reduce by 5 percent the amount of funds the State receives under the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.) for the first fiscal year following the compliance deadline.

(2)SUCCEEDING YEARS.—If the State fails to so comply by the last day of any fiscal year following the compliance deadline, the Secretary of Education shall reduce by 10 percent the amount of funds the State receives under the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.) for the following fiscal year.

(3)NOTIFICATION OF NONCOMPLIANCE.—Prior to reducing any funds that a State receives under the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.) in accordance with this subsection, the Secretary of Education shall provide a written notification of the intended reduction of funds to the State and to the appropriate committees of Congress.

SEC. 10303. RULE OF CONSTRUCTION.

Nothing in this part shall be construed to affect civil or criminal liability under Federal or State law.

SEC. 10304. DEFINITIONS.

In this part:

(1)CONCUSSION.—The term ''concussion'' means a type of mild traumatic brain injury that—

(A) is caused by a blow, jolt, or motion to the head or body that causes the brain to move rapidly in the skull;

(B) disrupts normal brain functioning and alters the mental state of the individual, causing the individual to experience—

(i) any period of observed or self-reported—

(I) transient confusion, disorientation, or impaired consciousness;

(II) dysfunction of memory around the time of injury; or

(III) loss of consciousness lasting less than 30 minutes; or

(ii) any 1 of 4 types of symptoms, including—

(I) physical symptoms, such as headache, fatigue, or dizziness;

(II) cognitive symptoms, such as memory disturbance or slowed thinking;

(III) emotional symptoms, such as irritability or sadness; or

(IV) difficulty sleeping; and

(C) can occur—

(i) with or without the loss of consciousness; and

(ii) during participation in any organized sport or recreational activity.

(2)HEALTH CARE PROFESSIONAL.—The term ''health care professional''—

(A) means an individual who has been trained in diagnosis and management of traumatic brain injury in a pediatric population; and

(B) includes a physician (M.D. or D.O.), certified athletic trainer, or physical therapist who is registered, licensed, certified, or otherwise statutorily recognized by the State to provide such diagnosis and management.

(3)LOCAL EDUCATIONAL AGENCY; STATE.—The terms ''local educational agency'' and ''State'' have the meanings given such terms in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

(4)RELATED SERVICES PERSONNEL.—The term ''related services personnel'' means individuals who provide related services, as defined under section 602 of the Individuals with Disabilities Education Act (20 U.S.C. 1401).

(5)SCHOOL-SPONSORED ATHLETIC ACTIVITY.—The term ''school-sponsored athletic activity'' means—

(A) any physical education class or program of a school;

(B) any athletic activity authorized during the school day on school grounds that is not an instructional activity;

(C) any extra-curricular sports team, club, or league organized by a school on or off school grounds; and

(D) any recess activity.

SA 2144. Mr. WICKER submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

At the end of part B of title X, add the following:

SEC. 10202. RESOURCES FOR IMPROVED SCIENCE EDUCATION.

(a) IN GENERAL.—The Administrator of the Environmental Protection Agency and the Administrator of the National Oceanic and Atmospheric Administration shall provide States and local educational agencies with balanced, objective resources on climate theory to promote improved science education for students in kindergarten through grade 12, including materials regarding—

(1) the natural causes and cycles of climate change;

(2) the uncertainties inherent in climate modeling; and

(3) the myriad factors that influence the climate of the Earth.

(b) RESOURCES.—The resources provided under subsection (a) shall be—

(1) in addition to any climate theory resources the Administrator of the Environmental Protection Agency or the Administrator of the National Oceanic and Atmospheric Administration are providing to States or local educational agencies on the day before the date of enactment of this Act; and

(2) made available to promote open classroom discussion that builds student skills in scientific reasoning, critical thinking, and independent thought.

SA 2145. Ms. AYOTTE (for herself and Mr. BLUMENTHAL) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

On page 430, between lines 6 and 7, insert the following:

''(ix) designing and implementing evidence-based mental health awareness training programs for the purposes of—

''(I) recognizing the signs and symptoms of mental illness;

''(II) providing education to school personnel regarding resources available in the community for students with mental illnesses and other relevant resources relating to mental health; or

''(III) providing education to school personal regarding the safe de-escalation of crisis situations involving a student with a mental illness; and

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SA 2146. Mr. COTTON (for himself, Mr. SESSIONS, and Mr. CRUZ) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

At the end of part B of title X, add the following:

SEC. 10204. SANCTUARY CITIES.

(a) SANCTUARY CITY DEFINED.—In this section, the term ''sanctuary city'' means a State or a political subdivision of a State that has in effect a statute, policy, or practice that prohibits law enforcement officers of the State, or of the political subdivision, from assisting or cooperating with Federal immigration law enforcement in the course of carrying out the officers' routine law enforcement duties.

(b) INELIGIBILITY FOR FUNDS AND GRANTS.—

(1) IN GENERAL.—A sanctuary city shall not be eligible to receive, for a minimum period of at least 1 year—

(A) any of the funds that would otherwise be allocated to the State or political subdivision under section 241(i) of the Immigration and Nationality Act (8 U.S.C. 1231(i)) or the 'Cops on the Beat' program under part Q of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796dd et seq.); or

(B) any other law enforcement or Department of Homeland Security grant.

(2) TERMINATION OF INELIGIBILITY.—A jurisdiction that is found to be a sanctuary city shall only become eligible to receive funds or grants under paragraph (1) after the Attorney General certifies that the jurisdiction is no longer a sanctuary city.

(c) ANNUAL DETERMINATION AND REPORT.—

(1) ANNUAL DETERMINATION.—Not later than March 1 of each year, the Secretary of Homeland Security shall determine which States or political subdivisions of a State are sanctuary cities and shall report to Congress such determinations.

(2) REPORTS.—The Attorney General shall issue a report concerning the compliance of any particular State or political subdivision of a State at the request of the Committee on the Judiciary of the Senate or the Committee on the Judiciary of the House of Representatives.

(d) REALLOCATION.—Any funds that are not allocated to a sanctuary city, due to the jurisdiction's designation as a sanctuary city, shall be reallocated to States and political subdivisions of States that are not sanctuary cities.

(e) CONSTRUCTION.—Nothing in this section may be construed to require law enforcement officials from a State or a political subdivision of a State to report or arrest victims or witnesses of a criminal offense.

(f) EFFECTIVE DATE.—This section shall take effect on the date of the enactment of this Act.

SA 2147. Mr. PORTMAN (for himself and Mr. WHITEHOUSE) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

On page 422, line 22, insert ''recovery support services,'' after ''referral,''.

On page 439, line 16, insert ''recovery support services,'' after ''mentoring,''.

SA 2148. Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

On page 70, line 3, strike the period and insert the following: ''; and

''(iii) use funds under this part to implement statewide efforts to expand and replicate highly performing, low-income charter schools, magnet schools, and traditional public schools.

SA 2149. Mr. UDALL submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

On page 799, between lines 17 and 18, insert the following:

SEC. 9114A. APPLICATION FOR COMPETITIVE GRANTS FROM THE BUREAU OF INDIAN EDUCATION.

Subpart 2 of part F of title IX (20 U.S.C. 7901 et seq.), as amended by sections 4001(3) and 9114 and redesignated by section 9106(1), is further amended by adding at the end the following:

''SEC. 9539. APPLICATION FOR COMPETITIVE GRANTS FROM THE BUREAU OF INDIAN EDUCATION.

''(a) IN GENERAL.—Notwithstanding any other provision of this Act and subject to subsection (b), the Bureau of Indian Education may apply for, and carry out, any grant program awarded on a competitive basis under this Act, as appropriate, on behalf of the schools and the Indian children that the Bureau serves, and shall not be subject to any provision of the program that requires grant recipients to contribute funds toward the costs of the grant program.

''(b) LIMITATION.—In the case of any competitive grant program described in subsection (a) that also provides a reservation of funds to the Bureau of Indian Education, the Bureau shall not, for any fiscal year, receive both a grant and a reservation under the competitive grant program.''.

SA 2150. Mrs. FEINSTEIN (for herself, Mr. CORNYN, and Mr. GARDNER) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

On page 403, strike line 15 and insert the following:

''(B) intensified instruction, which may include linguistically responsive materials; and

''(C) bilingual paraprofessionals, which may include interpreters and translators.

SA 2151. Mr. CARPER submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

On page 287, between lines 8 and 9, insert the following:

''(J) A description of actions the State will take to improve preparation programs and strengthen support for principals and other school leaders based on the needs of the State, as identified by the State educational agency.

SA 2152. Mr. CASEY (for himself, Mrs. MURRAY, Ms. HIRONO, Mr. DURBIN, Mr. MURPHY, Mr. HEINRICH, Ms. BALDWIN, Mr. UDALL, Mr. SCHATZ, Ms. MIKULSKI, Mr. FRANKEN, Mr. MARKEY, Mr. WHITEHOUSE, Mrs. GILLIBRAND, Mr. WYDEN, Mr. COONS, Ms. WARREN, Ms. CANTWELL, Mr. SCHUMER, Mrs. SHAHEEN, and Mr. SANDERS) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

At the end of title X, add the following:

PART C—UNIVERSAL PREKINDERGARTEN

Subpart A—Prekindergarten Access

SEC. 10300. SHORT TITLE.

This part may be cited as the ''Strong Start for America's Children Act of 2015''.

SEC. 10301. PURPOSES.

The purposes of this subpart are to—

(1) establish a Federal-State partnership to provide access to high-quality public prekindergarten programs for all children from low-income and moderate-income families to ensure that they enter kindergarten prepared for success;

(2) broaden participation in such programs to include children from additional middle-class families;

(3) promote access to high-quality kindergarten, and high-quality early childhood education programs and settings for children; and

(4) increase access to appropriate supports so children with disabilities and other children who need specialized supports can fully participate in high-quality early education programs.

SEC. 10302. DEFINITIONS.

In this subpart:

(1) CHILD WITH A DISABILITY.—The term ''child with a disability'' means—

(A) a child with a disability, as defined in section 602 of the Individuals with Disabilities Education Act (20 U.S.C. 1401); or

(B) an infant or toddler with a disability, as defined in section 632 of the Individuals with Disabilities Education Act (20 U.S.C. 1432).

(2) COMPREHENSIVE EARLY LEARNING ASSESSMENT SYSTEM.—The term ''comprehensive early learning assessment system''—

(A) means a coordinated and comprehensive system of multiple assessments, each of which is valid and reliable for its specified purpose and for the population with which it will be used, that—

(i) organizes information about the process and context of young children's learning and development to help early childhood educators make informed instructional and programmatic decisions; and

(ii) conforms to the recommendations of the National Research Council reports on early childhood; and

(B) includes, at a minimum—

(i) child screening measures to identify children who may need follow-up services to address developmental, learning, or health needs in, at a minimum, areas of physical health, behavioral health, oral health, child development, vision, and hearing;

(ii) child formative assessments;

(iii) measures of environmental quality; and

(iv) measures of the quality of adult-child interactions.

(3) DUAL LANGUAGE LEARNER.—The term ''dual language learner'' means an individual who is limited English proficient.

(4) EARLY CHILDHOOD EDUCATION PROGRAM.—The term ''early childhood education program'' has the meaning given the term under section 103 of the Higher Education Act of 1965 (20 U.S.C. 1003).

(5) ELEMENTARY SCHOOL.—The term ''elementary school'' has the meaning given the term in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

(6) ELIGIBILITY DETERMINATION DATE.—The term ''eligibility determination date'' means the date used to determine eligibility for public elementary school in the community in which the eligible local entity involved is located.

(7) ELIGIBLE LOCAL ENTITY.—The term ''eligible local entity'' means—

(A) a local educational agency, including a charter school or a charter management organization that acts as a local educational agency, or an educational service agency in partnership with a local educational agency;

(B) an entity (including a Head Start program or licensed child care setting) that carries out, administers, or supports an early childhood education program; or

(C) a consortium of entities described in subparagraph (A) or (B).

(8) FULL-DAY.—The term ''full-day'' means a day that is—

(A) equivalent to a full school day at the public elementary schools in a State; and

(B) not less than 5 hours a day.

(9) GOVERNOR.—The term ''Governor'' means the chief executive officer of a State.

(10) HIGH-QUALITY PREKINDERGARTEN PROGRAM.—The term ''high-quality prekindergarten program'' means a prekindergarten program supported by an eligible local entity that includes, at a minimum, the following elements based on nationally recognized standards:

(A) Serves children who—

(i) are age 4 or children who are age 3 or 4, by the eligibility determination date (including children who turn age 5 while attending the program); or

(ii) have attained the legal age for State-funded prekindergarten.

(B) Requires high qualifications for staff, including that teachers meet the requirements of 1 of the following clauses:

(i) The teacher has a bachelor's degree in early childhood education or a related field with coursework that demonstrates competence in early childhood education.

(ii) The teacher—

(I) has a bachelor's degree in any field;

(II) has demonstrated knowledge of early childhood education by passing a State-approved assessment in early childhood education;

(III) while employed as a teacher in the prekindergarten program, is engaged in ongoing professional development in early childhood education for not less than 2 years; and

(IV) not more than 4 years after starting employment as a teacher in the prekindergarten program, enrolls in and completes a State-approved educator preparation program in which the teacher receives training and support in early childhood education.

(iii) The teacher has bachelor's degree with a credential, license, or endorsement that demonstrates competence in early childhood education.

(C) Maintains an evidence-based maximum class size.

(D) Maintains an evidence-based child to instructional staff ratio.

(E) Offers a full-day program.

(F) Provides developmentally appropriate learning environments and evidence-based curricula that are aligned with the State's early learning and development standards described in section 10305(1).

(G) Offers instructional staff salaries comparable to kindergarten through grade 12 teaching staff.

(H) Provides for ongoing monitoring and program evaluation to ensure continuous improvement.

(I) Offers accessible comprehensive services for children that include, at a minimum—

(i) screenings for vision, hearing, dental, health (including mental health), and development (including early literacy and math skill development) and referrals, and assistance obtaining services, when appropriate;

(ii) family engagement opportunities that take into account home language, such as parent conferences (including parent input about their child's development) and support services, such as parent education, home visiting, and family literacy services;

(iii) nutrition services, including nutritious meals and snack options aligned with requirements set by the most recent Child and Adult Care Food Program guidelines promulgated by the Department of Agriculture as well as regular, age-appropriate, nutrition education for children and their families;

(iv) programs in coordination with local educational agencies and entities providing services and supports authorized under part B and part C of the Individuals with Disabilities Education Act (20 U.S.C. 1411 et seq.; 1431 et seq.) to ensure the full participation of children with disabilities;

(v) physical activity programs aligned with evidence-based guidelines, such as those recommended by the Institute of Medicine, and which take into account and accommodate children with disabilities;

(vi) additional support services, as appropriate, based on the findings of the community assessment, as described in section 10311(b)(4); and

(vii) on-site coordination, to the maximum extent practicable.

(J) Provides high-quality professional development for all staff, including regular in-classroom observation for teachers and teacher assistants by individuals trained in such observation and which may include evidence-based coaching.

(K) Meets the education performance standards in effect under section 641A(a)(1)(B) of the Head Start Act (42 U.S.C. 9836a(a)(1)(B)).

(L) Maintains evidence-based health and safety standards.

(M) Maintains disciplinary policies that do not include expulsion or suspension of participating children, except as a last resort in extraordinary circumstances where—

(i) there is a determination of a serious safety threat; and

(ii) policies are in place to provide appropriate alternative early educational services to expelled or suspended children while they are out of school.

(11) HOMELESS CHILD.—The term ''homeless child'' means a child or youth described in section 725(2) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11434a(2)).

(12) INDIAN TRIBE; TRIBAL ORGANIZATION.—The terms ''Indian tribe'' and ''tribal organization'' have the meanings given the terms in 658P of the Child Care and Development Block Grant of 1990 (42 U.S.C. 9858n).

(13) INSTITUTION OF HIGHER EDUCATION.—The term ''institution of higher education'' has the meaning given the term in section 102 of the Higher Education Act of 1965 (20 U.S.C. 1002).

(14) LIMITED ENGLISH PROFICIENT.—The term ''limited English proficient'' has the meaning given the term in section 637 of the Head Start Act (42 U.S.C. 9832).

(15) LOCAL EDUCATIONAL AGENCY; STATE EDUCATIONAL AGENCY; EDUCATIONAL SERVICE AGENCY.—The terms ''local educational agency'', ''State educational agency'', and ''educational service agency'' have the meanings given the terms in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

(16) MIGRATORY CHILD.—The term ''migratory child'' has the meaning given the term in section 1309 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6399).

(17) OUTLYING AREA.—The term ''outlying area'' means each of the United States Virgin Islands, Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, and the Republic of Palau, the Federated States of Micronesia, and the Republic of the Marshall Islands.

(18) POVERTY LINE.—The term ''poverty line'' means the official poverty line (as defined by the Office of Management and Budget)—

(A) adjusted to reflect the percentage change in the Consumer Price Index for All Urban Consumers published by the Bureau of Labor Statistics of the Department of Labor for the most recent 12-month period or other interval for which the data are available; and

(B) applicable to a family of the size involved.

(19) SECONDARY SCHOOL.—The term ''secondary school'' has the meaning given the term in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

(20) SECRETARY.—The term ''Secretary'' means the Secretary of Education.

(21) STATE.—Except as otherwise provided in this subpart, the term ''State'' means each of the 50 States, the District of Columbia, the Commonwealth of Puerto Rico, and each of the outlying areas.

(22) STATE ADVISORY COUNCIL ON EARLY CHILDHOOD EDUCATION AND CARE.—The term ''State Advisory Council on Early Childhood Education and Care'' means the State Advisory Council on Early Childhood Education and Care established under section 642B(b) of the Head Start Act (42 U.S.C. 9837b(b)).

SEC. 10303. PROGRAM AUTHORIZATION.

From amounts made available to carry out this subpart, the Secretary, in consultation with the Secretary of Health and Human Services, shall award grants to States to implement high-quality prekindergarten programs, consistent with the purposes of this subpart described in section 10301. For each fiscal year, the funds provided under a grant to a State shall equal the allotment determined for the State under section 10304.

SEC. 10304. ALLOTMENTS AND RESERVATIONS OF FUNDS.

(a) RESERVATION.—From the amount made available each fiscal year to carry out this subpart, the Secretary shall—

(1) reserve not less than 1 percent and not more than 2 percent for payments to Indian tribes and tribal organizations;

(2) reserve one-half of 1 percent for the outlying areas to be distributed among the outlying areas on the basis of their relative need, as determined by the Secretary in accordance with the purposes of this subpart;

(3) reserve one-half of 1 percent for eligible local entities that serve children in families who are engaged in migrant or seasonal agricultural labor; and

(4) reserve not more than 1 percent or $30,000,000, whichever amount is less, for national activities, including administration, technical assistance, and evaluation.

(b) ALLOTMENTS.—

(1) IN GENERAL.—From the amount made available each fiscal year to carry out this subpart and not reserved under subsection (a), the Secretary shall make allotments to States in accordance with paragraph (2) that have submitted an approved application.

(2) ALLOTMENT AMOUNT.—

(A) IN GENERAL.—Subject to subparagraph (B), the Secretary shall allot the amount made available under paragraph (1) for a fiscal year among the States in proportion to the number of children who are age 4 who reside within the State and are from families with incomes at or below 200 percent of the poverty line for the most recent year for which satisfactory data are available, compared to the number of such children who reside in all such States for that fiscal year.

(B) MINIMUM ALLOTMENT AMOUNT.—No State receiving an allotment under subparagraph (A) may receive less than one-half of 1 percent of the total amount allotted under such subparagraph.

(3) REALLOTMENT AND CARRY OVER.—

(A) IN GENERAL.—If one or more States do not receive an allotment under this subsection for any fiscal year, the Secretary may use the amount of the allotment for that State or States, in such amounts as the Secretary determines appropriate, for either or both of the following:

(i) To increase the allotments of States with approved applications for the fiscal year, consistent with subparagraph (B).

(ii) To carry over the funds to the next fiscal year.

(B) REALLOTMENT.—In increasing allotments under subparagraph (A)(i), the Secretary shall allot to each State with an approved application an amount that bears the same relationship to the total amount to be allotted under subparagraph (A)(i), as the amount the State received under paragraph (2) for that fiscal year bears to the amount that all States received under paragraph (2) for that fiscal year.

(4) STATE.—For purposes of this subsection, the term ''State'' means each of the 50 States, the District of Columbia, and the Commonwealth of Puerto Rico.

(c) FLEXIBILITY.—The Secretary may make minimal adjustments to allotments under subsection (b), which shall neither lead to a significant increase or decrease in a State's allotment determined under subsection (b), based on a set of factors, such as the level of program participation and the estimated cost of the activities specified in the State plan under section 10306(2).

SEC. 10305. STATE ELIGIBILITY CRITERIA.

A State is eligible to receive a grant under this subpart if the State demonstrates to the Secretary that the State—

(1) has established or will establish early learning and development standards that—

(A) describe what children from birth to kindergarten entry should know and be able to do;

(B) are universally designed and developmentally, culturally, and linguistically appropriate;

(C) are aligned with the State's challenging academic content standards and challenging student academic achievement standards, as adopted under section 1111(b)(1) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311(b)(1)); and

(D) cover all of the essential domains of school readiness, which address—

(i) physical well-being and motor development;

(ii) social and emotional development;

(iii) approaches to learning, including creative arts expression;

(iv) developmentally appropriate oral and written language and literacy development; and

(v) cognition and general knowledge, including early mathematics and early scientific development;

(2) has the ability or will develop the ability to link prekindergarten data with State elementary school and secondary school data for the purpose of collecting longitudinal information for all children participating in the State's high-quality prekindergarten program and any other federally funded early childhood program that will remain with the child through the child's public education through grade 12;

(3) offers State-funded kindergarten for children who are eligible children for that service in the State; and

(4) has established a State Advisory Council on Early Childhood Education and Care.

SEC. 10306. STATE APPLICATIONS.

To receive a grant under this subpart, the Governor of a State, in consultation with the Indian tribes and tribal organizations in the State, if any, shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may reasonably require. At a minimum, each such application shall include—

(1) an assurance that the State—

(A) will coordinate with and continue to participate in the programs authorized under section 619 and part C of the Individuals with Disabilities Education Act (20 U.S.C. 1419; 1431 et seq.), the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858 et seq.), and the maternal, infant, and early childhood home visiting programs funded under section 511 of the Social Security Act (42 U.S.C. 711) for the duration of the grant;

(B) will designate a State-level entity (such as an agency or joint interagency office), selected by the Governor, for the administration of the grant, which shall coordinate and consult with the State educational agency if the entity is not the State educational agency; and

(C) will establish, or certify the existence of, program standards for all State prekindergarten programs consistent with the definition of a high-quality prekindergarten program under section 10302;

(2) a description of the State's plan to—

(A) use funds received under this subpart and the State's matching funds to provide high-quality prekindergarten programs, in accordance with section 10307(d), with open enrollment for all children in the State who—

(i) are described insection 10302(10)(A);and

(ii) are from families with incomes at or below 200 percent of the poverty line;

(B) develop or enhance a system for monitoring eligible local entities that are receiving funds under this subpart for compliance with quality standards developed by the State and to provide program improvement support, which may be accomplished through the use of a State-developed system for quality rating and improvement;

(C) if applicable, expand participation in the State's high-quality prekindergarten programs to children from families with incomes above 200 percent of the poverty line;

(D) carry out the State's comprehensive early learning assessment system, or how the State plans to develop such a system, ensuring that any assessments are culturally, developmentally, and age-appropriate and consistent with the recommendations from the study on Developmental Outcomes and Assessments for Young Children by the National Academy of Sciences, consistent with section 649(j) of the Head Start Act (42 U.S.C. 9844);

(E) develop, implement, and make publicly available the performance measures and targets described in section 10309;

(F) increase the number of teachers with bachelor's degrees in early childhood education, or with bachelor's degrees in another closely related field and specialized training and demonstrated competency in early childhood education, including how institutions of higher education will support increasing the number of teachers with such degrees and training, including through the use of assessments of prior learning, knowledge, and skills to facilitate and expedite attainment of such degrees;

(G) coordinate and integrate the activities funded under this subpart with Federal, State, and local services and programs that support early childhood education and care, including programs supported under this subpart, the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.), the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.), the Head Start Act (42 U.S.C. 9831 et seq.), the Community Services Block Grant Act (42 U.S.C. 9901 et seq.), the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858 et seq.), the temporary assistance for needy families program under part A of title IV of the Social Security Act (42 U.S.C. 601 et seq.), the Race to the Top program under section 14006 of division A of the American Recovery and Reinvestment Act of 2009 (Public Law 111–5), federally funded early literacy programs, the maternal, infant, and early childhood home visiting programs funded under section 511 of the Social Security Act (42 U.S.C. 711), health improvements to child care funded under title XIX of the Social Security Act (42 U.S.C. 1396 et seq.), the program under subtitle B of title VII of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11431 et seq.), the innovation fund program under section 14007 of the American Recovery and Reinvestment Act of 2009 (Public Law 111–5), programs authorized under part E of title IV of the Social Security Act (42 U.S.C. 670 et seq.), the Fostering Connections to Success and Increasing Adoptions Act of 2008 (Public Law 110–351), grants for infant and toddler care through Early Head Start-Child Care Partnerships funded under the heading ''CHILDREN AND FAMILIES SERVICES PROGRAMS'' under the heading ADMINISTRATION FOR CHILDREN AND FAMILIES in title II of division H of the Department of Health and Human Services Appropriations Act, 2014 (Public Law 113–76; 128 Stat. 377–378), the preschool development grants program funded

under the heading ''INNOVATION AND IMPROVEMENT'' in title III of division G of the Department of Education Appropriations Act, 2015 (Public Law 113–235; 128 Stat. 2496), and any other Federal, State, or local early childhood education programs used in the State;

(H) award subgrants to eligible local entities, and in awarding such subgrants, facilitate a delivery system of high-quality prekindergarten programs that includes diverse providers, such as providers in community-based, public school, and private settings, and consider the system's impact on options for families;

(I) in the case of a State that does not have a State-determined funding mechanism for prekindergarten, use objective criteria in awarding subgrants to eligible local entities that will implement high-quality prekindergarten programs, including actions the State will take to ensure that eligible local entities will coordinate with local educational agencies or other early learning providers, as appropriate, to carry out activities to provide children served under this subpart with a successful transition from preschool into kindergarten, which activities shall include—

(i) aligning curricular objectives and instruction;

(ii) providing staff professional development, including opportunities for joint-professional development on early learning and kindergarten through grade 3 standards, assessments, and curricula;

(iii) coordinating family engagement and support services; and

(iv) encouraging the shared use of facilities and transportation, as appropriate;

(J) use the State early learning and development standards described in section 10305(1) to address the needs of dual language learners, including by incorporating benchmarks related to English language development;

(K) identify barriers, and propose solutions to overcome such barriers, which may include seeking assistance under section 10316, in the State to effectively use and integrate Federal, State, and local public funds and private funds for early childhood education that are available to the State on the date on which the application is submitted;

(L) support articulation agreements (as defined in section 486A of the Higher Education Act of 1965 (20 U.S.C. 1093a)) between public 2-year and public 4-year institutions of higher education and other credit-bearing professional development in the State for early childhood teacher preparation programs and closely related fields;

(M) ensure that the higher education programs in the State have the capacity to prepare a workforce to provide high-quality prekindergarten programs;

(N) support workforce development, including State and local policies that support prekindergarten instructional staff's ability to earn a degree, certification, or other specializations or qualifications, including policies on leave, substitutes, and child care services, including non-traditional hour child care;

(O) hold eligible local entities accountable for use of funds;

(P) ensure that the State's early learning and development standards are integrated into the instructional and programmatic practices of high-quality prekindergarten programs and related programs and services, such as those provided to children under section 619 and part C of the Individuals with Disabilities Education Act (20 U.S.C. 1419 and 1431 et seq.);

(Q) increase the number of children in the State who are enrolled in high-quality kindergarten programs and carry out a strategy to implement such a plan;

(R) coordinate the State's activities supported by grants under this subpart with activities in State plans required under the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.), the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.), the Head Start Act (42 U.S.C. 9831 et seq.), the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858 et seq.), and the Adult Education and Family Literacy Act (29 U.S.C. 3271 et seq.);

(S) encourage eligible local entities to coordinate with community-based learning resources, such as libraries, arts and arts education programs, appropriate media programs, family literacy programs, public parks and recreation programs, museums, nutrition education programs, and programs supported by the Corporation for National and Community Service;

(T) work with eligible local entities, in consultation with elementary school principals, to ensure that high-quality prekindergarten programs have sufficient and appropriate facilities to meet the needs of children eligible for prekindergarten;

(U) support local early childhood coordinating entities, such as local early childhood councils, if applicable, and help such entities to coordinate early childhood education programs with high-quality prekindergarten programs to ensure effective and efficient delivery of early childhood education program services;

(V) support shared services administering entities, if applicable;

(W) ensure that the provision of high-quality prekindergarten programs will not lead to a diminution in the quality or supply of services for infants and toddlers or disrupt the care of infants and toddlers in the geographic area served by the eligible local entity, which may include demonstrating that the State will direct funds to provide high-quality early childhood education and care to infants and toddlers in accordance with section 10307(d); and

(X) encourage or promote socioeconomic, racial, and ethnic diversity in the classrooms of high-quality prekindergarten programs, as applicable; and

(3) an inventory of the State's higher education programs that prepare individuals for work in a high-quality prekindergarten program, including—

(A) certification programs;

(B) associate degree programs;

(C) baccalaureate degree programs;

(D) masters degree programs; and

(E) other programs that lead to a specialization in early childhood education, or a related field.

SEC. 10307. STATE USE OF FUNDS.

(a) RESERVATION FOR QUALITY IMPROVEMENT ACTIVITIES.—

(1) IN GENERAL.—A State that receives a grant under this subpart may reserve, for not more than the first 4 years such State receives such a grant, not more than 20 percent of the grant funds for quality improvement activities that support the elements of high-quality prekindergarten programs. Such quality improvement activities may include supporting teachers, center directors, and principals in a State's high-quality prekindergarten program, licensed or regulated child care, or Head Start programs to enable such teachers, principals, or directors to earn a baccalaureate degree in early childhood education, or a closely related field, through activities which may include—

(A) expanding or establishing scholarships, counseling, and compensation initiatives to cover the cost of tuition, fees, materials, transportation, and release time for such teachers;

(B) providing ongoing professional development opportunities, including regular in-classroom observation by individuals trained in such observation, for such teachers, directors, principals, and teachers assistants to enable such teachers, directors, principals, and teachers assistants to carry out the elements of high-quality prekindergarten programs, which may include activities that address—

(i) promoting children's development across all of the essential domains of early learning and development;

(ii) developmentally appropriate curricula and teacher-child interaction;

(iii) effective family engagement;

(iv) providing culturally competent instruction;

(v) working with a diversity of children and families, including children with disabilities and dual language learners;

(vi) childhood nutrition and physical education programs;

(vii) supporting the implementation of evidence-based curricula;

(viii) social and emotional development; and

(ix) incorporating age-appropriate strategies of positive behavioral interventions and supports; and

(C) providing families with increased opportunities to learn how best to support their children's physical, cognitive, social, and emotional development during the first 5 years of life.

(2) NOT SUBJECT TO MATCHING.—The amount reserved under paragraph (1) shall not be subject to the matching requirements under section 10310.

(3) COORDINATION.—A State that reserves an amount under paragraph (1) shall coordinate the use of such amount with activities funded under section 658G of the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858e) and the Head Start Act (42 U.S.C. 9831 et seq.).

(4) CONSTRUCTION.—A State may not use funds reserved under this subsection to meet the requirement described in 10302(10)(G).

(b) SUBGRANTS FOR HIGH-QUALITY PREKINDERGARTEN PROGRAMS.—A State that receives a grant under this subpart shall award subgrants of sufficient size to eligible local entities to enable such eligible local entities to implement high-quality prekindergarten programs for children who—

(1) are described insection 10302(10)(A);

(2) reside within the State; and

(3) are from families with incomes at or below 200 percent of the poverty line.

(c) ADMINISTRATION.—A State that receives a grant under this subpart may reserve not more than 1 percent of the grant funds for administration of the grant, and may use part of that reservation for the maintenance of the State Advisory Council on Early Childhood Education and Care.

(d) EARLY CHILDHOOD EDUCATION AND CARE PROGRAMS FOR INFANTS AND TODDLERS.—

(1) USE OF ALLOTMENT FOR INFANTS AND TODDLERS.—An eligible State may apply to use, and the appropriate Secretary may grant permission for the State to use, not more than 15 percent of the funds made available through a grant received under this subpart to award subgrants to early childhood education programs to provide, consistent with the State's early learning and development guidelines for infants and toddlers, high-quality early childhood education and care to infants and toddlers who reside within the State and are from families with incomes at or below 200 percent of the poverty line.

(2) APPLICATION.—To be eligible to use the grant funds as described in paragraph (1), the State shall submit an application to the appropriate Secretary at such time, in such manner, and containing such information as the Secretary may require. Such application

shall, at a minimum, include a description of how the State will—

(A) designate a lead agency which shall administer such funds;

(B) ensure that such lead agency, in coordination with the State's Advisory Council on Early Childhood Education and Care, will collaborate with other agencies in administering programs supported under this subsection for infants and toddlers in order to obtain input about the appropriate use of such funds and ensure coordination with programs for infants and toddlers funded under the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858 et seq.), the Head Start Act (42 U.S.C. 9831 et seq.) (including any Early Learning Quality Partnerships established in the State under section 645B of the Head Start Act, as added by section 202), the Race to the Top program under section 14006 of division A of the American Recovery and Reinvestment Act of 2009 (Public Law 111–5), the maternal, infant, and early childhood home visiting programs funded under section 511 of the Social Security Act (42 U.S.C. 711), part C of the Individuals with Disabilities Education Act (20 U.S.C. 1431 et seq.), and grants for infant and toddler care through Early Head Start-Child Care Partnerships funded under the heading ''CHILDREN AND FAMILIES SERVICES PROGRAMS'' under the heading ADMINISTRATION FOR CHILDREN AND FAMILIES in title II of division H of the Department of Health and Human Services Appropriations Act, 2014 (Public Law 113–76; 128 Stat. 377–378);

(C) ensure that infants and toddlers who benefit from amounts made available under this subsection will transition to and have the opportunity to participate in a high-quality prekindergarten program supported under this subpart;

(D) in awarding subgrants, give preference to early childhood education programs that have a written formal plan with baseline data, benchmarks, and timetables to increase access to and full participation in high-quality prekindergarten programs for children who need additional support, including children with developmental delays or disabilities, children who are dual language learners, homeless children, children who are in foster care, children of migrant families, children eligible for a free or reduced-price lunch under the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.), or children in the child welfare system; and

(E) give priority to activities carried out under this subsection that will increase access to high-quality early childhood education programs for infants and toddlers in local areas with significant concentrations of low-income families that do not currently benefit from such programs.

(3) ELIGIBLE PROVIDERS.—A State may use the grant funds as described in paragraph (1) to serve infants and toddlers only by working with early childhood education program providers that—

(A) offer full-day, full-year care, or otherwise meet the needs of working families; and

(B) meet high-quality standards, such as—

(i) Early Head Start program performance standards under the Head Start Act (42 U.S.C. 9831 et seq.); or

(ii) high-quality, demonstrated, valid, and reliable program standards that have been established through a national entity that accredits early childhood education programs.

(4) FEDERAL ADMINISTRATION.—

(A) IN GENERAL.—The Secretary shall bear responsibility for obligating and disbursing funds to support activities under this subsection and ensuring compliance with applicable laws and administrative requirements, subject to paragraph (3).

(B) INTERAGENCY AGREEMENT.—The Secretary of Education and the Secretary of Health and Human Services shall jointly administer activities supported under this subsection on such terms as such Secretaries shall set forth in an interagency agreement. The Secretary of Health and Human Services shall be responsible for any final approval of a State's application under this subsection that addresses the use of funds designated for services to infants and toddlers.

(C) APPROPRIATE SECRETARY.—In this subsection, the term ''appropriate Secretary'' used with respect to a function, means the Secretary designated for that function under the interagency agreement.

SEC. 10308. ADDITIONAL PREKINDERGARTEN SERVICES.

(a) PREKINDERGARTEN FOR 3-YEAR-OLDS.—Each State that certifies to the Secretary that the State provides universally available, voluntary, high-quality prekindergarten programs for 4-year-old children who reside within the State and are from families with incomes at or below 200 percent of the poverty line may use the State's allocation under section 10304(b) to provide high-quality prekindergarten programs for 3-year-old children who reside within the State and are from families with incomes at or below 200 percent of the poverty line.

(b) SUBGRANTS.—In each State that has a city, county, or local educational agency that provides universally available high-quality prekindergarten programs for 4-year-old children who reside within the State and are from families with incomes at or below 200 percent of the poverty line the State may use amounts from the State's allocation under section 10304(b) to award subgrants to eligible local entities to enable such eligible local entities to provide high-quality prekindergarten programs for 3-year-old children who are from families with incomes at or below 200 percent of the poverty line and who reside in such city, county, or local educational agency.

SEC. 10309. PERFORMANCE MEASURES AND TARGETS.

(a) IN GENERAL.—A State that receives a grant under this subpart shall develop, implement, and make publicly available the performance measures and targets for the activities carried out with grant funds. Such measures shall, at a minimum, track the State's progress in—

(1) increasing school readiness across all domains for all categories of children, as described in section 10313(b)(7), including children with disabilities and dual language learners;

(2) narrowing school readiness gaps between minority and nonminority children, and low-income children and more advantaged children, in preparation for kindergarten entry;

(3) decreasing the number of years that children receive special education and related services as described in part B of the Individuals with Disabilities Education Act (20 U.S.C. 1411 et seq.);

(4) increasing the number of programs meeting the criteria for high-quality prekindergarten programs across all types of local eligible entities, as defined by the State and in accordance with section 10302;

(5) decreasing the need for grade-to-grade retention in elementary school;

(6) if applicable, ensuring that high-quality prekindergarten programs do not experience instances of chronic absence among the children who participate in such programs;

(7) increasing the number and percentage of low-income children in high-quality early childhood education programs that receive financial support through funds provided under this subpart; and

(8) providing high-quality nutrition services, nutrition education, physical activity, and obesity prevention programs.

(b) PROHIBITION OF MISDIAGNOSIS PRACTICES.—A State shall not, in order to meet the performance measures and targets described in subsection (a), engage in practices or policies that will lead to the misdiagnosis or under-diagnosis of disabilities or developmental delays among children who are served through programs supported under this subpart.

SEC. 10310. MATCHING REQUIREMENTS.

(a) MATCHING FUNDS.—

(1) IN GENERAL.—Except as provided in paragraph (2), a State that receives a grant under this subpart shall provide matching funds from non-Federal sources, as described in subsection (c), in an amount equal to—

(A) 10 percent of the Federal funds provided under the grant in the first year of grant administration;

(B) 10 percent of the Federal funds provided under the grant in the second year of grant administration;

(C) 20 percent of the Federal funds provided under the grant in the third year of grant administration;

(D) 30 percent of the Federal funds provided under the grant in the fourth year of grant administration; and

(E) 40 percent of the Federal funds provided under the grant in the fifth year of grant administration.

(2) REDUCED MATCH RATE.—A State that meets the requirements under subsection (b) may provide matching funds from non-Federal sources at a reduced rate. The full reduced matching funds rate shall be in an amount equal to—

(A) 5 percent of the Federal funds provided under the grant in the first year of grant administration;

(B) 5 percent of the Federal funds provided under the grant in the second year of grant administration;

(C) 10 percent of the Federal funds provided under the grant in the third year of grant administration;

(D) 20 percent of the Federal funds provided under the grant in the fourth year of grant administration; and

(E) 30 percent of the Federal funds provided under the grant in the fifth year of grant administration.

(b) REDUCED MATCH RATE ELIGIBILITY.—A State that receives a grant under this subpart may provide matching funds from non-Federal sources at the full reduced rate under subsection (a)(2) if the State, across all publicly funded programs (including locally funded programs)—

(1)(A) offers enrollment in high-quality prekindergarten programs to not less than half of children in the State who are—

(i) age 4 on the eligibility determination date; and

(ii) from families with incomes at or below 200 percent of the poverty line; and

(B) has a plan for continuing to expand access to high-quality prekindergarten programs for such children in the State; and

(2) has a plan to expand access to high-quality prekindergarten programs to children from moderate income families whose income exceeds 200 percent of the poverty line.

(c) NON-FEDERAL RESOURCES.—

(1) IN CASH.—A State shall provide the matching funds under this section in cash with non-Federal resources which may include State funding, local funding, or contributions from philanthropy or other private sources, or a combination thereof.

(2) FUNDS TO BE CONSIDERED AS MATCHING FUNDS.—A State may include, as part of the State's matching funds under this section,

not more than 10 percent of the amount of State or local funds designated for State or local prekindergarten programs or to supplement Head Start programs under the Head Start Act (42 U.S.C. 9831 et seq.) as of the date of enactment of this Act, but may not include any funds that are attributed as matching funds, as part of a non-Federal share, or as a maintenance of effort requirement, for any other Federal program.

(d) MAINTENANCE OF EFFORT.—

(1) IN GENERAL.—If a State reduces its combined fiscal effort per student or the aggregate expenditures within the State to support early childhood education programs for any fiscal year that a State receives a grant authorized under this subpart relative to the previous fiscal year, the Secretary shall reduce support for such State under this subpart by the same amount as the decline in State effort for such fiscal year.

(2) WAIVER.—The Secretary may waive the requirements of paragraph (1) if—

(A) the Secretary determines that a waiver would be appropriate due to a precipitous decline in the financial resources of a State as a result of unforeseen economic hardship or a natural disaster that has necessitated across-the-board reductions in State services, including early childhood education programs; or

(B) due to the circumstances of a State requiring reductions in specific programs, including early childhood education, if the State presents to the Secretary a justification and demonstration why other programs could not be reduced and how early childhood programs in the State will not be disproportionately harmed by such State action.

(e) SUPPLEMENT NOT SUPPLANT.—Grant funds received under this subpart shall be used to supplement and not supplant other Federal, State, and local public funds expended on public prekindergarten programs in the State.

SEC. 10311. ELIGIBLE LOCAL ENTITY APPLICATIONS.

(a) IN GENERAL.—An eligible local entity desiring to receive a subgrant under section 10307(b) shall submit an application to the State, at such time, in such manner, and containing such information as the State may reasonably require.

(b) CONTENTS.—Each application submitted under subsection (a) shall include the following:

(1) PARENT AND FAMILY ENGAGEMENT.—A description of how the eligible local entity plans to engage the parents and families of the children such entity serves and ensure that parents and families of eligible children, as described in clauses (i) and (ii) of section 10306(2)(A), are aware of the services provided by the eligible local entity, which shall include a plan to—

(A) carry out meaningful parent and family engagement, through the implementation and replication of evidence-based or promising practices and strategies, which shall be coordinated with parent and family engagement strategies supported under the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.), part A of title I and title V of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311 et seq.; 7201 et seq.), and strategies in the Head Start Parent, Family, and Community Engagement Framework, if applicable, to—

(i) provide parents and family members with the skills and opportunities necessary to become engaged and effective partners in their children's education, particularly the families of dual language learners and children with disabilities, which may include access to family literacy services;

(ii) improve child development; and

(iii) strengthen relationships among prekindergarten staff and parents and family members; and

(B) participate in community outreach to encourage families with eligible children to participate in the eligible local entity's high-quality prekindergarten program, including—

(i) homeless children;

(ii) dual language learners;

(iii) children in foster care;

(iv) children with disabilities; and

(v) migrant children.

(2) COORDINATION AND ALIGNMENT.—A description of how the eligible local entity will—

(A) coordinate, if applicable, the eligible local entity's activities with—

(i) Head Start agencies (consistent with section 642(e)(5) of the Head Start Act (42 U.S.C. 9837(e)(5))), if the local entity is not a Head Start agency;

(ii) local educational agencies, if the eligible local entity is not a local educational agency;

(iii) providers of services under part C of the Individuals with Disabilities Education Act (20 U.S.C. 1431 et seq.);

(iv) programs carried out under section 619 of the Individuals with Disabilities Education Act (20 U.S.C. 1419); and

(v) if feasible, other entities carrying out early childhood education programs and services within the area served by the local educational agency;

(B) develop a process to promote continuity of developmentally appropriate instructional programs and shared expectations with local elementary schools for children's learning and development as children transition to kindergarten;

(C) organize, if feasible, and participate in joint training, when available, including transition-related training for school staff and early childhood education program staff;

(D) establish comprehensive transition policies and procedures, with applicable elementary schools and principals, for the children served by the eligible local entity that support the school readiness of children transitioning to kindergarten, including the transfer of early childhood education program records, with parental consent;

(E) conduct outreach to parents, families, and elementary school teachers and principals to discuss the educational, developmental, and other needs of children entering kindergarten;

(F) help parents, including parents of children who are dual language learners, understand and engage with the instructional and other services provided by the kindergarten in which such child will enroll after participation in a high-quality prekindergarten program; and

(G) develop and implement a system to increase program participation of underserved populations of eligible children, especially homeless children, children eligible for a free or reduced-price lunch under the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.), parents of children who are dual language learners, and parents of children with disabilities.

(3) FULL PARTICIPATION OF ALL CHILDREN.—A description of how the eligible local entity will meet the diverse needs of children in the community to be served, including children with disabilities, dual language learners, children who need additional support, children in the State foster care system, and homeless children. Such description shall demonstrate, at a minimum, how the entity plans to—

(A) ensure the eligible local entity's high-quality prekindergarten program is accessible and appropriate for children with disabilities and dual language learners;

(B) establish effective procedures for ensuring use of evidence-based practices in assessment and instruction, including use of data for progress monitoring of child performance and provision of technical assistance support for staff to ensure fidelity with evidence-based practices;

(C) establish effective procedures for timely referral of children with disabilities to entities authorized under part B and part C of the Individuals with Disabilities Education Act (20 U.S.C. 1411 et seq.; 1431 et seq.);

(D) ensure that the eligible local entity's high-quality prekindergarten program works with appropriate entities to address the elimination of barriers to immediate and continuous enrollment for homeless children; and

(E) ensure access to and continuity of enrollment in high-quality prekindergarten programs for migratory children, if applicable, and homeless children, including through policies and procedures that require—

(i) outreach to identify migratory children and homeless children;

(ii) immediate enrollment, including enrollment during the period of time when documents typically required for enrollment, including health and immunization records, proof of eligibility, and other documents, are obtained;

(iii) continuous enrollment and participation in the same high-quality prekindergarten program for a child, even if the child moves out of the program's service area, if that enrollment and participation are in the child's best interest, including by providing transportation when necessary;

(iv) professional development for high-quality prekindergarten program staff regarding migratory children and homelessness among families with young children; and

(v) in serving homeless children, collaboration with local educational agency liaisons designated under section 722(g)(1)(J)(ii) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11432(g)(1)(J)(ii)), and local homeless service providers.

(4) ACCESSIBLE COMPREHENSIVE SERVICES.—A description of how the eligible local entity plans to provide accessible comprehensive services, described in section 10302(10)(I), to the children the eligible local entity serves. Such description shall provide information on how the entity will—

(A) conduct a data-driven community assessment in coordination with members of the community, including parents and community organizations, or use a recently conducted data-driven assessment, which—

(i) may involve an external partner with expertise in conducting such needs analysis, to determine the most appropriate social or other support services to offer through the eligible local entity's on-site comprehensive services to children who participate in high-quality prekindergarten programs; and

(ii) shall consider the resources available at the school, local educational agency, and community levels to address the needs of the community and improve child outcomes; and

(B) have a coordinated system to facilitate the screening, referral, and provision of services related to health, nutrition, mental health, disability, and family support for children served by the eligible local entity.

(5) WORKFORCE.—A description of how the eligible local entity plans to support the instructional staff of such entity's high-quality prekindergarten program, which shall, at a minimum, include a plan to provide high-quality professional development, or facilitate the provision of high-quality professional development through an external partner with expertise and a demonstrated

track record of success, based on scientifically valid research, that will improve the knowledge and skills of high-quality prekindergarten teachers and staff through activities, which may include—

(A) acquiring content knowledge and learning teaching strategies needed to provide effective instruction that addresses the State's early learning and development standards described under section 10305(1), including professional training to support the social and emotional development of children;

(B) enabling high-quality prekindergarten teachers and staff to pursue specialized training in early childhood development;

(C) enabling high-quality prekindergarten teachers and staff to acquire the knowledge and skills to provide instruction and appropriate language and support services to increase the English language skills of dual language learners;

(D) enabling high-quality prekindergarten teachers and staff to acquire the knowledge and skills to provide developmentally appropriate instruction for children with disabilities;

(E) promoting classroom management;

(F) providing high-quality induction and support for incoming high-quality prekindergarten teachers and staff in high-quality prekindergarten programs, including through the use of mentoring programs and coaching that have a demonstrated track record of success;

(G) promoting the acquisition of relevant credentials, including in ways that support career advancement through career ladders; and

(H) enabling high-quality prekindergarten teachers and staff to acquire the knowledge and skills to provide culturally competent instruction for children from diverse backgrounds.

SEC. 10312. REQUIRED SUBGRANT ACTIVITIES.

(a) IN GENERAL.—An eligible local entity that receives a subgrant under section 10307(b) shall use subgrant funds to implement the elements of a high-quality prekindergarten program for the children described in section 10307(b).

(b) COORDINATION.—

(1) LOCAL EDUCATIONAL AGENCY PARTNERSHIPS WITH LOCAL EARLY CHILDHOOD EDUCATION PROGRAMS.—A local educational agency that receives a subgrant under this subpart shall provide an assurance that the local educational agency will enter into strong partnerships with local early childhood education programs, including programs supported through the Head Start Act (42 U.S.C. 9831 et seq.).

(2) ELIGIBLE LOCAL ENTITIES THAT ARE NOT LOCAL EDUCATIONAL AGENCIES.—An eligible local entity that is not a local educational agency that receives a subgrant under this subpart shall provide an assurance that such entity will enter into strong partnerships with local educational agencies.

SEC. 10313. REPORT AND EVALUATION.

(a) IN GENERAL.—Each State that receives a grant under this subpart shall prepare an annual report, in such manner and containing such information as the Secretary may reasonably require.

(b) CONTENTS.—A report prepared under subsection (a) shall contain, at a minimum—

(1) a description of the manner in which the State has used the funds made available through the grant and a report of the expenditures made with the funds;

(2) a summary of the State's progress toward providing access to high-quality prekindergarten programs for children eligible for such services, as determined by the State, from families with incomes at or below 200 percent of the poverty line, including the percentage of funds spent on children from families with incomes—

(A) at or below 100 percent of the poverty line;

(B) at or below between 101 and 150 percent of the poverty line; and

(C) at or below between 151 and 200 percent of the poverty line;

(3) an evaluation of the State's progress toward achieving the State's performance targets, described in section 10309;

(4) data on the number of high-quality prekindergarten program teachers and staff in the State (including teacher turnover rates and teacher compensation levels compared to teachers in elementary schools and secondary schools), according to the setting in which such teachers and staff work (which settings shall include, at a minimum, Head Start programs, public prekindergarten, and child care programs) who received training or education during the period of the grant and remained in the early childhood education program field;

(5) data on the kindergarten readiness of children in the State;

(6) a description of the State's progress in effectively using Federal, State, and local public funds and private funds, for early childhood education;

(7) the number and percentage of children in the State participating in high-quality prekindergarten programs, disaggregated by race, ethnicity, family income, child age, disability, whether the children are homeless children, and whether the children are dual language learners;

(8) data on the availability, affordability, and quality of infant and toddler care in the State;

(9) the number of operational minutes per week and per year for each eligible local entity that receives a subgrant;

(10) the local educational agency and zip code in which each eligible local entity that receives a subgrant operates;

(11) information, for each of the local educational agencies described in paragraph (10), on the percentage of the costs of the public early childhood education programs that is funded from Federal, from State, and from local sources, including the percentages from specific funding programs;

(12) data on the number and percentage of children in the State participating in public kindergarten programs, disaggregated by race, family income, child age, disability, whether the children are homeless children, and whether the children are dual language learners, with information on whether such programs are offered—

(A) for a full day; and

(B) at no cost to families;

(13) data on the number of individuals in the State who are supported with scholarships, if applicable, to meet the bachelor's degree requirement for high-quality prekindergarten programs, as defined in section 10302; and

(14) information on—

(A) the rates of expulsion, suspension, and similar disciplinary action, of children in the State participating in high-quality prekindergarten programs, disaggregated by race, ethnicity, family income, child age, and disability;

(B) the State's progress in establishing policies on effective behavior management strategies and training that promote positive social and emotional development to eliminate expulsions and suspensions of children participating in high-quality prekindergarten programs; and

(C) the State's policies on providing early learning services to children in the State participating in high-quality prekindergarten programs who have been suspended.

(c) SUBMISSION.—A State shall submit the annual report prepared under subsection (a), at the end of each fiscal year, to the Secretary, the Secretary of Health and Human Services, and the State Advisory Council on Early Childhood Education and Care.

(d) COOPERATION.—An eligible local entity that receives a subgrant under this subpart shall cooperate with all Federal and State efforts to evaluate the effectiveness of the program the entity implements with subgrant funds.

(e) NATIONAL REPORT.—The Secretary shall compile and summarize the annual State reports described under subsection (c) and shall prepare and submit an annual report to Congress that includes a summary of such State reports.

SEC. 10314. PROHIBITION OF REQUIRED PARTICIPATION OR USE OF FUNDS FOR ASSESSMENTS.

(a) PROHIBITION ON REQUIRED PARTICIPATION.—A State receiving a grant under this subpart shall not require any child to participate in any Federal, State, local, or private early childhood education program, including a high-quality prekindergarten program.

(b) PROHIBITION ON USE OF FUNDS FOR ASSESSMENT.—A State receiving a grant under this subpart and an eligible local entity receiving a subgrant under this subpart shall not use any grant or subgrant funds to carry out any of the following activities:

(1) An assessment that provides rewards or sanctions for individual children, teachers, or principals.

(2) An assessment that is used as the primary or sole method for assessing program effectiveness.

(3) Evaluating children, other than for the purposes of—

(A) improving instruction or the classroom environment;

(B) targeting professional development;

(C) determining the need for health, mental health, disability, or family support services;

(D) program evaluation for the purposes of program improvement and parent information; and

(E) improving parent and family engagement.

SEC. 10315. COORDINATION WITH HEAD START PROGRAMS.

(a) INCREASED ACCESS FOR YOUNGER CHILDREN.—Not later than 1 year after the date of enactment of this Act, the Secretary and the Secretary of Health and Human Services shall develop a process—

(1) for use in the event that Head Start programs funded under the Head Start Act (42 U.S.C. 9831 et seq.) operate in States or regions that have achieved sustained universal, voluntary access to 4-year-old children who reside within the State and who are from families with incomes at or below 200 percent of the poverty line to high-quality prekindergarten programs; and

(2) for how such Head Start programs will begin converting slots for children who are age 4 on the eligibility determination date to children who are age 3 on the eligibility determination date, or, when appropriate, converting Head Start programs into Early Head Start programs to serve infants and toddlers.

(b) COMMUNITY NEED AND RESOURCES.—The process described in subsection (a) shall—

(1) be carried out on a case-by-case basis and shall ensure that sufficient resources and time are allocated for the development of such a process so that no child or cohort is excluded from currently available services; and

(2) ensure that any conversion shall be based on community need and not on the aggregate number of children served in a State or region that has achieved sustained, universal, voluntary access to high-quality prekindergarten programs.

(c) PUBLIC COMMENT AND NOTICE.—Not fewer than 90 days after the development of the proposed process described in subsection (a), the Secretary and the Secretary of Health and Human Services shall publish a notice describing such proposed process for conversion in the Federal Register providing at least 90 days for public comment. The Secretaries shall review and consider public comments prior to finalizing the process for conversion of Head Start slots and programs.

(d) REPORTS TO CONGRESS.—Concurrently with publishing a notice in the Federal Register as described in subsection (c), the Secretaries shall provide a report to the Committee on Education and the Workforce of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate that provides a detailed description of the proposed process described in subsection (a), including a description of the degree to which Head Start programs are providing State-funded high-quality prekindergarten programs as a result of the grant opportunity provided under this subpart in States where Head Start programs are eligible for conversion described in subsection (a).

SEC. 10316. TECHNICAL ASSISTANCE IN PROGRAM ADMINISTRATION.

In providing technical assistance to carry out activities under this subpart, the Secretary shall coordinate that technical assistance, in appropriate cases, with technical assistance provided by the Secretary of Health and Human Services to carry out the programs authorized under the Head Start Act (42 U.S.C. 9831 et seq.), the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858 et seq.), and the maternal, infant and early childhood home visiting programs assisted under section 511 of the Social Security Act (42 U.S.C. 711).

SEC. 10317. AUTHORIZATION OF APPROPRIATIONS.

To carry out this subpart, there are authorized to be appropriated, and there are appropriated—

(1) $1,300,000,000 for fiscal year 2016;
(2) $3,250,000,000 for fiscal year 2017;
(3) $5,780,000,000 for fiscal year 2018;
(4) $7,580,000,000 for fiscal year 2019; and
(5) $8,960,000,000 for fiscal year 2020.

Subpart B—Prekindergarten Development Grants

SEC. 10321. PREKINDERGARTEN DEVELOPMENT GRANTS.

(a) IN GENERAL.—The Secretary of Education, in consultation with the Secretary of Health and Human Services, shall award competitive grants to States that wish to increase their capacity and build the infrastructure within the State to offer high-quality prekindergarten programs.

(b) ELIGIBILITY OF STATES.—A State that is not receiving funds under subpart A may compete for grant funds under this section if the State provides an assurance that the State will, through the support of grant funds awarded under this section, meet the eligibility requirements of section 10305 not later than 3 years after the date the State first receives grant funds under this section.

(c) GRANT DURATION.—The Secretary shall award grants under this section for a period of not more than 3 years. Such grants shall not be renewed.

(d) APPLICATION.—

(1) IN GENERAL.—A Governor, or chief executive officer of a State that desires to receive a grant under this section shall submit an application to the Secretary of Education at such time, in such manner, and accompanied by such information as the Secretary of Education may reasonably require, including, if applicable, a description of how the State plans to become eligible for grants under section 10305 by not later than 3 years after the date the State first receives grant funds under this section.

(2) DEVELOPMENT OF STATE APPLICATION.—In developing an application for a grant under this section, a State shall consult with the State Advisory Council on Early Childhood Education and Care and incorporate the Council's recommendations, where applicable.

(e) MATCHING REQUIREMENT.—

(1) IN GENERAL.—To be eligible to receive a grant under this section, a State shall contribute for the activities for which the grant was awarded non-Federal matching funds in an amount equal to not less than 20 percent of the amount of the grant.

(2) NON-FEDERAL FUNDS.—To satisfy the requirement of paragraph (1), a State may use—

(A) non-Federal resources in the form of State funding, local funding, or contributions from philanthropy or other private sources, or a combination of such resources; or

(B) in-kind contributions.

(3) FINANCIAL HARDSHIP WAIVER.—The Secretary may waive the requirement under paragraph (1) or reduce the amount of matching funds required under that paragraph for a State that has submitted an application for a grant under this subsection if the State demonstrates, in the application, a need for such a waiver or reduction due to extreme financial hardship, as determined by the Secretary.

(f) SUBGRANTS.—

(1) IN GENERAL.—A State awarded a grant under this section may use the grant funds to award subgrants to eligible local entities, as defined in section 10302, to carry out the activities under the grant.

(2) SUBGRANTEES.—An eligible local entity awarded a subgrant under paragraph (1) shall comply with the requirements of this section relating to grantees, as appropriate.

(g) AUTHORIZATION OF APPROPRIATIONS.—To carry out this section, there are authorized to be appropriated, and there are appropriated, $750,000,000 for each of fiscal years 2016 through 2020.

Subpart C—Early Learning Quality Partnerships

SEC. 10331. PURPOSES.

The purposes of this part are to—

(1) increase the availability of, and access to, high-quality early childhood education and care programming for infants and toddlers;

(2) support a higher quality of, and increase capacity for, such programming in both child care centers and family child care homes;

(3) encourage the provision of comprehensive, coordinated full-day services and supports for infants and toddlers; and

(4) increase access to appropriate supports so children with disabilities and other children who need specialized supports can fully participate in high-quality early education programs.

SEC. 10332. EARLY LEARNING QUALITY PARTNERSHIPS.

The Head Start Act is amended—

(1) by amending section 645A(e) (42 U.S.C. 9840a(e)) to read as follows:

''(e) SELECTION OF GRANT RECIPIENTS.—The Secretary shall award grants under this section on a competitive basis to applicants meeting the criteria in subsection (d) (giving priority to entities with a record of providing early, continuous, and comprehensive childhood development and family services and entities that agree to partner with a center-based or family child care provider to carry out the activities described in section 645B).''; and

(2) by inserting after section 645A the following:

''SEC. 645B. EARLY LEARNING QUALITY PARTNERSHIPS.

''(a) IN GENERAL.—The Secretary shall make grants to Early Head Start agencies to enable the Early Head Start agencies to form early learning quality partnerships by partnering with center-based or family child care providers, particularly those that receive support under the Child Care and Development Block Grant of 1990 (42 U.S.C. 9858 et seq.), that agree to meet the program performance standards described in section 641A(a)(1) and Early Head Start standards described in section 645A that are applicable to the ages of children served with funding and technical assistance from the Early Head Start agency.

''(b) SELECTION OF GRANT RECIPIENTS.—

''(1) IN GENERAL.—Except as provided in paragraphs (2) and (3), the Secretary shall award grants under this section in a manner consistent with section 645A(e).

''(2) COMPETITIVE PRIORITY.—In awarding grants under this section, the Secretary shall give priority to applicants—

''(A) that propose to create strong alignment of programs with maternal, infant, and early childhood home visiting programs assisted under section 511 of the Social Security Act (42 U.S.C. 711), State-funded prekindergarten programs, programs carried out under the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858 et seq.), and other programs supported under this Act, to create a strong continuum of high-quality services for children from birth to school entry; and

''(B) that seek to work with child care providers across settings, including center-based and home-based programs.

''(3) ALLOCATION.—

''(A) RESERVATION.—From funds appropriated to carry out this section, the Secretary shall reserve—

''(i) not less than 3 percent of such funds for Indian Head Start programs that serve young children;

''(ii) not less than 4.5 percent for migrant and seasonal Head Start programs that serve young children; and

''(iii) not less than 0.2 percent for programs funded under clause (iv) or (v) of section 640(a)(2)(B).

''(B) ALLOCATION AMONG STATES.—The Secretary shall allocate funds appropriated to carry out this section and not reserved under subparagraph (A) among the States proportionally based on the number of young children from families whose income is below the poverty line residing in such States.

''(c) ELIGIBILITY OF CHILDREN.—Partnerships formed through assistance provided under this section may serve children through age 3, and the standards applied to children in subsection (a) shall be consistent with those applied to 3-year-old children under this subchapter.

''(d) PARTNERSHIPS.—An Early Head Start agency that receives a grant under this section shall—

''(1) enter into a contractual relationship with a center-based or family child care provider to raise the quality of such provider's programs so that the provider meets the program performance standards described in subsection (a) through activities that may include—

''(A) expanding the center-based or family child care provider's programs through financial support;

''(B) providing training, technical assistance, and support to the provider in order to help the provider meet the program performance standards, which may include supporting program and partner staff in earning

a child development associate credential, associate's degree, or baccalaureate degree in early childhood education or a closely related field for working with infants and toddlers; and

''(C) blending funds received under the Child Care and Development Block Grant of 1990 (42 U.S.C. 9858 et seq.) and the Early Head Start program carried out under section 645A in order to provide high-quality child care, for a full day, that meets the program performance standards;

''(2) develop and implement a proposal to recruit and enter into a contract with a center-based or family child care provider, particularly a provider that serves children who receive assistance under the Child Care and Development Block Grant of 1990 (42 U.S.C. 9858 et seq.);

''(3) create a clear and realizable timeline to increase the quality and capacity of a center-based or family child care provider so that the provider meets the program performance standards described in subsection (a); and

''(4) align activities and services provided through funding under this section with the Head Start Child Outcomes Framework.

''(e) STANDARDS.—Prior to awarding grants under this section, the Secretary shall establish standards to ensure that the responsibility and expectations of the Early Head Start agency and the partner child care providers are clearly defined.

''(f) DESIGNATION RENEWAL.—A partner child care provider that receives assistance through a grant provided under this section shall be exempt, for a period of 18 months, from the designation renewal requirements under section 641(c).

''(g) SURVEY OF EARLY HEAD START AGENCIES AND REPORT TO CONGRESS.—Within one year of the effective date of this section, the Secretary shall conduct a survey of Early Head Start agencies to determine the extent of barriers to entering into early learning quality partnership agreements under this section on Early Head Start agencies and on child care providers, and submit this information, with suggested steps to overcome such barriers, in a report to the Committee on Education and the Workforce of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate, including a detailed description of the degree to which Early Head Start agencies are utilizing the funds provided.

''(h) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section—

''(1) $1,430,376,000 for fiscal year 2016; and

''(2) such sums as may be necessary for each of fiscal years 2017 through 2020.''.

Subpart D—Authorization of Appropriations for the Education of Children With Disabilities

SEC. 10341. PRESCHOOL GRANTS.

Section 619(j) of the Individuals with Disabilities Education Act (20 U.S.C. 1419(j)) is amended to read as follows:

''(j) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section $418,000,000 for fiscal year 2016 and such sums as may be necessary for each succeeding fiscal year.''.

SEC. 10342. INFANTS AND TODDLERS WITH DISABILITIES.

Section 644 of the Individuals with Disabilities Education Act (20 U.S.C. 1444) is amended to read as follows:

''SEC. 644. AUTHORIZATION OF APPROPRIATIONS.

''For the purpose of carrying out this part, there are authorized to be appropriated $508,000,000 for fiscal year 2016 and such sums as may be necessary for each succeeding fiscal year.''.

Subpart E—Maternal, Infant, and Early Childhood Home Visiting Program

SEC. 10351. SENSE OF THE SENATE.

It is the sense of the Senate that—

(1) from the prenatal period to the first day of kindergarten, children's development rapidly progresses at a pace exceeding that of any subsequent stage of life;

(2) as reported by the National Academy of Sciences in 2001, striking disparities exist in what children know and can do that are evident well before they enter kindergarten;

(3) such differences are strongly associated with social and economic circumstances, and they are predictive of subsequent academic performance;

(4) research has consistently demonstrated that investments in high-quality programs that serve infants and toddlers—

(A) better positions those children for success in elementary, secondary, and postsecondary education; and

(B) helps those children develop the critical physical, emotional, social, and cognitive skills that they will need for the rest of their lives;

(5) in 2011, there were 11,000,000 infants and toddlers living in the United States, and 49 percent of these children came from low-income families with incomes at or below 200 percent of the Federal poverty guidelines;

(6) the Maternal, Infant, and Early Childhood Home Visiting program (referred to as ''MIECHV'') was authorized by Congress to facilitate collaboration and partnership at the Federal, State, and community levels to improve health and development outcomes for at-risk children, including those from low-income families, through evidence-based home visiting programs;

(7) MIECHV is an evidence-based policy initiative and the program's authorizing legislation requires that at least 75 percent of funds dedicated to the program must support programs to implement evidence-based home visiting models, which includes the home-based model of Early Head Start; and

(8) Congress should continue to provide resources to MIECHV to support the work of States to help at-risk families voluntarily receive home visits from nurses and social workers to—

(A) promote maternal, infant, and child health;

(B) improve school readiness and achievement;

(C) prevent potential child abuse or neglect and injuries;

(D) support family economic self-sufficiency;

(E) reduce crime or domestic violence; and

(F) improve coordination or referrals for community resources and supports.

Subpart F—Stop Corporate Inversions

SEC. 10361. MODIFICATIONS TO RULES RELATING TO INVERTED CORPORATIONS.

(a) IN GENERAL.—Subsection (b) of section 7874 of the Internal Revenue Code of 1986 is amended to read as follows:

''(b) INVERTED CORPORATIONS TREATED AS DOMESTIC CORPORATIONS.—

''(1) IN GENERAL.—Notwithstanding section 7701(a)(4), a foreign corporation shall be treated for purposes of this title as a domestic corporation if—

''(A) such corporation would be a surrogate foreign corporation if subsection (a)(2) were applied by substituting '80 percent' for '60 percent', or

''(B) such corporation is an inverted domestic corporation.

''(2) INVERTED DOMESTIC CORPORATION.—For purposes of this subsection, a foreign corporation shall be treated as an inverted domestic corporation if, pursuant to a plan (or a series of related transactions)—

''(A) the entity completes after July 31, 2015, the direct or indirect acquisition of—

''(i) substantially all of the properties held directly or indirectly by a domestic corporation, or

''(ii) substantially all of the assets of, or substantially all of the properties constituting a trade or business of, a domestic partnership, and

''(B) after the acquisition, more than 50 percent of the stock (by vote or value) of the entity is held—

''(i) in the case of an acquisition with respect to a domestic corporation, by former shareholders of the domestic corporation by reason of holding stock in the domestic corporation, or

''(ii) in the case of an acquisition with respect to a domestic partnership, by former partners of the domestic partnership by reason of holding a capital or profits interest in the domestic partnership.

''(3) EXCEPTION FOR CORPORATIONS WITH SUBSTANTIAL BUSINESS ACTIVITIES IN FOREIGN COUNTRY OF ORGANIZATION.—A foreign corporation described in paragraph (2) shall not be treated as an inverted domestic corporation if after the acquisition the expanded affiliated group which includes the entity has substantial business activities in the foreign country in which or under the law of which the entity is created or organized when compared to the total business activities of such expanded affiliated group. For purposes of subsection (a)(2)(B)(iii) and the preceding sentence, the term 'substantial business activities' shall have the meaning given such term under regulations in effect on May 8, 2014, except that the Secretary may issue regulations increasing the threshold percent in any of the tests under such regulations for determining if business activities constitute substantial business activities for purposes of this paragraph.''.

(b) CONFORMING AMENDMENTS.—

(1) Clause (i) of section 7874(a)(2)(B) of such Code is amended by striking ''after March 4, 2003,'' and inserting ''after March 4, 2003, and before August 1, 2015,''.

(2) Subsection (c) of section 7874 of such Code is amended—

(A) in paragraph (2)—

(i) by striking subsection (a)(2)(B)(ii) and inserting ''subsections (a)(2)(B)(ii) and (b)(2)(B)'', and

(ii) by inserting ''or (b)(2)(A)'' after ''(a)(2)(B)(i)'' in subparagraph (B),

(B) in paragraph (3), by inserting ''or (b)(2)(B), as the case may be,'' after ''(a)(2)(B)(ii)'',

(C) in paragraph (5), by striking ''subsection (a)(2)(B)(ii)'' and inserting ''subsections (a)(2)(B)(ii) and (b)(2)(B)'', and

(D) in paragraph (6), by inserting ''or inverted domestic corporation, as the case may be,'' after ''surrogate foreign corporation''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years ending after July 31, 2015.

(d) FUNDING.—Any increase in revenue attributable to the amendments made by this section shall be allocated to carrying out subparts A and B.

SA 2153. Mr. REID (for Mr. KING (for himself and Mrs. CAPITO)) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

On page 630, between lines 4 and 5, insert the following:

"PART J—DIGITAL LEARNING EQUITY DEMONSTRATION PROGRAM

"SEC. 5911. PURPOSES.

''The purpose of this part is to support the development, implementation, and evaluation of innovative strategies and methods to improve out-of-school access to digital learning resources for eligible students in order to—

''(1) increase student participation in the classroom, including the ability to complete homework assignments and participate in innovative digital learning models;

''(2) improve student access to postsecondary education and workforce opportunities by increasing the ability of students to apply for employment, postsecondary education, and financial aid opportunities;

''(3) increase the education technology and digital learning resources options available to educators to support student learning by ensuring methods and resources used during the school day remain accessible during out-of-school hours;

''(4) increase student, educator, and parent engagement by facilitating greater communication and connection between school and home; and

''(5) increase the identification and dissemination of strategies to support students lacking out-of-school access to digital learning resources and the Internet, including underserved student populations and students in rural and remote geographic areas.

"SEC. 5912. DEFINITIONS.

''In this part:

''(1) ACCESS TECHNOLOGY.—The term 'access technology' means any service or device that provides out-of-school Internet access as its primary function and does not include a computer device.

''(2) DIGITAL LEARNING.—The term 'digital learning' means an educational practice that effectively uses technology to strengthen a student's learning experience within and outside of the classroom and at home, including—

''(A) interactive learning resources that engage students in academic content;

''(B) access to online databases and primary source documents;

''(C) the use of data, data analytics, and information to personalize learning and provide targeted supplementary instruction;

''(D) student collaboration with content experts, peers, and educators;

''(E) digital learning content, video, software, or simulations;

''(F) access to online courses; and

''(G) other resources that may be developed, as the Secretary may determine.

''(3) ELIGIBLE ENTITY.—The term 'eligible entity' means any of the following entities that serve a high-need school:

''(A) A local educational agency.

''(B) A State educational agency.

''(C) An educational service agency.

''(D) A consortium of State educational agencies, local educational agencies, or educational service agencies.

''(E) An Indian tribe or Indian organization.

''(F) A State educational agency, local educational agency, educational service agency, Indian tribe, or Indian organization, in partnership with—

''(i) a nonprofit foundation, corporation, institution, or association;

''(ii) a business;

''(iii) an after-school program or summer program;

''(iv) a library;

''(v) a community learning center; or

''(vi) other community or social services organizations, as the Secretary may determine.

''(4) ELIGIBLE STUDENT.—The term 'eligible student' means a student who lacks out-of-school Internet access and attends a high-need school serviced by an eligible entity.

''(5) HIGH-NEED SCHOOL.—The term 'high-need school' means a school served by an eligible entity that—

''(A) has a high percentage of students aged 5 through 17 who—

''(i) are in poverty, as counted in the most recent census data approved by the Secretary;

''(ii) are eligible for a free or reduced priced lunch under the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.);

''(iii) are in families receiving assistance under the State program funded under part A of title IV of the Social Security Act (42 U.S.C. 601 et seq.); or

''(iv) are eligible to receive medical assistance under the Medicaid program under title XIX of the Social Security Act (42 U.S.C. 1396 et seq.);

''(B) has a high percentage of students who lack out-of-school Internet access;

''(C) is in need of improvement and or is among the State's persistently lowest achieving schools; or

''(D) has significant gaps in achievement among the categories of students, as defined in section 1111(b)(3)(A).

''(6) OUT-OF-SCHOOL INTERNET ACCESS.—The term 'out-of-school Internet access' means a service provided to an eligible student for out-of-school use by wire or radio that provides the capability to transmit data to and receive data from all or substantially all Internet endpoints, including any capabilities that are incidental to and enable the operation of the communications service, with a speed and capacity sufficient to enable the use of digital learning resources, but excluding—

''(A) dial-up Internet access service; or

''(B) Internet access service that is restricted by monthly data caps set lower than 1 gigabyte.

"SEC. 5913. DEMONSTRATION GRANT PROGRAM AUTHORIZED.

''(a) IN GENERAL.—The Secretary shall award grants to eligible entities, subject to meeting the application requirements in subsection (e), to develop, implement, and evaluate innovative strategies to increase out-of-school Internet access for eligible students.

''(b) DEMONSTRATION PERIOD.—Each eligible entity, in accordance with the application requirements in subsection (e), shall propose to the Secretary the period of time over which it desires to exercise demonstration authority, except that such period shall not exceed 2 years.

''(c) RURAL AREAS.—From the amounts appropriated under section 5915 for a fiscal year, the Secretary shall reserve not less than 35 percent for grants to eligible entities that propose to carry out the activities described in subsection (e)(1) in rural areas, as described in section 6211(b)(1)(A)(ii). The Secretary shall reduce the amount described in this subsection if the Secretary does not receive a sufficient number of applications that propose to carry out the activities described in subsection (e)(1) in rural areas that meet the requirements of subsection (e).

''(d) MATCHING FUNDS.—

''(1) IN GENERAL.—An eligible entity that is a State educational agency or includes a State educational agency, that receives a grant under this section shall provide matching funds, from non-Federal sources (which may be provided in cash or in-kind), in an amount equal to 10 percent of the amount of grant funds provided to the eligible entity to carry out the activities supported by the grant.

''(2) WAIVER.—The Secretary may waive the matching requirement under paragraph (1) for an eligible entity that demonstrates that such requirement imposes an undue financial hardship.

''(e) APPLICATION.—To receive a grant under this section, an eligible entity shall submit to the Secretary an application at such time and in such manner as the Secretary may reasonably require and containing the following:

''(1) A description of how the entity will—

''(A) increase student access to digital learning opportunities outside of the school day, which may include providing access technology for eligible students;

''(B) integrate the out-of-school use of the access technology into the school's educational curriculum and objectives;

''(C) provide eligible students with the necessary training in digital literacy to ensure appropriate and effective use of the digital learning resources and access technology;

''(D) ensure parents, educators, and students are informed of appropriate use of the digital learning resources and access technology; and

''(E) have in place a policy that meets the same requirements as described in paragraphs (1) and (2) of section 9551.

''(2) A description of the eligible students who will be served, disaggregated by—

''(A) the categories of students, as defined in section 1111(b)(3)(A); and

''(B) homeless students and children or youth in foster care.

''(3) In the case of an eligible entity that wishes to award subgrants to local educational agencies or local educational agencies in partnership with the entities described in subparagraphs (A) through (F) of section 5912(3)—

''(A) a description of how the eligible entity will award such subgrants; and

''(B) an assurance that the eligible entity consulted with appropriate staff of participating local educational agencies and the entities described in subparagraphs (A) through (F) of section 5912(3), as applicable, in the development of the eligible entity's application under this subsection.

''(4) A description of the process, activities, and measures that the eligible entity will use to evaluate the impact and effectiveness of the grant funds awarded under this part for eligible students, including measures of changes in—

''(A) the percentage of students who lack access to out-of-school Internet access;

''(B) student participation in the classroom, including the ability to complete homework and take part in innovative learning models;

''(C) student engagement, through such measures as attendance rates and chronic absenteeism;

''(D) student access to postsecondary education and workforce opportunities, including the ability to apply for employment, postsecondary education, and student financial aid programs; and

''(E) any other valid and reliable indicators of student, educator, or parent engagement or participation, as determined by the eligible entity.

''(5) A description of the way in which the eligible entity will solicit and collect meaningful feedback from participating students, educators, parents, and school administrators on the effectiveness of the demonstration program.

''(6) A description of how the eligible entity will procure the access technology and out-of-school Internet access necessary to carry out the demonstration program, including whether the entity will utilize bulk purchasing or other strategies that make efficient use of program funds.

''(7) If the applicant is a State educational agency or includes a State educational agency, an assurance that the applicant will provide matching funds as required under subsection (d).

''(f) USE OF FUNDS.—Each eligible entity receiving a grant under this part shall use the funds awarded to develop, implement, and evaluate strategies and methods used to increase student access to digital learning resources at home through such practices as—

''(1) providing a targeted distribution of access technology to eligible students;

''(2) educating and training students, parents, and educators about the appropriate use of access technology outside of the classroom; and

''(3) evaluating the effectiveness of the strategies and methods used under this part, through such means as student, educator, and parent surveys.

''(g) RESTRICTION.—Funds awarded under this part shall only be used to promote out-of-school access to digital learning resources for eligible students and shall not be used to address the networking needs of an entity that is eligible to receive support under the E-rate program.

''(h) RESERVATION FOR SUPPORT AND EVALUATION.—

''(1) IN GENERAL.—Each eligible entity that receives a grant under this section may reserve not more than 8 percent of the grant amount for each fiscal year to provide technical support to participating schools and for the purposes of conducting the evaluation described in section 5914.

''(2) EVALUATION.—Not less than 50 percent of any amount reserved under paragraph (1) shall be used for the purposes of conducting the evaluation described in section 5914.

''(i) NATIONAL ACTIVITIES.—From the amounts appropriated under section 5915, the Secretary may reserve not more than 1 percent for national activities to provide technical assistance and support grantees.

''SEC. 5914. EVALUATION.

''(a) IN GENERAL.—Consistent with the criteria outlined in paragraphs (4) and (5) of section 5913(e), the Secretary shall establish an evaluation template through which an eligible entity will record and submit the outcomes and participant feedback associated with the program carried out under this part.

''(b) SUBMISSION; DEADLINE.—Not later than 90 days after the termination of an eligible entity's demonstration authority under this part, the eligible entity shall submit to the Secretary the results of the evaluation.

''(c) PROHIBITION.—Nothing in this section shall be construed to prohibit an eligible entity from recording and submitting additional data or indicators associated with the success of the program executed under the demonstration authority.

''SEC. 5915. AUTHORIZATION OF APPROPRIATIONS.

''There are authorized to be appropriated to carry out this part such sums as may be necessary for each of fiscal years 2016 through 2021.''.

SA 2154. Mr. REID (for Mr. KING (for himself and Mrs. CAPITO)) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

On page 264, between lines 11 and 12, insert the following:

SEC. 1018. REPORT ON STUDENT HOME ACCESS TO DIGITAL LEARNING RESOURCES.

(a) IN GENERAL.—Not later than 18 months after the date of enactment of this Act, the Director of the Institute of Education Sciences, in consultation with relevant Federal agencies, shall complete a national study on the educational trends and behaviors associated with access to digital learning resources outside of the classroom, which shall include analysis of extant data and new surveys about students and teachers that provide—

(1) a description of the various locations from which students access the Internet and digital learning resources outside of the classroom, including through an after-school or summer program, a library, and at home;

(2) a description of the various devices and technology through which students access the Internet and digital learning resources outside of the classroom, including through a computer or mobile device;

(3) data associated with the number of students who lack home Internet access, disaggregated by—

(A) each of the categories of students, as defined in section 1111(b)(3)(A) of the Elementary and Secondary Education Act of 1965;

(B) homeless students and children or youth in foster care; and

(C) students in geographically diverse areas, including urban, suburban, and rural areas;

(4) data associated with the barriers to students acquiring home Internet access;

(5) data associated with the proportion of educators who assign homework or implement innovative learning models that require or are substantially augmented by a student having home Internet access and the frequency of the need for such access;

(6) a description of the learning behaviors associated with students who lack home Internet access, including—

(A) student participation in the classroom, including the ability to complete homework and participate in innovative learning models;

(B) student engagement, through such measures as attendance rates and chronic absenteeism; and

(C) a student's ability to apply for employment, postsecondary education, and financial aid programs;

(7) an analysis of the how a student's lack of home Internet access impacts the instructional practice of educators, including—

(A) the extent to which educators alter instructional methods, resources, homework assignments, and curriculum in order to accommodate differing levels of home Internet access; and

(B) strategies employed by educators, school leaders, and administrators to address the differing levels of home Internet access among students; and

(8) a description of the ways in which State educational agencies, local educational agencies, schools, and other entities, including through partnerships, have developed effective means to provide students with Internet access outside of the school day.

(b) PUBLIC DISSEMINATION.—The Director of the Institute of Education Sciences shall widely disseminate the findings of the study under this section—

(1) in a timely fashion;

(2) in a form that is understandable, easily accessible, and publicly available and usable, or adaptable for use in, the improvement of educational practice;

(3) through electronic transfer and other means, such as posting, as available, to the website of the Institute of Education Sciences, or the Department of Education; and

(4) to all State educational agencies and other recipients of funds under part D of title IV of the Elementary and Secondary Education Act of 1965.

(c) DEFINITION OF DIGITAL LEARNING.—In this section, the term ''digital learning''—

(1) has the meaning given the term in section 5702 of the Elementary and Secondary Education Act of 1965; and

(2) includes an educational practice that effectively uses technology to strengthen a student's learning experience within and outside of the classroom and at home, which may include the use of digital learning content, video, software, and other resources that may be developed, as the Secretary of Education may determine.

SA 2155. Mr. THUNE submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

At the end of title VII, insert the following:

SEC. 7006. REPORT ON RESPONSES TO INDIAN STUDENT SUICIDES.

(a) PREPARATION.—

(1) IN GENERAL.—The Secretary of Education, in coordination with the Secretary of the Interior and the Secretary of Health and Human Services, shall prepare a report on efforts to address outbreaks of suicides among elementary school and secondary school students (referred to in this section as ''student suicides'') that occurred within 1 year prior to the date of enactment of this Act in Indian country (as defined in section 1151 of title 18, United States Code).

(2) CONTENTS.—The report shall include information on—

(A) the Federal response to the occurrence of high numbers of student suicides in Indian country (as so defined);

(B) a list of Federal resources available to prevent and respond to outbreaks of student suicides, including the availability and use of tele-behavioral health care;

(C) any barriers to timely implementation of programs or interagency collaboration regarding student suicides;

(D) interagency collaboration efforts to streamline access to programs regarding student suicides, including information on how the Department of Education, the Department of the Interior, and the Department of Health and Human Services work together on administration of such programs;

(E) recommendations to improve or consolidate resources or programs described in subparagraph (B) or (D); and

(F) feedback from Indian tribes to the Federal response described in subparagraph (A).

(b) SUBMISSION.—Not later than 90 days after the date of enactment of this Act, the Secretary of Education shall submit the report described in subsection (a) to the appropriate committees of Congress.

SA 2156. Mrs. CAPITO (for herself and Mr. DURBIN) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

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

''(xviii) for each high school in the State, and beginning with the report card released in 2017, the cohort rate (in the aggregate, and disaggregated for each category of students defined in subsection (b)(3)(A), except that such disaggregation shall not be required in a case in which the number of students is insufficient to yield statistically reliable information or the results would reveal personally identifiable information about an individual student) at which students who graduate from the high school enroll, for the first academic year that begins after the students' graduation—

''(I) in programs of public postsecondary education in the State; and

''(II) if data are available and to the extent practicable, in programs of private postsecondary education in the State or programs of postsecondary education outside the State;

''(xix) if available and to the extent practicable, for each high school in the State and beginning with the report card released in 2018, the remediation rate (in the aggregate, and disaggregated for each category of students defined in subsection (b)(3)(A), except that such disaggregation shall not be required in a case in which the number of students is insufficient to yield statistically reliable information or the results would reveal personally identifiable information about an individual student) for students who graduate from the high school at—

''(I) programs of postsecondary education in the State; and

''(II) programs of postsecondary education outside the State;

SA 2157. Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

On page 615, between lines 22 and 23, insert the following:

''(3) RESERVATION FOR EVALUATION.—From the amounts appropriated under section 5903 for a fiscal year, the Secretary shall reserve one-half of 1 percent to conduct, in consultation with the Secretary of Health and Human Services, an evaluation to determine whether grants under this part are—

(A) improving efficiency in the use of Federal funds for early childhood education programs;

(B) improving coordination across Federal early childhood education programs; and

(C) increasing the availability of, and access to, high-quality early childhood education programs for eligible children.

SA 2158. Mr. FLAKE submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

Strike section 5007.

SA 2159. Mr. BENNET submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

After section 4005, insert the following:

SEC. 4006. FAMILY ENGAGEMENT IN EDUCATION PROGRAMS.

Title IV (20 U.S.C. 7101 et seq.), as amended by sections 4001, 4004, and 4005, is further amended by adding at the end the following:

''PART E—FAMILY ENGAGEMENT IN EDUCATION PROGRAMS

''SEC. 4501. PURPOSES.

''The purposes of this part are the following:

''(1) To provide financial support to organizations to provide technical assistance and training to State and local educational agencies in the implementation and enhancement of systemic and effective family engagement policies, programs, and activities that lead to improvements in student development and academic achievement.

''(2) To assist State educational agencies, local educational agencies, community-based organizations, schools, and educators in strengthening partnerships among parents, teachers, school leaders, administrators, and other school personnel in meeting the educational needs of children and fostering greater parental engagement.

''(3) To support State educational agencies, local educational agencies, schools, educators, and parents in developing and strengthening the relationship between parents and their children's school in order to further the developmental progress of children.

''(4) To coordinate activities funded under this subpart with parent involvement initiatives funded under section 1115 and other provisions of this Act.

''(5) To assist the Secretary, State educational agencies, and local educational agencies in the coordination and integration of Federal, State, and local services and programs to engage families in education.

''SEC. 4502. GRANTS AUTHORIZED.

''(a) STATEWIDE FAMILY ENGAGEMENT CENTERS.—From the amount appropriated under section 4506, the Secretary is authorized to award grants for each fiscal year to statewide organizations (or consortia of such organizations), to establish Statewide Family Engagement Centers that provide comprehensive training and technical assistance to State educational agencies, local educational agencies, schools identified by State educational agencies and local educational agencies, organizations that support family-school partnerships, and other organizations that carry out, or carry out directly, parent education and family engagement in education programs.

''(b) MINIMUM AWARD.—In awarding grants under this section, the Secretary shall, to the extent practicable, ensure that a grant is awarded for a Statewide Family Engagement Center in an amount not less than $500,000.

''SEC. 4503. APPLICATIONS.

''(a) SUBMISSIONS.—Each statewide organization, or a consortium of such organizations, that desires a grant under this subpart shall submit an application to the Secretary at such time, in such manner, and including the information described in subsection (b).

''(b) CONTENTS.—Each application submitted under subsection (a) shall include, at a minimum, the following:

''(1) A description of the applicant's approach to family engagement in education.

''(2) A description of the support that the Statewide Family Engagement Center that will be operated by the applicant will have from the State educational agency and any partner organization outlining the commitment to work with the center.

''(3) A description of the applicant's plan for building a statewide infrastructure for family engagement in education, that includes—

''(A) management and governance;

''(B) statewide leadership; or

''(C) systemic services for family engagement in education.

''(4) A description of the applicant's demonstrated experience in providing training, information, and support to State educational agencies, local educational agencies, schools, educators, parents, and organizations on family engagement in education policies and practices that are effective for parents (including low-income parents) and families, English learners, minorities, parents of students with disabilities, parents of homeless students, foster parents and students, and parents of migratory students, including evaluation results, reporting, or other data exhibiting such demonstrated experience.

''(5) A description of the steps the applicant will take to target services to low-income students and parents.

''(6) An assurance that the applicant will—

''(A) establish a special advisory committee, the membership of which includes—

''(i) parents, who shall constitute a majority of the members of the special advisory committee;

''(ii) representatives of education professionals with expertise in improving services for disadvantaged children;

''(iii) representatives of local elementary schools and secondary schools, including students;

''(iv) representatives of the business community; and

''(v) representatives of State educational agencies and local educational agencies;

''(B) use not less than 65 percent of the funds received under this part in each fiscal year to serve local educational agencies, schools, and community-based organizations that serve high concentrations of disadvantaged students, including English learners, minorities, parents of students with disabilities, parents of homeless students, foster parents and students, and parents of migratory students;

''(C) operate a Statewide Family Engagement Center of sufficient size, scope, and quality to ensure that the Center is adequate to serve the State educational agency, local educational agencies, and community-based organizations;

''(D) ensure that the Statewide Family Engagement Center will retain staff with the requisite training and experience to serve parents in the State;

''(E) serve urban, suburban, and rural local educational agencies and schools;

''(F) work with—

''(i) other Statewide Family Engagement Centers assisted under this subpart; and

''(ii) parent training and information centers and community parent resource centers assisted under sections 671 and 672 of the Individuals with Disabilities Education Act;

''(G) use not less than 30 percent of the funds received under this part for each fiscal year to establish or expand technical assistance for evidence-based parent education programs;

''(H) provide assistance to State educational agencies and local educational agencies and community-based organizations that support family members in supporting student academic achievement;

''(I) work with State educational agencies, local educational agencies, schools, educators, and parents to determine parental needs and the best means for delivery of services to address such needs;

''(J) conduct sufficient outreach to assist parents, including parents who the applicant may have a difficult time engaging with a school or local educational agency; and

''(K) conduct outreach to low-income students and parents, including low-income students and parents who are not proficient in English.

''SEC. 4504. USES OF FUNDS.

''(a) IN GENERAL.—Grantees shall use grant funds received under this part, based on the needs determined under section 4503, to provide training and technical assistance to State educational agencies, local educational agencies, and organizations that support family-school partnerships, and activities, services, and training for local educational agencies, school leaders, educators, and parents—

''(1) to assist parents in participating effectively in their children's education and to help their children meet State standards, such as assisting parents—

''(A) to engage in activities that will improve student academic achievement, including understanding how they can support learning in the classroom with activities at home and in afterschool and extracurricular programs;

''(B) to communicate effectively with their children, teachers, school leaders, counselors, administrators, and other school personnel;

''(C) to become active participants in the development, implementation, and review of school-parent compacts, family engagement in education policies, and school planning and improvement;

''(D) to participate in the design and provision of assistance to students who are not making academic progress;

''(E) to participate in State and local decisionmaking;

''(F) to train other parents; and

''(G) to help the parents learn and use technology applied in their children's education;

''(2) to develop and implement, in partnership with the State educational agency, statewide family engagement in education policy and systemic initiatives that will provide for a continuum of services to remove barriers for family engagement in education and support school reform efforts; and

''(3) to develop and implement parental involvement policies under this Act.

''(b) MATCHING FUNDS FOR GRANT RENEWAL.—For each fiscal year after the first fiscal year for which an organization or consortium receives assistance under this section, the organization or consortium shall demonstrate in the application that a portion of the services provided by the organization or consortium is supported through non-Federal contributions, which may be in cash or in-kind.

''(c) TECHNICAL ASSISTANCE.—The Secretary shall reserve not more than 2 percent of the funds appropriated under section 4506 to carry out this part to provide technical assistance, by competitive grant or contract, for the establishment, development, and coordination of Statewide Family Engagement Centers.

''(d) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to prohibit a Statewide Family Engagement Center from—

''(1) having its employees or agents meet with a parent at a site that is not on school grounds; or

''(2) working with another agency that serves children.

''(e) PARENTAL RIGHTS.—Notwithstanding any other provision of this section—

''(1) no person (including a parent who educates a child at home, a public school parent, or a private school parent) shall be required to participate in any program of parent education or developmental screening under this section; and

''(2) no program or center assisted under this section shall take any action that infringes in any manner on the right of parents to direct the education of their children.

''SEC. 4505. FAMILY ENGAGEMENT IN INDIAN SCHOOLS.

''The Secretary of the Interior, in consultation with the Secretary of Education, shall establish, or enter into contracts and cooperative agreements with local tribes, tribal organizations, or Indian nonprofit parent organizations to establish and operate Family Engagement Centers.

''SEC. 4506. AUTHORIZATION OF APPROPRIATIONS.

''There are authorized to be appropriated to carry out this part such sums as may be necessary for fiscal years 2016 through 2021.''.

SA 2160. Mr. MENENDEZ submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

At the end of title X, add the following:

PART C—SAFE PLAY

SEC. 10301. SHORT TITLE.

This part may be cited as the ''Supporting Athletes, Families and Educators to Protect the Lives of Athletic Youth Act'' or the ''SAFE PLAY Act''.

SEC. 10302. EDUCATION, AWARENESS, AND TRAINING ABOUT CHILDREN'S CARDIAC CONDITIONS TO INCREASE EARLY DIAGNOSIS AND PREVENT DEATH.

Part P of title III of the Public Health Service Act (42 U.S.C. 280g et seq.) is amended by adding at the end the following:

''SEC. 399V–6. MATERIALS AND EDUCATIONAL RESOURCES TO INCREASE AWARENESS OF CARDIOMYOPATHY AND OTHER HIGHER RISK CHILDHOOD CARDIAC CONDITIONS AMONG SCHOOL ADMINISTRATORS, EDUCATORS, COACHES, STUDENTS AND FAMILIES.

''(a) MATERIALS AND RESOURCES.—Not later than 18 months after the date of enactment of the SAFE PLAY Act, the Secretary, acting through the Director of the Centers for Disease Control and Prevention (referred to in this section as the 'Director') and in consultation with national patient advocacy and health professional organizations experts in cardiac health, including all forms of cardiomyopathy, shall develop public education and awareness materials and resources to be disseminated to school administrators, educators, school health professionals, coaches, families, and other appropriate individuals. The materials and resources shall include—

''(1) information to increase education and awareness of high risk cardiac conditions and genetic heart rhythm abnormalities that may cause sudden cardiac arrest in children, adolescents, and young adults, including—

''(A) cardiomyopathy;

''(B) conditions such as long QT syndrome, Brugada syndrome, catecholaminergic polymorphic ventricular tachycardia, short QT syndrome, Wolff-Parkinson-White syndrome; and

''(C) other cardiac conditions, as determined by the Secretary;

''(2) sudden cardiac arrest and cardiomyopathy risk assessment worksheets to increase awareness of warning signs and symptoms of life-threatening cardiac conditions in order to prevent acute cardiac episodes and increase the likelihood of early detection and treatment;

''(3) information and training materials for emergency interventions such as cardiopulmonary resuscitation (referred to in this section and in section 399V–7 as 'CPR') and ways to obtain certification in CPR delivery;

''(4) guidelines and training materials for the proper placement and use of life-saving emergency equipment such as automatic external defibrillators (referred to in this section and section 399V–7 as 'AED') and ways to obtain certification on AED usage; and

''(5) recommendations for how schools, childcare centers, and local youth athletic organizations can develop and implement cardiac emergency response plans, including recommendations about how a local educational agency (as defined in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801)) can apply such response plans to all students enrolled in the public schools served by such local educational agency.

''(b) DEVELOPMENT OF MATERIALS AND RESOURCES.—The Secretary, acting through the Director, shall develop and update, as necessary and appropriate, the materials and resources described in subsection (a) and, in support of such effort, the Secretary is encouraged to establish an advisory panel that includes the following members:

''(1) Representatives from national patient advocacy organizations, including—

''(A) not less than 1 organization dedicated to pediatrics;

''(B) not less than 1 organization dedicated to school-based wellness;

''(C) not less than 1 organization dedicated to cardiac research, health, and awareness; and

''(D) not less than 1 organization dedicated to advocacy and support for individuals with cognitive impairments or developmental disabilities.

''(2) Representatives of medical professional societies, including pediatrics, cardiology, emergency medicine, and sports medicine.

''(3) A representative of the Centers for Disease Control and Prevention.

''(4) Representatives of other relevant Federal agencies.

''(5) Representatives of schools, such as administrators, educators, sports coaches, and nurses.

''(c) DISSEMINATION OF MATERIALS AND RESOURCES.—Not later than 30 months after the date of enactment of the SAFE PLAY Act, the Secretary, acting through the Director, shall disseminate the materials and resources described in subsection (a) in accordance with the following:

''(1) DISTRIBUTION BY STATE EDUCATIONAL AGENCIES.—The Secretary shall make available such written materials and resources to State educational agencies (as defined in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801)) to distribute—

''(A) to school administrators, educators, school health professionals, coaches, and parents, guardians, or other caregivers, the cardiomyopathy education and awareness materials and resources described in subsection (a);

''(B) to parents, guardians, or other caregivers, the cardiomyopathy and sudden cardiac arrest risk assessment worksheets described in subsection (a)(2);

''(C) to school administrators, school health professionals, and coaches—

''(i) the information and training materials described in subsection (a)(3); and

''(ii) the guidelines and training materials described in subsection (a)(4); and

''(D) to school administrators, educators, coaches, and youth sports organizations, the recommendations described in subsection (a)(5).

''(2) DISSEMINATION TO HEALTH DEPARTMENTS AND PROFESSIONALS.—The Secretary shall make available such materials and resources to State and local health departments, pediatricians, hospitals, and other health professionals, such as nurses and first responders.

''(3) DISSEMINATION OF INFORMATION THROUGH THE INTERNET.—

''(A) CDC.—

''(i) IN GENERAL.—The Secretary, acting through the Director, shall post the materials and resources developed under subsection (a) on the public Internet website of the Centers for Disease Control and Prevention.

''(ii) MAINTENANCE OF INFORMATION.—The Director shall maintain on such Internet website such additional and updated information regarding the resources and materials under subsection (a) as necessary to ensure such information reflects the latest standards.

''(B) STATE EDUCATIONAL AGENCIES.—State educational agencies are encouraged to create Internet webpages dedicated to disseminating the information and resources developed under subsection (a) to the general public, with an emphasis on targeting dissemination to families of students and students.

''(4) ACCESSIBILITY OF INFORMATION.—The information regarding the resources and materials under subsection (a) shall be made available in a format and in a manner that is readily accessible to individuals with cognitive and sensory impairments.

''(d) REPORT TO CONGRESS.—Not later than 3 years after the date of the enactment of this section, and annually thereafter, the Secretary shall submit to Congress a report identifying the steps taken to increase public education and awareness of higher risk cardiac conditions that may lead to sudden cardiac arrest.

''(e) DEFINITIONS.—In this section:

''(1) SCHOOL ADMINISTRATORS.—The term 'school administrator' means a principal, director, manager, or other supervisor or leader within an elementary school or secondary school (as such terms are defined under section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801)), State-based early education program, or childcare center.

''(2) SCHOOLS.—The term 'school' means an early education program, childcare center, or elementary school or secondary school (as such terms are so defined) that is not an Internet- or computer-based community school.

''(f) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section such sums as may be necessary for fiscal years 2016 through 2021.

''SEC. 399V–7. GRANTS TO PROVIDE FOR CARDIAC TRAINING AND EQUIPMENT IN PUBLIC ELEMENTARY, MIDDLE, AND SECONDARY SCHOOLS.

''(a) AUTHORITY TO MAKE GRANTS.—The Secretary, in consultation with the Secretary of Education, shall award grants to eligible local educational agencies—

''(1) to enable such local educational agencies to purchase AEDs and implement nationally recognized CPR and AED training courses; or

''(2) to enable such local educational agencies to award funding to eligible schools that are served by the local educational agency to purchase AEDs and implement nationally recognized CPR and AED training courses.

''(b) USE OF FUNDS.—An eligible local educational agency receiving a grant under this section, or an eligible school receiving grant funds under this section through an eligible local educational agency, shall use the grant funds—

''(1) to pay a nationally recognized training organization, such as the American Heart Association, the American Red Cross, or the National Safety Council, for instructional, material, and equipment expenses associated with the training necessary to receive CPR and AED certification in accordance with the materials and resources developed under section 399V–6(a)(3); or

''(2) if the local educational agency or an eligible school served by such agency meets the conditions described under subsection (c)(2), to purchase AED devices for eligible schools and pay the costs associated with obtaining the certifications necessary to meet the guidelines established in section 399V–6(a)(4).

''(c) GRANT ELIGIBILITY.—

''(1) APPLICATION.—To be eligible to receive a grant under this section, a local educational agency shall submit an application to the Secretary at such time, in such manner, and containing such information and certifications as such Secretary may reasonably require.

''(2) AED TRAINING AND ALLOCATION.—To be eligible to use grant funds to purchase AED devices as described in subsection (b)(2), an eligible local educational agency shall demonstrate to the Secretary that such local educational agency or an eligible school served by such agency has or intends to implement an AED training program in conjunction with a CPR training program and has or intends to implement an emergency cardiac response plan as of the date of the submission of the grant application.

''(d) PRIORITY OF AWARD.—The Secretary shall award grants under this section to eligible local educational agencies based on 1 or more of the following priorities:

''(1) A demonstrated need for initiating a CPR or AED training program in an eligible school or a community served by an eligible school, which may include—

''(A) schools that do not already have an automated AED on school grounds;

''(B) schools in which there are a significant number of students on school grounds during a typical day, as determined by the Secretary;

''(C) schools for which the average time required for emergency medical services (as defined in section 330J(f)) to reach the school is greater than the average time required for emergency medical services to reach other public facilities in the community; and

''(D) schools that have not received funds under the Rural Access to Emergency Devices Act (42 U.S.C. 254c note).

''(2) A demonstrated need for continued support of an existing CPR or AED training program in an eligible school or a community served by an eligible school.

''(3) A demonstrated need for expanding an existing CPR or AED training program by adding training in the use of an AED.

''(4) Previously identified opportunities to encourage and foster partnerships with and among community organizations, including emergency medical service providers, fire and police departments, nonprofit organizations, public health organizations, parent-teacher associations, and local and regional youth sports organizations to aid in providing training in both CPR and AED usage and in obtaining AED equipment.

''(5) Recognized opportunities to maximize the use of funds provided under this section.

''(e) MATCHING FUNDS REQUIRED.—

''(1) IN GENERAL.—To be eligible to receive a grant under this section, an eligible local educational agency shall provide matching funds from non-Federal sources in an amount equal to not less than 25 percent of the total grant amount.

''(2) WAIVER.—The Secretary may waive the requirement of paragraph (1) for an eligible local educational agency if the number of children counted under section 1124(c)(1)(A) of the Elementary and Secondary Education Act of 1965 for the local educational agency is 20 percent or more of the total number of children aged 5 to 17, inclusive, served by the eligible local educational agency.

''(f) DEFINITIONS.—In this section:

''(1) ELIGIBLE LOCAL EDUCATIONAL AGENCY.—The term 'eligible local educational agency' means a local educational agency, as defined in section 9101 of the Elementary and Secondary Education Act of 1965, that has established a plan to follow the guidelines and carry out the recommendations described under section 399V–6(a) regarding cardiac emergencies.

''(2) ELIGIBLE SCHOOL.—The term 'eligible school' means a public elementary, middle, or secondary school, including any public charter school that is considered a local educational agency under State law, and which is not an Internet- or computer-based community school.

''(g) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section such sums as may be necessary for each of the fiscal years 2016 through 2021.

''SEC. 399V–8. REQUIREMENT TO INCLUDE CARDIAC CONDITIONS IN EXISTING RESEARCH AND INVESTIGATIONS.

''The Director of the Centers for Disease Control and Prevention shall develop data collection methods, to be included in the School Health Policies and Practices Survey authorized under section 301, that are being carried out as of the date of enactment of the SAFE PLAY Act, to determine the degree to which school administrators, educators, school health professionals, coaches, families, and other appropriate individuals have an understanding of cardiac issues. Such data collection methods shall be designed to collect information about—

''(a) the ability to accurately identify early symptoms of a cardiac condition, such as cardiomyopathy, cardiac arrest, and sudden cardiac death;

''(b) the dissemination of training described in section 399V–6(a)(3) regarding the proper performance of cardiopulmonary resuscitation; and

''(c) the dissemination of guidelines and training described in section 399V–6(a)(4) regarding the placement and use of automatic external defibrillators.''.

SEC. 10303. GUIDELINES FOR EMERGENCY ACTION PLANS FOR ATHLETICS.

The Secretary of Health and Human Services, acting through the Director of the Centers for Disease Control and Prevention, and in consultation with the Secretary of Education, shall work with stakeholder organizations to develop recommended guidelines for the development of emergency action plans for youth athletics. Such plans shall include the following:

(1) Identifying the characteristics of an athletic, medical, or health emergency.

(2) Procedures for accessing emergency communication equipment and contacting emergency personnel, including providing directions to the specific location of the athletic venue that is used by the youth athletic group or organization.

(3) Instructions for utilizing appropriate first-aid and cardiopulmonary resuscitation techniques and accessing and utilizing emergency equipment, such as an automatic external defibrillator.

SEC. 10304. GUIDELINES FOR SAFE ENERGY DRINK USE BY YOUTH ATHLETES.

(a) DEVELOPMENT OF GUIDELINES.—Not later than 2 years after the date of enactment of this Act, the Secretary of Health and Human Services, acting through the Commissioner of Food and Drugs, in collaboration with the Director of the Centers for

Disease Control and Prevention and other related Federal agencies, may—

(1) develop information about the ingredients used in energy drinks and the potential side effects of energy drink consumption; and

(2) recommend guidelines for the safe use of energy drink consumption by youth, including youth participating in athletic activities.

(b) DISSEMINATION OF GUIDELINES.—Not later than 6 months after any information or guidelines are developed under subsection (a), the Secretary of Education, in coordination with the Commissioner of Food and Drugs, shall disseminate such information and guidelines to school administrators, educators, school health professionals, coaches, families, and other appropriate individuals.

(c) ENERGY DRINK DEFINED.—In this section the term ''energy drink'' means a class of products in liquid form, marketed as either a dietary supplement or conventional food under the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 301 et seq.), for the stated purpose of providing the consumer with added physical or mental energy, and that contains each of the following:

(1) Caffeine.

(2) At least 1 of the following ingredients:

(A) Taurine.

(B) Guarana.

(C) Ginseng.

(D) B vitamins such as cobalamin, folic acid, pyridoxine, or niacin.

(E) Any other ingredient added for the express purpose of providing physical or mental energy, as determined during the development of guidelines in accordance with subsection (a).

(d) PROHIBITION ON RESTRICTION OF MARKETING AND SALES OF ENERGY DRINKS.—Nothing in this section shall be construed to provide the Commissioner of Food and Drugs with authority to regulate the marketing and sale of energy drinks, beyond such authority as such Commissioner has as of the date of enactment of this Act.

SEC. 10305. RESEARCH RELATING TO YOUTH ATHLETIC SAFETY.

(a) EXPANSION OF CDC RESEARCH.—Section 301 of the Public Health Service Act (42 U.S.C. 241) is amended by adding at the end the following:

''(f) The Secretary, acting through the Director of the Centers for Disease Control and Prevention, shall, to the extent practicable, expand, intensify, and coordinate the activities of the Centers for Disease Control and Prevention with respect to cardiac conditions, concussions, and heat-related illnesses among youth athletes.''.

(b) REPORT TO CONGRESS.—Not later than 6 years after the enactment of this Act, the Director of the Centers for Disease Control and Prevention and the Secretary of Education shall prepare and submit a joint report to Congress that includes information, with respect to the 5-year period beginning after the date of enactment of this Act, about—

(1) the number of youth fatalities that occur while a youth is participating in an athletic activity, and the cause of each of those deaths; and

(2) the number of catastrophic injuries sustained by a youth while the youth is participating in an athletic activity, and the cause of such injury.

Between sections 9115 and 9116, insert the following:

SEC. 9115A. HEAT ADVISORY AND HEAT ACCLIMATIZATION GUIDELINES FOR SECONDARY SCHOOL ATHLETICS.

Subpart 2 of part F of title IX (20 U.S.C. 7901 et seq.), as amended by sections 4001, 9114, and 9115, and redesignated by section 9106, is further amended by adding at the end the following:

''SEC. 9539A. HEAT ADVISORY AND HEAT ACCLIMATIZATION PROCEDURES.

''(a) MATERIALS AND RESOURCES.—The Secretary, in consultation with the Secretary of Health and Human Services and the Secretary of Commerce, acting through the Administrator of the National Oceanic and Atmospheric Administration, shall develop public education and awareness materials and resources to be disseminated to school administrators, school health professionals, coaches, families, and other appropriate individuals. The materials and resources shall include—

''(1) information regarding the health risks associated with exposure to excessive heat and excessive humidity, as defined by the National Weather Service;

''(2) tips and recommendations on how to avoid heat-related illness, including proper hydration and access to the indoors or cooling stations; and

''(3) strategies for 'heat-acclimatization' that address the types and duration of athletic activities considered to be generally safe during periods of excessive heat.

''(b) IMPLANTATION OF EXCESSIVE HEAT ACTION PLAN.—Public schools shall develop an 'excessive heat action plan' to be used during all school-sponsored athletic activities that occur during periods of excessive heat and humidity. Such plan shall—

''(1) be in effect prior to full scale athletic participation by students, including any practices or scrimmages prior to the beginning of the school's academic year; and

''(2) apply to days when an Excessive Heat Watch or Excessive Heat Warning or Advisory has been issued by the National Weather Service for the area in which the athletic event is to take place.''.

SEC. 9115B. PREVENTION AND TREATMENT OF YOUTH ATHLETE CONCUSSIONS.

Part F of title IX (20 U.S.C. 7881 et seq.), as amended by sections 2001 and 4001, and redesignated by section 9106, is further amended by adding at the end the following:

''Subpart 7—State Requirements for the Prevention and Treatment of Concussions

''SEC. 9581. MINIMUM STATE REQUIREMENTS.

''(a) IN GENERAL.—Beginning for fiscal year 2016, as a condition of receiving funds under title IV for a fiscal year, a State shall, not later than July 1 of the preceding fiscal year, certify to the Secretary in accordance with subsection (b) that the State has in effect and is enforcing a law or regulation that, at a minimum, establishes the following requirements:

''(1) LOCAL EDUCATIONAL AGENCY CONCUSSION SAFETY AND MANAGEMENT PLAN.—Each local educational agency in the State (including each public charter school that is considered a local educational agency under State law), in consultation with members of the community in which the local educational agency is located, and taking into consideration the guidelines of the Centers for Disease Control and Prevention's Pediatric Mild Traumatic Brain Injury Guideline Workgroup, shall develop and implement a standard plan for concussion safety and management for public schools served by the local educational agency that includes—

''(A) the education of students, school administrators, educators, coaches, youth sports organizations, parents, and school personnel about concussions, including—

''(i) training of school personnel on evidence-based concussion safety and management, including prevention, recognition, risk, academic consequences, and response for both initial and any subsequent concussions; and

''(ii) using, maintaining, and disseminating to students and parents release forms, treatment plans, observation, monitoring, and reporting forms, recordkeeping forms, and post-injury and prevention fact sheets about concussions;

''(B) supports for each student recovering from a concussion, including—

''(i) guiding the student in resuming participation in school-sponsored athletic activities and academic activities with the help of a multidisciplinary concussion management team, which shall include—

''(I) a health care professional, the parents of such student, and other relevant school personnel; and

''(II) an individual who is assigned by the public school in which the student is enrolled to oversee and manage the recovery of the student;

''(ii) providing appropriate academic accommodations aimed at progressively reintroducing cognitive demands on such student; and

''(iii) if the student's symptoms of concussion persist for a substantial period of time—

''(I) evaluating the student in accordance with section 614 of the Individuals with Disabilities Education Act (20 U.S.C. 1414) to determine whether the student is eligible for services under part B of such Act (20 U.S.C. 1411 et seq.); or

''(II) evaluating whether the student is eligible for services under section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794); and

''(C) best practices, as defined by national neurological medical specialty and sports health organizations, designed to ensure, with respect to concussions, the uniformity of safety standards, treatment, and management, including—

''(i) disseminating information on concussion safety and management to the public; and

''(ii) applying best practice and uniform standards for concussion safety and management to all students enrolled in the public schools served by the local educational agency.

''(2) POSTING OF INFORMATION ON CONCUSSIONS.—Each public school in the State shall post on school grounds, in a manner that is visible to students and school personnel, and make publicly available on the school website, information on concussions that—

''(A) is based on peer-reviewed scientific evidence or consensus (such as information made available by the Centers for Disease Control and Prevention);

''(B) shall include—

''(i) the risks posed by sustaining a concussion or multiple concussions;

''(ii) the actions a student should take in response to sustaining a concussion, including the notification of school personnel; and

''(iii) the signs and symptoms of a concussion; and

''(C) may include—

''(i) the definition of a concussion under section 9582(1);

''(ii) the means available to the student to reduce the incidence or recurrence of a concussion; and

''(iii) the effects of a concussion on academic learning and performance.

''(3) RESPONSE TO A CONCUSSION.—If any school personnel of a public school in the State suspect that a student has sustained a concussion during a school-sponsored athletic activity or other school-sponsored activity—

''(A) the student shall be—

''(i) immediately removed from participation in such activity; and

''(ii) prohibited from resuming participation in school-sponsored athletic activities—

''(I) on the day the student sustained the concussion; and

''(II) until the day the student is capable of resuming such participation, according to

the student's written release, as described in paragraphs (4) and (5);

''(B) the school personnel shall report to the concussion management team described under paragraph (1)(B)(i)—

''(i) that the student may have sustained a concussion; and

''(ii) all available information with respect to the student's injury; and

''(C) the concussion management team shall confirm and report to the parents of the student—

''(i) the type of injury, and the date and time of the injury, suffered by the student; and

''(ii) any actions that have been taken to treat the student.

''(4) RETURN TO ATHLETICS.—If a student enrolled in a public school in the State sustains a concussion, before the student resumes participation in school-sponsored athletic activities, the relevant school personnel shall receive a written release from a health care professional, that—

''(A) may require the student to follow a plan designed to aid the student in recovering and resuming participation in such activities in a manner that—

''(i) is coordinated, as appropriate, with periods of cognitive and physical rest while symptoms of a concussion persist; and

''(ii) reintroduces cognitive and physical demands on the student on a progressive basis so long as such increases in exertion do not cause the re-emergence or worsening of symptoms of a concussion; and

''(B) states that the student is capable of resuming participation in such activities once the student is asymptomatic.

''(5) RETURN TO ACADEMICS.—If a student enrolled in a public school in the State has sustained a concussion, the concussion management team (as described under paragraph (1)(B)(i)) of the school shall consult with and make recommendations to relevant school personnel and the student to ensure that the student is receiving the appropriate academic supports, including—

''(A) providing for periods of cognitive rest over the course of the school day;

''(B) providing modified academic assignments;

''(C) allowing for gradual reintroduction to cognitive demands; and

''(D) other appropriate academic accommodations or adjustments.

''(b) CERTIFICATION REQUIREMENT.—The certification required under subsection (a) shall be in writing and include a description of the law or regulation that meets the requirements of subsection (a).

''SEC. 9582. DEFINITIONS.

''In this subpart:

''(1) CONCUSSION.—The term 'concussion' means a type of mild traumatic brain injury that—

''(A) is caused by a blow, jolt, or motion to the head or body that causes the brain to move rapidly in the skull;

''(B) disrupts normal brain functioning and alters the physiological state of the individual, causing the individual to experience—

''(i) any period of observed or self-reported—

''(I) transient confusion, disorientation, or altered consciousness;

''(II) dysfunction of memory around the time of injury; or

''(III) disruptions in gait or balance; and

''(ii) symptoms that may include—

''(I) physical symptoms, such as headache, fatigue, or dizziness;

''(II) cognitive symptoms, such as memory disturbance or slowed thinking;

''(III) emotional symptoms, such as irritability or sadness; or

''(IV) difficulty sleeping; and

''(C) occurs—

''(i) with or without the loss of consciousness; and

''(ii) during participation—

''(I) in a school-sponsored athletic activity; or

''(II) in any other activity without regard to whether the activity takes place on school property or during the school day.

''(2) HEALTH CARE PROFESSIONAL.—The term 'health care professional' means a physician (including a medical doctor or doctor of osteopathic medicine), registered nurse, athletic trainer, physical therapist, neuropsychologist, or other qualified individual—

''(A) who is registered, licensed, certified, or otherwise statutorily recognized by the State to provide medical treatment; and

''(B) whose scope of practice and experience includes the diagnosis and management of traumatic brain injury among a pediatric population.

''(3) PARENT.—The term 'parent' means biological or adoptive parents or legal guardians, as determined by applicable State law.

''(4) PUBLIC SCHOOL.—The term 'public school' means an elementary school or secondary school (as such terms are so defined), including any public charter school that is considered a local educational agency under State law, and which is not an Internet- or computer-based community school.

''(5) SCHOOL PERSONNEL.—The term 'school personnel' has the meaning given such term in section 4151, except that such term includes coaches and athletic trainers.

''(6) SCHOOL-SPONSORED ATHLETIC ACTIVITY.—The term 'school-sponsored athletic activity' means—

''(A) any physical education class or program of a public school;

''(B) any athletic activity authorized by a public school that takes place during the school day on the school's property;

''(C) any activity of an extracurricular sports team, club, or league organized by a public school; and

''(D) any recess activity of a public school.''.

SA 2161. Mr. KIRK (for himself, Mr. REED, Ms. BALDWIN, and Mr. BROWN) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

On page 69, between lines 16 and 17, insert the following:

''(N) how the State will measure and report on indicators of student access to critical educational resources and identify disparities in such resources (referred to for purposes of this Act as an 'Opportunity Dashboard of Core Resources') for each local educational agency and each public school in the State in a manner that—

''(i) provides data on each indicator, for all students and disaggregated by each of the categories of students, as defined in subsection (b)(3)(A); and

''(ii) is based on the indicators described in clauses (v), (vii), (x), (xiii), and (xiv) of subsection (d)(1)(C) and not less than 3 of the following:

''(I) access to qualified paraprofessionals, and specialized instructional support personnel, who are certified or licensed by the State;

''(II) availability of health and wellness programs;

''(III) availability of dedicated school library programs and modern instructional materials and school facilities;

''(IV) enrollment in early childhood education programs and full-day, 5-day-a-week kindergarten; and

''(V) availability of core academic subject courses;

''(O) how the State will develop plans with local educational agencies, including a timeline with annual benchmarks, to address disparities identified under subparagraph (N) and, if a local educational agency does not achieve the applicable annual benchmarks for two consecutive years, how the State will allocate resources and supports to such local educational agency based on the identified needs;

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

''(xviii) Information on the indicators of student access to critical educational resources selected by the State, as described in subsection (c)(1)(N), for all students and disaggregated by each of the categories of students, as defined in subsection (b)(3)(A), for each local educational agency and each school in the State and by the categories described in clause (vii).

On page 115, after line 25, add the following:

''(3) RESOURCE, SUPPORT, AND PROGRAM AVAILABILITY.—A local educational agency that receives funds under this part shall notify the parents of each student attending any school receiving funds under this part that the parents may request, and the agency will provide the parents on request (and in a timely manner), information regarding the availability of critical educational resources, supports, and programs, as described in the State plan in accordance with section 1111(c)(1)(N).

SA 2162. Mr. LEE submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

On page 52, strike line 3 and all that follows through line 9 and insert the following:

''(K) PARENTAL NOTIFICATION AND OPT-OUT.—

''(i) NOTIFICATION.—Each State receiving funds under this part shall ensure that the parents of each child in the State who are scheduled to take an assessment described in this paragraph during the academic year are notified, at the beginning of that academic year, about any such assessment that their child is scheduled to take and the following information about each such assessment:

''(I) The dates when the assessment will take place.

''(II) The subject of the assessment.

''(III) Any additional information that the State believes will best inform parents regarding the assessment their child is scheduled to take.

''(ii) DELAYED OR CHANGED ASSESSMENT INFORMATION.—If any of the information described in clause (i) is not available at the beginning of the academic school year, or if the initial information provided at that time is changed, the State shall ensure that a subsequent notification is provided to parents not less than 14 days prior to the scheduled assessment, which shall include any new or changed information.

''(iii) OPT-OUT.—

''(I) IN GENERAL.—Notwithstanding the requirement described in section

1111(b)(3)(B)(vi), or any other provision of law, upon the request of the parent of a child made in accordance with subclause (II), and for any reason or no reason at all stated by the parent, a State shall allow the child to opt out of the assessments described in this paragraph. Such an opt-out, or any action related to that opt-out, may not be used by the Secretary, the State, any State or local agency, or any school leader or employee as the basis for any corrective action, penalty, or other consequence against the parent, the child, any school leader or employee, or the school.

''(II) FORM OF PARENTAL OPT-OUT REQUEST.—Unless a State has implemented an alternative process for parents to opt out of assessments as described in this subparagraph, a parent shall request to have their child opt out of an assessment by submitting such request to their child's school in writing.

''(iv) APPLICABILITY.—The requirements relating to notification and opt-out in this subparagraph shall only apply to federally mandated assessments. A State may implement separate requirements for notification and opt-out relating to State and locally mandated assessments.''.

On page 58, on line 21, after ''paragraph (2)'' insert ''(except that such 95 percent requirements shall exclude any student who, pursuant to paragraph (2)(K), opts out of an assessment)''.

SA 2163. Mr. LEE submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

After section 9115, insert the following:

SEC. 9116. RULE OF CONSTRUCTION REGARDING TRAVEL TO AND FROM SCHOOL.

Subpart 2 of part F of title IX (20 U.S.C. 7901 et seq.), as amended by sections, 9114 and 9115, and redesignated by section 9601, is further amended by adding at the end the following:

''SEC. 9539A. RULE OF CONSTRUCTION REGARDING TRAVEL TO AND FROM SCHOOL.

''Nothing in this Act shall authorize the Secretary to, or shall be construed to—

''(1) prohibit a child from traveling to and from school on foot or by car, bus, or bike when the parent of the child has given permission; or

''(2) expose a parent to civil or criminal charges for allowing their child to responsibly and safely travel to and from school by a means the parent believes is age appropriate.''.

SA 2164. Mr. ISAKSON submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

On page 44, strike lines 19 through 25.

On page 47, lines 19 through 21, strike '', consistent with the 1 percent limitation of clause (i)(I)''.

SA 2165. Mr. ISAKSON submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

On page 58, line 19, insert ''(excluding students whose parent opts the student out of assessments under paragraph (2) in accordance with a State or local educational agency policy, procedure, or parental right regarding student participation in any mandated assessments for the student)'' after ''students,''.

SA 2166. Mr. BROWN (for himself, Mr. CASEY, and Mr. COONS) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

After part B of title X, insert the following:

PART C—AMERICORPS SCHOOL TURNAROUND

SEC. 10301. SHORT TITLE.

This part may be cited as the ''AmeriCorps School Turnaround Act of 2015''

SEC. 10302. FINDINGS AND PURPOSES.

(a) FINDINGS.—Congress finds the following:

(1) Students are most successful when they have personal, attentive support.

(2) Turning schools around requires collaboration among teachers, administrators, counselors, business leaders, the philanthropic sector, and community members.

(3) National service provides valuable support to elementary schools and secondary schools and has a record for improving student academic achievement.

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

(1) strengthen and accelerate interventions in the lowest-performing elementary schools and secondary schools;

(2) provide financial support to eligible entities that serve low-performing schools;

(3) significantly improve outcomes for students in persistently low-performing schools by—

(A) providing opportunities for academic enrichment;

(B) extending learning time; and

(C) providing individual support for students; and

(4) improve high school graduation rates and college readiness for the most disadvantaged students.

SEC. 10303. DEFINITIONS.

In this part:

(1) CHIEF EXECUTIVE OFFICER.—The term ''Chief Executive Officer'' means the Chief Executive Officer of the Corporation for National and Community Service appointed under section 193 of the National and Community Service Act of 1990 (42 U.S.C. 12651c).

(2) ELIGIBLE ENTITY.—The term ''eligible entity'' means—

(A) an elementary school or secondary school; or

(B) any of the following entities that serve low-performing schools:

(i) Public or private nonprofit organizations, including faith-based and other community organizations.

(ii) Local educational agencies.

(iii) Institutions of higher education.

(iv) Government entities within States.

(v) Indian Tribes.

(vi) Labor organizations.

(3) LOW-PERFORMING SCHOOL.—The term ''low-performing school'' means an elementary school or secondary school that is identified under section 1116 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6316).

(4) NATIONAL SERVICE PARTICIPANT.—The term ''national service participant'' means an individual described under part III of the National and Community Service Act of 1990 (42 U.S.C. 12591 et seq.).

(5) SCHOOL TURNAROUND CORPS PROJECT.—The term ''School Turnaround Corps project'' means a project carried out by an eligible entity that is a permissible use of funds for a grant under this part.

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

SEC. 10304. INTERAGENCY AGREEMENT FOR SCHOOL TURNAROUND GRANTS.

(a) INTERAGENCY AGREEMENT.—

(1) IN GENERAL.—The Chief Executive Officer shall enter into an interagency agreement with the Secretary similar to an interagency agreement described in section 121(b)(1) of the National and Community Service Act of 1990 (42 U.S.C. 12571(b)(1)) regarding the grant program described in section 10305, except that funds appropriated under this part may be used as if for the purposes for which funds may be provided through grants under section 121(a) of the National and Community Service Act of 1990 (42 U.S.C. 12571(a)).

(2) AMENDMENT TO THE NCSA.—Section 121(b) of such Act (42 U.S.C. 12571(b)) is amended by adding at the end the following:

''(6) SCHOOL TURNAROUND GRANT INTERAGENCY AGREEMENT.—Notwithstanding paragraph (1), the Corporation shall enter into an interagency agreement similar to an interagency agreement described in paragraph (1) with the Secretary of Education under this subsection regarding the school turnaround grant program described in section 10305 of the AmeriCorps School Turnaround Act of 2015.''.

(b) APPROVED NATIONAL SERVICE POSITIONS.—

(1) IN GENERAL.—The Chief Executive Officer shall approve positions for School Turnaround Corps projects as approved national service positions in accordance with subtitle C of title I of the National and Community Service Act of 1990 (42 U.S.C. 12571 et seq.).

(2) DISTRIBUTION OF ASSISTANCE AND APPROVED POSITIONS UNAFFECTED.—Nothing in this part shall be construed to affect the distribution of assistance or approved national service positions under section 129 of the National and Community Service Act of 1990 (42 U.S.C. 12581).

(c) TREATMENT OF FUNDS APPROPRIATED.—

(1) NATIONAL SERVICE TRUST.—For purposes of section 145(a)(1) of the National and Community Service Act of 1990 (42 U.S.C. 12601(a)(1)), a portion of the funds appropriated under this part, as determined by the Chief Executive Officer based on the number of participants selected for School Turnaround Corps projects, shall be treated as funds made available to carry out subtitle D of title I of the National and Community Service Act of 1990 (42 U.S.C. 12601 et seq.).

(2) INVESTMENT OF TRUST FUNDS.—For purposes of subsection (b) of section 145 of the National and Community Service Act of 1990 (42 U.S.C. 12601), a portion of the funds appropriated under this part, as determined by the Chief Executive Officer based on the number of participants selected for School Turnaround Corps projects, shall be treated as if appropriated to the Trust established under such section.

(3) RESERVE ACCOUNT.—For purposes of section 149(b)(1)(B)(ii) of the National and Community Service Act of 1990 (42 U.S.C.

12606(b)(1)(B)(ii)), a portion of the funds appropriated under this part, as determined by the Chief Executive Officer based on the number of participants selected for School Turnaround Corps projects, shall be treated as funds appropriated for the fiscal year involved under section 501 of the National and Community Service Act of 1990 (42 U.S.C. 12681) and made available to carry out subtitle C or D of title I of such Act (42 U.S.C. 12571 et seq.; 42 U.S.C. 12601 et seq.).

(4) AUDITS.—For purposes of section 149(c) of the National and Community Service Act of 1990 (42 U.S.C. 12606(c)), funds appropriated under this part shall be treated as appropriated funds for approved national service positions.

SEC. 10305. SCHOOL TURNAROUND GRANT PROGRAM.

(a) IN GENERAL.—From amounts made available under this part after the reservation described in subsection (b), the Chief Executive Officer, in consultation with the Secretary, shall award grants, on a competitive basis, to eligible entities to enable such eligible entities—

(1) to improve the academic achievement of elementary school and secondary school students; and

(2) to select national service participants and engage such participants' in School Turnaround Corps projects.

(b) AMOUNTS RESERVED.—The Chief Executive Officer shall reserve not less than 1 percent, and not more than 2 percent, of the amount appropriated to carry out this part for each fiscal year to award grants under this part to Indian tribes and organizations serving tribal populations.

(c) PRIORITY.—In making grants under this part, the Chief Executive Officer, in consultation with the Secretary—

(1) shall give priority to eligible entities that will serve significant populations of low-income students; and

(2) may give priority to eligible entities that—

(A) are located in low-income communities;

(B) will serve communities with significant populations of families with limited English proficiency;

(C) will place national service participants in urban or rural areas; or

(D) will increase the ability of educators to provide appropriate services and coordinate activities with State and local systems providing services under part B of the Individuals with Disabilities Education Act (20 U.S.C. 1411 et seq.) for children with developmental delays or disabilities, including such children in the child welfare system of the State.

(d) USE OF FUNDS.—

(1) IN GENERAL.—An eligible entity that receives a grant under this section shall use the funds made available through the grant to carry out 1 or more of the activities described in paragraphs (2) through (6), and shall engage national service participants to carry out such activities.

(2) INCREASING HIGH-QUALITY, INDIVIDUALIZED LEARNING TIME.—Improving the quality and frequency of individualized learning time provided to elementary school and secondary school students by providing individualized support, which may include increasing postsecondary education enrollment rates through postsecondary education preparation counseling assistance, including assistance with completing the Free Application for Federal Student Aid (FAFSA) and applications for institutions of higher education, and educating students and their families about financial literacy for postsecondary education.

(3) OUT-OF-SCHOOL AND EXTENDED LEARNING PROGRAMS.—Increasing personalized, out-of-school and extended learning programs provided to elementary school and secondary school students by engaging national service participants to serve as—

(A) tutors who provide individualized, academic support outside of the standard school day; and

(B) family resource mentors who connect the student, family, and school in an open conversation about the student's academic situation.

(4) COLLEGE AND CAREER READINESS AND GRADUATION COACHES.—The provision of individual graduation, postsecondary education, and career preparation guidance and assistance by college or career planing advisors.

(5) SCHOOLWIDE ACTIVITIES.—Carrying out schoolwide activities, including—

(A) establishing a school culture and environment that improves school safety, attendance, and discipline and addressing other non-academic factors that impact student achievement, such as students' social, emotional, and health needs; and

(B) carrying out activities to increase graduation rates, such as early warning systems, credit-recovery programs, and re-engagement strategies.

(6) ACCELERATING READING AND MATHEMATICS KNOWLEDGE AND SKILLS.—The provision of activities to accelerate students' acquisition of reading and mathematics knowledge and skills.

SEC. 10306. ANNUAL REPORT.

(a) IN GENERAL.—As a condition on receipt of any funds for a program under this part, each grantee shall agree to submit an annual report at such time, in such manner, and containing such information as the Chief Executive Officer, in consultation with the Secretary, may require.

(b) CONTENT.—At a minimum, each annual report under this subsection shall describe—

(1) the degree to which progress has been made toward meeting the annual benchmarks and long-term goals and objectives described in the grant recipient's application; and

(2) demographic data about low-performing schools, including the number of low-income and minority students, served in each program.

SEC. 10307. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to carry out this part $25,000,000 for fiscal year 2016, and such sums as may be necessary for each of the 5 succeeding fiscal years.

SA 2167. Mr. SCHATZ submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

At the end of title V, insert the following:

SEC. 5011. IMPROVING EDUCATION FACILITIES.

Title V (20 U.S.C. 7201 et seq.), as amended by section 5010, is further amended by adding at the end the following:

"PART J—SCIENCE, TECHNOLOGY, ENGINEERING, MATHEMATICS, CAREER, AND TECHNICAL FACILITIES

"SEC. 5911. DEFINITIONS.

''In this part:

''(1) CAREER AND TECHNICAL EDUCATION.—The term 'career and technical education' has the meaning given the term in section 3 of the Carl D. Perkins Career and Technical Education Act of 2006,

''(2) COMMUNITY COLLEGE.—The term 'community college' means—

''(A) a junior or community college, as that term is defined in section 312(f) of the Higher Education Act of 1965; or

''(B) an institution of higher education (as defined in section 101 of such Act) that awards a significant number of degrees and certificates, as determined by the Secretary, that are not—

''(i) baccalaureate degrees (or an equivalent); or

''(ii) master's, professional, or other advanced degrees.

''(3) ELIGIBLE ENTITY.—The term 'eligible entity' means a local educational agency, community college, or other entity determined appropriate by the Secretary.

''(4) QUALIFIED PROJECT.—The term 'qualified project'—

''(A) means the modernization, renovation, or repair of a facility that will be used to improve the quality and availability of science, technology, engineering, mathematics, or career and technical education instruction to public elementary school or secondary school, or community college, students, and that may include—

''(i) improving the energy efficiency of the facility;

''(ii) improving the cost-effectiveness of the facility in delivering quality education;

''(iii) improving student, faculty, and staff health and safety at the facility;

''(iv) improving, installing, or upgrading educational technology infrastructure;

''(v) retrofitting an existing building for career and technical education purposes; and

''(vi) a one-time repair of serviceable equipment at the facility, or replacement of equipment at the facility that is at the end of its serviceable lifespan, that will be used to further educational outcomes; and

''(B) does not include new construction or the payment of routine maintenance costs.

"SEC. 5912. SCIENCE, TECHNOLOGY, ENGINEERING, MATHEMATICS, CAREER, AND TECHNICAL FACILITIES IMPROVEMENT.

''(a) PROGRAM AUTHORIZED.—From amounts appropriated under subsection (g), the Secretary shall carry out a program to improve science, technology, engineering, mathematics, or career and technical education facilities by—

''(1) awarding grants to eligible entities to enable the eligible entities to carry out qualified projects;

''(2) guaranteeing loans made to eligible entities for qualified projects; or

''(3) making payments of interest on bonds, loans, or other financial instruments (other than a refinancing) that are issued to eligible entities for qualified projects.

''(b) APPLICATION.—An eligible entity that desires to receive a grant, loan guarantee, or payment of interest under this part shall submit an application to the Secretary at such a time, in such a manner, and containing such information as the Secretary may require. The application shall include—

''(1) a detailed description of the qualified project;

''(2) in the case of a qualified project described in section 5911(4)(A)(vi), a description of the educational outcomes to be furthered by the one-time repair of serviceable equipment or replacement of equipment;

''(3) an indication as to whether the eligible entity prefers to receive a grant, loan guarantee, or payment of interest;

''(4) a description of the need for the qualified project;

''(5) a description of how the eligible entity will ensure that the qualified project will be adequately maintained;

''(6) an identification of any public elementary school or secondary school or community college that will benefit from the qualified project;

''(7) a description of how the qualified project will improve instruction and educational outcomes at the facility, including any opportunities to integrate project activities within the curriculum of such school or community college;

''(8) a description of how the facility supported by the qualified project will be used for providing educational services in science, technology, engineering, mathematics, or career and technical education;

''(9) a description of how the eligible entity will ensure that the modernization, renovation, or repair supported by the qualified project meets Leadership in Energy and Environmental Design (LEED) building rating standards, Energy Star standards, Collaborative for High Performance Schools (CHPS) criteria, Green Building Initiative environmental design and rating standards (Green Globes), the Living Building Challenge certification standards, or equivalent standards adopted by entities with jurisdiction over or related to the eligible entity;

''(10) a description of the fiscal capacity of the eligible entity;

''(11) the percentage of students enrolled in the public elementary school or secondary school or community college to be served by the qualified project who are from low-income families;

''(12) in the case of a qualified project at a facility that is used by students in a secondary school, the secondary school graduation rates; and

''(13) such additional information and assurances as the Secretary may require.

''(c) PRIORITY.—In making awards under this part, the Secretary shall use not less than a total of 25 percent of the funds appropriated under subsection (g) to eligible entities for qualified projects to benefit—

''(1) public elementary schools or secondary schools served by high-need local educational agencies, as described in section 2202(b)(2)(A); or

''(2) community colleges serving a substantial number of rural students, as determined by the Secretary.

''(d) SUPPLEMENT NOT SUPPLANT.—Funds made available under this part shall be used to supplement, and not supplant, other Federal and State funds available to carry out the activities supported under this part.

''(e) TECHNICAL ASSISTANCE AND ADMINISTRATIVE COSTS.—The Secretary may reserve not more than 3 percent of funds appropriated under subsection (g) for the administrative costs of this part and to provide technical assistance to community colleges and local educational agencies concerning best practices in school facility renovation, repair, and modernization.

''(f) REPORTING REQUIREMENTS.—Not later than 1 year after funds are appropriated to carry out this part, and every 2 years thereafter, the Secretary shall prepare and submit to the appropriate committees of Congress a report on the effect of the qualified projects supported under this part on improving academic achievement.

''(g) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this part such sums as may be necessary for each of fiscal years 2016 through 2021.''.

SA 2168. Mr. SCHATZ submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

On page 630, between lines 4 and 5, insert the following:

''PART J—SCHOOL FACILITIES

''SEC. 5910. GRANTS FOR SCHOOL REPAIR, RENOVATION, AND CONSTRUCTION.

''(a) DEFINITIONS.—In this section:

''(1) CHARTER SCHOOL.—The term 'charter school' has the meaning given the term in section 5110.

''(2) CHPS CRITERIA.—The term 'CHPS Criteria' means the green building rating criteria developed by the Collaborative for High Performance Schools.

''(3) EARLY LEARNING FACILITY.—The term 'early learning facility' means a public facility that—

''(A) serves children who are not yet in kindergarten; and

''(B) is under the jurisdiction of a local educational agency.

''(4) ENERGY STAR.—The term 'Energy Star' means the Energy Star program of the Department of Energy and the Environmental Protection Agency.

''(5) GREEN GLOBES.—The term 'Green Globes' means the Green Building Initiative environmental design and rating system.

''(6) HIGH-NEED LOCAL EDUCATIONAL AGENCY.—The term 'high-need local educational agency' has the meaning given the term in section 2201(b)(2).

''(7) LEED GREEN BUILDING RATING SYSTEM.—The term 'LEED Green Building Rating System' means the United States Green Building Council Leadership in Energy and Environmental Design green building rating system.

''(8) LIVING BUILDING CHALLENGE.—The term 'Living Building Challenge' means the Living Building Challenge building certification program.

''(9) PUBLIC SCHOOL FACILITY.—The term 'public school facility' means a public elementary or secondary school facility, including a public charter school facility or an existing facility planned for adaptive reuse as a public charter school facility.

''(10) RURAL LOCAL EDUCATIONAL AGENCY.—The term 'rural local educational agency' means a local educational agency that meets the eligibility requirements under—

''(A) section 6211(b) for participation in the program described in subpart 1 of part B of title VI; or

''(B) section 6221(b)(1) for participation in the program described in subpart 2 of part B of title VI.

''(11) STATE.—The term 'State' means each of the several states of the United States, the District of Columbia, and the Commonwealth of Puerto Rico.

''(12) STATE ENTITY.—The term 'State entity' has the meaning given the term in section 5103.

''(b) ALLOCATION OF FUNDS.—

''(1) RESERVATIONS.—From the funds appropriated under subsection (i) for a fiscal year, the Secretary shall reserve 1 percent to provide assistance to the outlying areas and for payments to the Secretary of the Interior to provide assistance to schools funded by the Bureau of Indian Education. Funds allocated under this paragraph shall be reserved by the Secretary for distribution among the outlying areas and the Secretary of the Interior on the basis of their relative need for public elementary school and secondary school repair, renovation, and construction, as determined by the Secretary.

''(2) ALLOCATION TO STATE EDUCATIONAL AGENCIES.—From the funds appropriated under subsection (i) for a fiscal year that are not reserved under paragraph (1) for the fiscal year, the Secretary shall allocate to each State educational agency serving a State an amount that bears the same relation to the funds as the amount the State received under part A of title I for the fiscal year preceding the fiscal year for which the determination is made bears to the amount all States received under such part for such preceding fiscal year, except that no such State educational agency shall receive less than 0.5 percent of the amount allocated under this subsection.

''(c) WITHIN-STATE DISTRIBUTIONS.—

''(1) ADMINISTRATIVE AND OTHER COSTS.—

''(A) STATE EDUCATIONAL AGENCY ADMINISTRATION AND OTHER COSTS.—Except as provided in subparagraph (D), each State educational agency may reserve not more than 1 percent of the State educational agency's allocation under subsection (b) for the purposes of administering the distribution of grants under this subsection and awarding grants under subparagraph (C)(v).

''(B) REQUIRED USES.—The State educational agency shall use a portion of the funds reserved under subparagraph (A)—

''(i) to provide technical assistance to local educational agencies; and

''(ii) to establish or support a State-level database of public school facility inventory, condition, design, and utilization, which shall include for each school facility—

''(I) the age of the facility;

''(II) the total square footage of the facility that is used for academic or technical classroom instruction; and

''(III) the year of the last major renovation of the facility.

''(C) PERMISSIBLE USES.—The State educational agency may use a portion of the funds reserved under subparagraph (A) for—

''(i) developing a statewide public school educational facility master plan;

''(ii) developing policies, procedures, and standards for high-quality, energy efficient public school facilities;

''(iii) supporting interagency collaboration that will lead to broad community use of public school facilities, and school-based services for students served by high-need local educational agencies or rural local educational agencies;

''(iv) helping to defray the cost of issuing State bonds to finance public elementary school and secondary school repair, renovation, and construction; and

''(v) awarding grants to State-operated or State-supported schools, such as a State school for the deaf or for the blind, to enable such schools to carry out school repair, renovation, and construction activities in accordance with subsection (d).

''(D) STATE ENTITY ADMINISTRATION AND OTHER COSTS.—If the State educational agency transfers funds to a State entity described in paragraph (2)(A), the State educational agency shall transfer to such State entity not less than 75 percent of the amount reserved under subparagraph (A) for the purpose of carrying out the activities described in subparagraph (C).

''(2) DISTRIBUTION OF COMPETITIVE SCHOOL REPAIR, RENOVATION, AND CONSTRUCTION GRANTS TO LOCAL EDUCATIONAL AGENCIES.—

''(A) IN GENERAL.—Of the funds allocated to a State educational agency under subsection (b) that are not reserved under paragraph (1), the State educational agency shall distribute 100 percent of such funds to local educational agencies or, if the State educational agency is not responsible for the financing of public school facilities, the State educational agency shall transfer such funds to the State entity responsible for the financing of public school facilities for distribution by such State entity to local educational agencies in accordance with this paragraph, to be used, consistent with subsection (d), for public elementary school or secondary school repair, renovation, and construction.

''(B) COMPETITIVE GRANTS TO LOCAL EDUCATIONAL AGENCIES.—The State educational agency or State entity shall carry out a program to award grants, on a competitive

basis, to local educational agencies for public elementary school or secondary school repair, renovation, and construction. Of the total amount available for distribution to local educational agencies under this paragraph, the State educational agency or State entity, shall, in carrying out the grant competition—

''(i) award to high-need local educational agencies, in the aggregate, not less than an amount which bears the same relationship to such total amount as the aggregate amount such high-need local educational agencies received under part A of title I for the fiscal year preceding the fiscal year for which the determination is made bears to the aggregate amount received for such preceding fiscal year under such part by all local educational agencies in the State;

''(ii) award to rural local educational agencies in the State, in the aggregate, not less than an amount which bears the same relationship to such total amount as the aggregate amount such rural local educational agencies received under part A of title I for the fiscal year preceding the fiscal year for which the determination is made bears to the aggregate amount received for such preceding fiscal year under such part by all local educational agencies in the State; and

''(iii) award the remaining funds to local educational agencies in the State that did not receive a grant award under clause (i) or (ii), including to high-need local educational agencies and rural local educational agencies that did not receive a grant award under clause (i) or (ii).

''(C) CRITERIA FOR AWARDING GRANTS.—In awarding competitive grants under this paragraph, a State educational agency or State entity shall take into account the following criteria:

''(i) PERCENTAGE OF POOR CHILDREN.—The percentage of children served by the local educational agency who are between 5 to 17 years of age, inclusive, and who are from families with incomes below the poverty line.

''(ii) NEED FOR SCHOOL REPAIR, RENOVATION, AND CONSTRUCTION.—The need of a local educational agency for school repair, renovation, and construction, as demonstrated by the condition of the public school facilities of the local educational agency or the local educational agency's need for such facilities.

''(iii) GREEN SCHOOLS.—The extent to which a local educational agency will make use, in the repair, renovation, or construction to be undertaken, of green practices that are certified, verified, or consistent with any applicable provisions of—

''(I) the LEED Green Building Rating System;

''(II) Energy Star;

''(III) the CHPS Criteria;

''(IV) the Living Building Challenge;

''(V) Green Globes; or

''(VI) an equivalent program adopted by the State or another jurisdiction with authority over the local educational agency.

''(iv) FISCAL CAPACITY.—The fiscal capacity of a local educational agency to meet the needs of the local educational agency for repair, renovation, and construction of public school facilities without assistance under this section, including the ability of the local educational agency to raise funds through the use of local bonding capacity and otherwise.

''(v) LIKELIHOOD OF MAINTAINING THE FACILITY.—The likelihood that a local educational agency will maintain, in good condition, any public school facility whose repair, renovation, or construction is assisted under this section.

''(vi) CHARTER SCHOOL EQUITABLE ACCESS TO FUNDING.—In the case of a local educational agency that proposes to fund a repair, renovation, or construction project for a public charter school, the extent to which the public charter school lacks access to funding for school repair, renovation, and construction through the financing methods available to other public schools or local educational agencies in the State.

''(D) MATCHING REQUIREMENT.—

''(i) IN GENERAL.—A State educational agency or State entity shall require local educational agencies to match funds awarded under this paragraph.

''(ii) MATCH AMOUNT.—The amount of a match described in clause (i) may be established by using a sliding scale that takes into account the relative poverty of the population served by the local educational agency.

''(d) RULES APPLICABLE TO SCHOOL REPAIR, RENOVATION, AND CONSTRUCTION.—With respect to funds made available under this section that are used for school repair, renovation, and construction, the following rules shall apply:

''(1) PERMISSIBLE USES OF FUNDS.—School repair, renovation, and construction shall be limited to 1 or more of the following:

''(A) Upgrades, repair, construction, or replacement of public elementary school or secondary school building systems or components to improve the quality of education and ensure the health and safety of students and staff, including—

''(i) repairing, replacing, or constructing early learning facilities at public elementary schools (including renovation of existing facilities to serve children under 5 years of age);

''(ii) repairing, replacing, or installing roofs, windows, doors, electrical wiring, plumbing systems, or sewage systems;

''(iii) repairing, replacing, or installing heating, ventilation, or air conditioning systems (including insulation); and

''(iv) bringing such public schools into compliance with fire and safety codes.

''(B) Public school facilities modifications necessary to render public school facilities accessible in order to comply with the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.) and section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794).

''(C) Improvements to the environmental conditions of public elementary school or secondary school sites, including asbestos abatement or removal, and the reduction or elimination of human exposure to lead-based paint, mold, or mildew.

''(D) Measures designed to reduce or eliminate human exposure to classroom noise and environmental noise pollution.

''(E) Modifications necessary to reduce the consumption of electricity, natural gas, oil, water, coal, or land.

''(F) Upgrades or installations of educational technology infrastructure to ensure that students have access to up-to-date educational technology.

''(G) Measures that will broaden or improve the use of public elementary school or secondary school buildings and grounds by the community in order to improve educational outcomes.

''(2) IMPERMISSIBLE USES OF FUNDS.—No funds received under this section may be used for—

''(A) payment of maintenance costs in connection with any projects constructed in whole or part with Federal funds provided under this section;

''(B) purchase or upgrade of vehicles;

''(C) improvement or construction of stand-alone facilities whose purpose is not the education of children, including central office administration or operations or logistical support facilities;

''(D) purchase of information technology hardware, including computers, monitors, or printers;

''(E) stadiums or other facilities primarily used for athletic contests or exhibitions or other events for which admission is charged to the general public; or

''(F) purchase of carbon offsets.

''(3) SUPPLEMENT, NOT SUPPLANT.—A local educational agency or State-operated or State-supported school shall use Federal funds subject to this subsection only to supplement the amount of funds that would, in the absence of such Federal funds, be made available from non-Federal sources for school repair, renovation, and construction.

''(e) QUALIFIED BIDDERS; COMPETITION.—Each local educational agency that receives funds under subsection (c)(2) shall ensure that, if the local educational agency carries out repair, renovation, or construction through a contract, any such contract process ensures the maximum number of qualified bidders, including small, minority, and women-owned businesses, through full and open competition.

''(f) PUBLIC COMMENT.—Each local educational agency receiving funds under subsection (c)(2)—

''(1) shall provide an opportunity for public comment, and ensure that parents, educators, and all other interested members of the community in which the school to be assisted is located have the opportunity to consult, on the use of the funds received under such subsection;

''(2) shall provide the public with adequate and efficient notice of the opportunity described in paragraph (1) in a widely read and distributed medium; and

''(3) shall provide the opportunity described in paragraph (1) in accordance with any applicable State and local law specifying how the comments may be received and how the comments may be reviewed by any member of the public.

''(g) REPORTING.—

''(1) LOCAL REPORTING.—Each local educational agency receiving funds under subsection (c)(2) shall submit a report to the State educational agency, at such time as the State educational agency may require, describing the use of such funds for school repair, renovation, and construction.

''(2) STATE REPORTING.—Each State educational agency receiving funds under subsection (b) shall submit to the Secretary, at such time as the Secretary may require, a report on the use of funds received under this section and made available to local educational agencies (and, if applicable, to State-operated or State-sponsored schools) for school repair, renovation, and construction.

''(h) REALLOCATION.—If a State educational agency does not apply for an allocation of funds under subsection (b) for a fiscal year, or does not use the State educational agency's entire allocation for such fiscal year, then the Secretary may reallocate the amount of the State educational agency's allocation (or the remainder thereof, as the case may be) for such fiscal year to the remaining State educational agencies in accordance with subsection (b).

''(i) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section, $1,000,000,000 for fiscal year 2016, and such sums as may be necessary for each of fiscal years 2017 through 2021.

''SEC. 5911. NATIONAL CENTER FOR EDUCATION STATISTICS STUDY.

''(a) IN GENERAL.—The Commissioner of the National Center for Education Statistics shall conduct a study of the condition of public school facilities in the United States.

''(b) ESTIMATES AND MEASURES.—In conducting the study, the Commissioner of the

National Center for Education Statistics shall—

''(1) estimate the costs needed to repair and renovate all public elementary schools and secondary schools in the United States to good overall condition; and

''(2) measure recent expenditures of Federal, State, local, and private funds for public elementary school and secondary school repair, renovation, and construction costs in the United States.

''(c) ANALYSIS.—In conducting the study, the Commissioner of the National Center for Education Statistics shall examine trends in expenditures of Federal, State, local, and private funds since fiscal year 2001 for repair, renovation, and construction activities for public elementary schools and secondary schools in the United States, including examining the differences between the types of schools assisted, and the types of repair, renovation, and construction activities conducted, with those expenditures.

''(d) REPORT.—The Commissioner of the National Center for Education Statistics shall prepare and submit to Congress a report containing the results of the study.''.

SA 2169. Mr. BOOKER submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

On page 76, line 13, insert ''and for purposes of subclause (II), homeless status and status as a child in foster care,'' after ''(b)(3)(A),''.

SA 2170. Mr. BOOKER submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

On page 623, strike line 8 and insert the following:

''(14) a description of how the State will support, through the use of professional development, early childhood education programs that maintain disciplinary policies that do not include expulsion or suspension of participating children, except as a last resort in extraordinary circumstances where—

''(A) there is a determination of a serious safety threat; and

''(B) policies are in place to provide appropriate alternative early educational services to expelled or suspended children while they are out of school; and''.

SA 2171. Ms. HEITKAMP submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

On page 492, after line 22, insert the following:

SEC. 4006. GRANTS FOR THE INTEGRATION OF SCHOOLS AND MENTAL HEALTH SYSTEMS.

Title IV (20 U.S.C. 7101 et seq.), as amended by sections 4001, 4004, and 4005, is further amended by adding at the end the following:

''PART E—GRANTS TO IMPROVE THE MENTAL HEALTH OF CHILDREN

''SEC. 4501. GRANTS FOR THE INTEGRATION OF SCHOOLS AND MENTAL HEALTH SYSTEMS.

''(a) AUTHORIZATION.—The Secretary is authorized to award grants to, or enter into contracts or cooperative agreements with, State educational agencies, local educational agencies, Indian tribes or their tribal education agency, a school operated by the Bureau of Indian Education, or a Regional Corporation (as defined in section 3 of the Alaska Native Claims Settlement Act (43 U.S.C. 1602)) for the purpose of increasing student access to quality mental health care and support by developing innovative programs to link local school systems with local mental health systems, such as those under the Indian Health Service.

''(b) DURATION.—With respect to a grant, contract, or cooperative agreement awarded or entered into under this section, the period during which payments under such grant, contract or agreement are made to the recipient may not exceed 5 years.

''(c) USE OF FUNDS.—An entity that receives a grant, contract, or cooperative agreement under this section shall use amounts made available through such grant, contract, or cooperative agreement for the following:

''(1) To enhance, improve, or develop collaborative efforts between school-based service systems and mental health service systems to provide, enhance, or improve prevention, diagnosis, and treatment services to students.

''(2) To enhance the availability of crisis intervention services and conflict resolution practices, such as those focused on decreasing rates of bullying, teen dating violence, suicide, trauma, and human trafficking (defined as an act or practice described in paragraph (9) or (10) of section 103 of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7102)), as well as provide appropriate referrals for students potentially in need of mental health services, and ongoing mental health services.

''(3) To provide training and professional development for the school personnel and mental health professionals who will participate in the program carried out under this section.

''(4) To provide technical assistance and consultation to school systems and mental health agencies as well as to families participating in the program carried out under this section.

''(5) To provide linguistically appropriate and culturally competent services.

''(6) To evaluate the effectiveness of the program carried out under this section in increasing student access to quality mental health services, and make recommendations to the Secretary about the sustainability of the program.

''(7) To engage and utilize expertise provided by institutions of higher education, such as a Tribal College or University, as defined in section 316(b) of the Higher Education Act of 1965.

''(d) APPLICATIONS.—To be eligible to receive a grant, contract, or cooperative agreement under this section, an entity described in subsection (a) shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may reasonably require, such as the following:

''(1) A description of the program to be funded under the grant, contract, or cooperative agreement.

''(2) A description of how such program will increase access to quality mental health services for students.

''(3) A description of how the applicant will establish a crisis intervention program or conflict resolution practices, or both, that provide immediate mental health services to the school community as necessary.

''(4) An assurance that—

''(A) persons providing services under the grant, contract, or cooperative agreement are adequately trained to provide such services;

''(B) the services will be provided in accordance with subsection (c);

''(C) teachers, administrators, parents or guardians, representatives of local Indian tribes, and other school personnel are aware of the program; and

''(D) parents or guardians of students participating in services under this section will be engaged and involved in the design and implementation of the services.

''(5) An assurance that the applicant will support and integrate existing school-based services with the program in order to provide appropriate mental health services for students.

''(6) An assurance that the applicant will establish a program that will support students and the school in improving the school climate in order to support an environment conducive to learning.

''(e) INTERAGENCY AGREEMENTS.—

''(1) DESIGNATION OF LEAD AGENCY.—A recipient of a grant, contract, or cooperative agreement under this section shall designate a lead agency to direct the establishment of an interagency agreement among local educational agencies, juvenile justice authorities, mental health agencies, and other relevant entities in the State, in collaboration with local entities, such as Indian tribes.

''(2) CONTENTS.—The interagency agreement shall ensure the provision of the services described in subsection (c), specifying with respect to each agency, authority, or entity—

''(A) the financial responsibility for the services;

''(B) the conditions and terms of responsibility for the services, including quality, accountability, and coordination of the services; and

''(C) the conditions and terms of reimbursement among the agencies, authorities, or entities that are parties to the interagency agreement, including procedures for dispute resolution.

''(f) EVALUATION.—The Secretary shall evaluate each program carried out under this section and shall disseminate the findings with respect to each such evaluation to appropriate public, tribal, and private entities.

''(g) DISTRIBUTION OF AWARDS.—The Secretary shall ensure that grants, contracts, and cooperative agreements awarded or entered into under this section are equitably distributed among the geographical regions of the United States and among tribal, urban, suburban, and rural populations.

''(h) RULE OF CONSTRUCTION.—Nothing in this section shall be construed—

''(1) to prohibit an entity involved with a program carried out under this section from reporting a crime that is committed by a student to appropriate authorities; or

''(2) to prevent State and tribal law enforcement and judicial authorities from exercising their responsibilities with regard to the application of Federal, tribal, and State law to crimes committed by a student.

''(i) SUPPLEMENT, NOT SUPPLANT.—Any services provided through programs carried out under this section shall supplement, and not supplant, existing mental health services, including any services required to be provided under the Individuals with Disabilities Education Act.

''(j) CONSULTATION WITH INDIAN TRIBES.—In carrying out subsection (a), the Secretary shall, in a timely manner, meaningfully consult, engage, and cooperate with Indian

tribes and their representatives to ensure notice of eligibility.

''(k) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section such sums as may be necessary for fiscal years 2016 through 2021.''.

SA 2172. Mr. MERKLEY submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

On page 101, between lines 16 and 17, insert the following:

''(11) how the local education agency will implement strategies to facilitate effective transitions for students from middle school to high school and from high school to postsecondary education, including a description of the specific transition activities the local education agency will take, such as providing students with access to dual or concurrent enrollment opportunities that enable students during high school to earn postsecondary credit or an industry-recognized credential that meets any quality standards required by the State or utilizing comprehensive career counseling to identify student interests and skills;

''(12) if determined appropriate by the local education agency, how such agency will support programs that promote integrated academic and career and technical education content through coordinated instructional strategies, which may incorporate experiential learning opportunities;''.

On page 714, line 21, insert ''career and technical education,'' after ''music,''.

On page 595, after line 21, add the following:

''PART J—CAREER AND TECHNICAL EDUCATION EXPLORATION PROGRAMS

''SEC. 5910. SHORT TITLE.

''This part may be cited as the 'Building Understanding, Investment, Learning, and Direction Career and Technical Education Act of 2015' or the 'BUILD Career and Technical Education Act of 2015'.

''SEC. 5911. FINDINGS.

''Congress finds the following:

''(1) The average high school graduation rate for students concentrating in career and technical education programs is 93 percent.

''(2) Students at schools with highly integrated rigorous academic and career and technical education programs have significantly higher achievement in reading, mathematics, and science than do students at schools with less integrated programs.

''(3) Four out of 5 graduates of secondary-level career and technical education programs who pursued postsecondary education after secondary school had earned a credential or were still enrolled in postsecondary education 2 years later.

''(4) Eighty percent of students taking a college preparatory academic curriculum with rigorous career and technical education programs met college and career readiness goals, compared to only 63 percent of students taking the same academic core who did not experience rigorous career and technical education programs.

''SEC. 5912. PILOT GRANT PROGRAM TO SUPPORT CAREER AND TECHNICAL EDUCATION EXPLORATION PROGRAM IN MIDDLE SCHOOLS AND HIGH SCHOOLS.

''(a) PURPOSES.—The purposes of this part are the following:

''(1) To provide students with opportunities to participate in career and technical education exploration programs and to provide information on available career and technical education programs and their impact on college and career readiness.

''(2) To expand professional growth of, and career opportunities for, students through career and technical education exploration programs.

''(3) To enhance collaboration between education providers and employers.

''(4) To develop or enhance career and technical education exploration programs with ties to a career and technical education program of study.

''(5) To evaluate students' participation in coordinated middle school and high school career and technical education exploration programs.

''(b) DEFINITION OF CAREER AND TECHNICAL EDUCATION EXPLORATION PROGRAM.—In this part, the term 'career and technical education exploration program' means a course or series of courses that provides experiential learning opportunities in 1 or more programs of study (including after school and during the summer), as appropriate, and the opportunity to connect experiential learning to education and career pathways that is offered to middle school students or high school students, or both.

''(c) AUTHORIZATION OF GRANT PROGRAM.—

''(1) IN GENERAL.—The Secretary shall award grants to local educational agencies to support career and technical education exploration programs.

''(2) GRANT DURATION.—Grants awarded under this part shall be 2 years in duration.

''(3) DISTRICT CAPACITY TAKEN INTO ACCOUNT.—In awarding grants under paragraph (1), the Secretary shall take into account the resources and capacity of each local educational agency that applies for a grant.

''(d) APPLICATIONS.—A local educational agency that desires to receive a grant under this part shall submit an application to the Secretary at such time, in such manner, and accompanied by such information as the Secretary may require.

''(e) PRIORITY.—In awarding grants under this part, the Secretary shall give priority to grant proposals that—

''(1) demonstrate—

''(A) that a partnership among the local educational agency and business, industry, labor, or institutions of higher education, where appropriate to the grant project, exists and will participate in carrying out grant activities under this part;

''(B) innovative and sustainable design;

''(C) a curriculum aligned with State diploma requirements;

''(D) a focus on preparing students, including special populations and nontraditional students, with opportunities to explore careers and skills required for jobs in their State and that provide high wages and are in demand;

''(E) a method of evaluating success; and

''(F) that the programs to be assisted with grant funds are not receiving assistance under the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2301 et seq.); and

''(2) include an assurance that—

''(A) the local educational agency will fund the operational costs of the activities described in this part after the grant period expires; and

''(B) if the local educational agency charges a fee to participate in the after school and summer components of the career and technical education exploration program to be carried out by the agency, the agency will implement such fee on a sliding scale according to income and established in a manner that makes participation financially feasible for all students.

''(f) USES OF FUNDS.—

''(1) IN GENERAL.—A local educational agency that receives a grant under this part shall use the grant funds to carry out any of the following:

''(A) Leasing, purchasing, upgrading, or adapting equipment related to the content of career and technical education exploration program activities.

''(B) Program director, instructor, or other staff expenses to coordinate or implement program activities.

''(C) Consultation services with a direct alignment to the program goals.

''(D) Support of professional development programs aligned to the program goals.

''(E) Minor remodeling, if any, necessary to accommodate new equipment obtained pursuant to subparagraph (A).

''(F) Evaluating the access to career and technical education exploration programs and the impact such programs have on the transition to career and technical programs of study (as described in section 122(c)(1)(A) of the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2342(c)(1)(A))), or other postsecondary programs of study, high school completion, and the number of students who earn an industry-recognized credential, associate's degree, bachelor's degree, or other career and technical education related postsecondary credit in addition to a high school diploma.

''(2) USE AND OWNERSHIP OF MATERIALS OR EQUIPMENT.—Any materials or equipment purchased with grant funds awarded under this part shall be the property of the local educational agency.

''(3) ADMINISTRATIVE COSTS.—A local educational agency that receives a grant under this part may use not more than 5 percent of the grant funds for administrative costs associated with carrying out activities under this part.

''(g) EVALUATIONS.—

''(1) IN GENERAL.—A local educational agency that receives a grant under this part shall develop an evaluation plan of grant activities that shall include an evaluation of specific outcomes, described in paragraph (2), and progress toward meeting such outcomes within the timeline of the grant that shall be measurable through collection of appropriate data or documented through other records. Such evaluation shall reflect the resources and capacity of the local educational agency.

''(2) OUTCOMES.—The specific outcomes shall clearly address the following areas:

''(A) The extent of student participation in career and technical education exploration programs.

''(B) Improved rigor in technical or academic content aligned to diploma requirements and industry recognized technical standards.

''(C) Improved alignment between career and technical education and other courses, including core academic subjects.

''(D) The impact such programs have on the transition to career and technical programs of study (as described in section 122(c)(1)(A) of the Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2342(c)(1)(A))) and other postsecondary programs of study.

''(3) SUBMISSION TO THE DEPARTMENT.—A local educational agency that receives a grant under this part shall submit evaluations conducted under this subsection to the Secretary.

''(h) SUPPLEMENT NOT SUPPLANT.—Funds received under this part shall be used to supplement, and not supplant, funds that would otherwise be used for activities authorized under this part.

''(i) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to

carry out this part such sums as may be necessary.''.

SA 2173. Mr. BOOKER submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

On page 306, after line 23, add the following:

''(V) conducting, and publicly reporting the results of, an annual assessment of educator support and working conditions that—

''(i) evaluates supports for teachers, leaders, and other school personnel, such as—

''(I) teacher and principal perceptions of availability of high-quality professional development and instructional materials;

''(II) timely availability of data on student academic achievement and growth;

''(III) the presence of high-quality instructional leadership; and

''(IV) opportunities for professional growth, such as career ladders and mentoring and induction programs;

''(ii) evaluates working conditions for teachers, leaders and other school personnel, such as—

''(I) school climate;

''(II) school safety;

''(III) class size;

''(IV) availability and use of common planning time and opportunities to collaborate; and

''(V) community engagement;

''(iii) is developed with teachers, leaders, other school personnel, parents, students, and the community; and

''(iv) includes the development and implementation, with the groups described in clause (iii), of a plan to address the results of the assessment described in this subparagraph, which shall be publicly reported; and

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SA 2174. Ms. HEITKAMP (for herself, Mr. THUNE, Ms. STABENOW, and Mr. TESTER) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

At the end of the bill, insert the following:

SEC. 1020___. EQUITY IN EDUCATIONAL LAND-GRANT STATUS ACT OF 1994 AND SMITH-LEVER ACT.

(a) EQUITY IN EDUCATIONAL LAND-GRANT STATUS ACT OF 1994.—Section 533 of the Equity in Educational Land-Grant Status Act of 1994 (7 U.S.C. 301 note; Public Law 103–382) is amended in subsection (a)(2)(A)(ii) by striking ''(as added by section 534(b)(1) of this part)'' and inserting ''(7 U.S.C. 343(b)(3)) and for programs for children, youth, and families at risk and for Federally recognized Tribes implemented under section 3(d) of such Act (7 U.S.C. 343(d))''.

(b) SMITH-LEVER ACT.—Section 3(d) of the Act of May 8, 1914 (commonly known as the ''Smith-Lever Act''; 7 U.S.C. 343(d)), is amended in the second sentence by inserting ''and in the case of programs for children, youth, and families at risk and for Federally recognized Tribes, the 1994 Institutions (as defined in section 532 of the Equity in Educational Land-Grant Status Act of 1994 (7 U.S.C. 301 note; Public Law 103–382)),'' before ''may compete for''.

SA 2175. Mr. MARKEY submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

At the end of part B of title X, add the following:

SEC. 10204. CLIMATE SCIENCE INSTRUCTION.

(a) FINDINGS.—Congress finds that—

(1) carbon pollution is accumulating in the atmosphere, causing global temperatures to rise at a rate that poses a significant threat to the economy and security of the United States, to public health and welfare, and to the global environment;

(2) climate change is already impacting the United States with sea level rise, ocean acidification, and more frequent or intense extreme weather events, such as heat waves, heavy rainfalls, droughts, floods, and wildfires;

(3) the scientific evidence for human-induced climate change is overwhelming and undeniable, as demonstrated by statements from the National Academy of Sciences, the National Climate Assessment, and numerous other science professional organizations in the United States;

(4) the United States has a responsibility to children and future generations of the United States to reduce the harmful effects of climate change;

(5) providing clear and scientifically accurate information about climate change, in a variety of forms, can increase climate literacy and encourage individuals and communities to take action;

(6) the actions of a single nation cannot solve the climate crisis, so solutions that address both mitigation and adaptation must involve developed and developing nations around the world;

(7) education about climate change is important to ensure that the future generation of leaders is well-informed about the issues facing our planet in order to make decisions based on science and fact;

(8) the facts and reality of climate change are under attack by those who disagree with the overwhelming consensus of scientific agreement regarding the reality of climate change and the human role in causing climate to change; and

(9) challenges to accurate presentation of climate science in classrooms have been proposed in legislatures and school boards across the Nation.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that instruction in climate science is important for all students and should not be prohibited by any unit of State or local government.

SA 2176. Mr. MARKEY submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

At the end of title V, add the following:

SEC. 5011. CLIMATE CHANGE EDUCATION.

(a) SHORT TITLE.—This section may be cited as the ''Climate Change Education Act''.

(b) FINDINGS.—Congress finds that—

(1) carbon pollution is accumulating in the atmosphere, causing global temperatures to rise at a rate that poses a significant threat to the economy and security of the United States, to public health and welfare, and to the global environment;

(2) climate change is already impacting the United States with sea level rise, ocean acidification, and more frequent or intense extreme weather events such as heat waves, heavy rainfalls, droughts, floods, and wildfires;

(3) the scientific evidence for human-induced climate change is overwhelming and undeniable as demonstrated by statements from the National Academy of Sciences, the National Climate Assessment, and numerous other science professional organizations in the United States;

(4) the United States has a responsibility to children and future generations of the United States to address the harmful effects of climate change;

(5) providing clear information about climate change, in a variety of forms, can encourage individuals and communities to take action;

(6) the actions of a single nation cannot solve the climate crisis, so solutions that address both mitigation and adaptation must involve developed and developing nations around the world;

(7) investing in the development of innovative clean energy and energy efficiency technologies will—

(A) enhance the global leadership and competitiveness of the United States; and

(B) create and sustain short and long term job growth;

(8) implementation of measures that promote energy efficiency, conservation, and renewable energy will greatly reduce human impact on the environment; and

(9) education about climate change is important to ensure the future generation of leaders is well-informed about the challenges facing our planet in order to make decisions based on science and fact.

(c) AMENDMENT TO ESEA.—Title V of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7201 et seq.), as amended by section 5010, is further amended by adding at the end the following:

''PART J—CLIMATE CHANGE EDUCATION

''SEC. 5911. CLIMATE CHANGE EDUCATION PROGRAM.

''(a) PURPOSE.—The purpose of this section is to—

''(1) broaden the understanding of human induced climate change, possible long and short-term consequences, and potential solutions;

''(2) provide learning opportunities in climate science education for all students through grade 12, including those of diverse cultural and linguistic backgrounds;

''(3) emphasize actionable information to help students understand how to utilize new technologies and programs related to energy conservation, clean energy, and carbon pollution reduction; and

''(4) inform the public of impacts to human health and safety as a result of climate change.

''(b) GRANTS AUTHORIZED.—The Secretary, in consultation with the National Oceanic and Atmospheric Administration, the Environmental Protection Agency, and the Department of Energy, shall establish a competitive grant program to provide grants to States to—

''(1) develop or improve climate science curriculum and supplementary educational materials for grades kindergarten through grade 12;

''(2) initiate, develop, expand, or implement statewide plans and programs for climate change education, including relevant teacher training and professional development and multidisciplinary studies to ensure

that students graduate from high school climate literate; or

''(3) create State green school building standards or policies.

''(c) APPLICATION.—A State desiring to receive a grant under this section shall submit an application to the Secretary at such time, in such manner, and accompanied by such information as the Secretary may reasonably require.

''(d) REPORT TO CONGRESS.—Not later than 1 year after the date of enactment of this section, and annually thereafter, the Secretary shall transmit to Congress a report that evaluates the scientific merits, educational effectiveness, and broader impacts of activities under this section.

''(e) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section such sums as may be necessary.''.

SA 2177. Mr. SANDERS submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

At the end of title X, insert the following:

PART C—EMPLOYING YOUNG AMERICANS

Subpart 1—Youth Jobs

SEC. 10301. SHORT TITLE.

This subpart may be cited as the ''Employ Young Americans Now Act''.

SEC. 10302. ESTABLISHMENT OF EMPLOY YOUNG AMERICANS FUND.

(a) ESTABLISHMENT.—There is established in the Treasury of the United States an account that shall be known as the Employ Young Americans Fund (referred to in this subpart as the ''Fund'').

(b) DEPOSITS INTO THE FUND.—Out of any amounts in the Treasury not otherwise appropriated, there is appropriated $5,500,000,000 for fiscal year 2016, which shall be paid to the Fund, to be used by the Secretary of Labor to carry out this subpart.

(c) AVAILABILITY OF FUNDS.—Of the amounts available to the Fund under subsection (b), the Secretary of Labor shall—

(1) allot $4,000,000,000 in accordance with section 10303 to provide summer and year-round employment opportunities to low-income youth; and

(2) award $1,500,000,000 in allotments and competitive grants in accordance with section 10304 to local entities to carry out work-based training and other work-related and educational strategies and activities of demonstrated effectiveness to unemployed, low-income young adults and low-income youth to provide the skills and assistance needed to obtain employment.

(d) PERIOD OF AVAILABILITY.—The amounts appropriated under this subpart shall be available for obligation by the Secretary of Labor, and shall be available for expenditure by grantees (including subgrantees), until expended.

SEC. 10303. SUMMER EMPLOYMENT AND YEAR-ROUND EMPLOYMENT OPPORTUNITIES FOR LOW-INCOME YOUTH.

(a) IN GENERAL.—From the funds available under section 10302(c)(1), the Secretary of Labor shall make an allotment under subsection (c) to each State that has a modification to a State plan (referred to in this section as a ''State plan modification'') (or other State request for funds specified in guidance under subsection (b)) approved under subsection (d), and recipient under section 166(c) of the Workforce Innovation and Opportunity Act (29 U.S.C. 3221(c)) (referred to in this section as a ''Native American grantee''), that meets the requirements of this section, for the purpose of providing summer employment and year-round employment opportunities to low-income youth.

(b) GUIDANCE AND APPLICATION OF REQUIREMENTS.—

(1) GUIDANCE.—Not later than 20 days after the date of enactment of this Act, the Secretary of Labor shall issue guidance regarding the implementation of this section.

(2) PROCEDURES.—Such guidance shall, consistent with this section, include procedures for—

(A) the submission and approval of State plan modifications, for such other forms of requests for funds by the State as may be identified in such guidance, for modifications to local plans (referred to individually in this section as a ''local plan modification''), or for such other forms of requests for funds by local areas as may be identified in such guidance, that promote the expeditious and effective implementation of the activities authorized under this section; and

(B) the allotment and allocation of funds, including reallotment and reallocation of such funds, that promote such implementation.

(3) REQUIREMENTS.—Except as otherwise provided in the guidance described in paragraph (1) and in this section and other provisions of this subpart, the funds provided for activities under this section shall be administered in accordance with the provisions of subtitles A, B, and E of title I of the Workforce Innovation and Opportunity Act (29 U.S.C. 3111 et seq., 3151 et seq., 3241 et seq.) relating to youth activities.

(c) STATE ALLOTMENTS.—

(1) IN GENERAL.—Using the funds described in subsection (a), the Secretary of Labor shall allot to each State the total of the amounts assigned to the State under subparagraphs (A) and (B) of paragraph (2).

(2) ASSIGNMENTS TO STATES.—

(A) MINIMUM AMOUNTS.—Using funds described in subsection (a), the Secretary of Labor shall assign to each State an amount equal to ½ of 1 percent of such funds.

(B) FORMULA AMOUNTS.—The Secretary of Labor shall assign the remainder of the funds described in subsection (a) among the States by assigning—

(i) 33⅓ percent on the basis of the relative number of individuals in the civilian labor force who are not younger than 16 but younger than 25 in each State, compared to the total number of individuals in the civilian labor force who are not younger than 16 but younger than 25 in all States;

(ii) 33⅓ percent on the basis of the relative number of unemployed individuals in each State, compared to the total number of unemployed individuals in all States; and

(iii) 33⅓ on the basis of the relative number of disadvantaged young adults and youth in each State, compared to the total number of disadvantaged young adults and youth in all States.

(3) REALLOTMENT.—If the Governor of a State does not submit a State plan modification or other State request for funds specified in guidance under subsection (b) by the date specified in subsection (d)(2)(A), or a State does not receive approval of such State plan modification or request, the amount the State would have been eligible to receive pursuant to paragraph (2) shall be transferred within the Fund and added to the amounts available for competitive grants under sections 2(c)(2) and 4(b)(2).

(4) DEFINITIONS.—For purposes of paragraph (2), the term ''disadvantaged young adult or youth'' means an individual who is not younger than 16 but is younger than 25 who received an income, or is a member of a family that received a total family income, that, in relation to family size, does not exceed the higher of—

(A) the poverty line; or

(B) 70 percent of the lower living standard income level.

(d) STATE PLAN MODIFICATION.—

(1) IN GENERAL.—For a State to be eligible to receive an allotment of funds under subsection (c), the Governor of the State shall submit to the Secretary of Labor a State plan modification, or other State request for funds specified in guidance under subsection (b), in such form and containing such information as the Secretary may require. At a minimum, such State plan modification or request shall include—

(A) a description of the strategies and activities to be carried out to provide summer employment opportunities and year-round employment opportunities, including linkages to training and educational activities, consistent with subsection (f);

(B) a description of the requirements the State will apply relating to the eligibility of low-income youth, consistent with section 10302(4), for summer employment opportunities and year-round employment opportunities, which requirements may include criteria to target assistance to particular categories of such low-income youth, such as youth with disabilities, consistent with subsection (f);

(C) a description of the performance outcomes to be achieved by the State through the activities carried out under this section and the processes the State will use to track performance, consistent with guidance provided by the Secretary of Labor regarding such outcomes and processes and with section 10305(b);

(D) a description of the timelines for implementation of the strategies and activities described in subparagraph (A), and the number of low-income youth expected to be placed in summer employment opportunities, and year-round employment opportunities, respectively, by quarter;

(E) assurances that the State will report such information, relating to fiscal, performance, and other matters, as the Secretary may require and as the Secretary determines is necessary to effectively monitor the activities carried out under this section;

(F) assurances that the State will ensure compliance with the requirements, restrictions, labor standards, and other provisions described in section 10305(a); and

(G) if a local board and chief elected official in the State will provide employment opportunities with the link to training and educational activities described in subsection (f)(2)(B), a description of how the training and educational activities will lead to the industry-recognized credential involved.

(2) SUBMISSION AND APPROVAL OF STATE PLAN MODIFICATION OR REQUEST.—

(A) SUBMISSION.—

(i) IN GENERAL.—The Governor shall submit the State plan modification or other State request for funds specified in guidance under subsection (b) to the Secretary of Labor not later than 30 days after the issuance of such guidance.

(ii) PROCESS.—The Secretary shall—

(I) make copies of the State plan modification or request available to the public on the Web site of the Department of Labor and through other electronic means, on the date on which the Governor submits the State plan modification or request under this section;

(II) allow members of the public, including representatives of business, representatives of labor organizations, and representatives of educational institutions, to submit to the

Secretary comments on the State plan modification or request, during a comment period beginning on the submission date and ending 60 days after the submission date; and

(III) include with the notification of approval or disapproval of the State plan modification or request, submitted to the Governor under subparagraph (B), any such comments that represent disagreement with the plan modification or request.

(B) APPROVAL.—The Secretary of Labor shall approve the State plan modification or request submitted under subparagraph (A) not later than 90 days after the submission date, unless the Secretary determines that the plan or request is inconsistent with the requirements of this section. If the Secretary has not made a determination with that 90-day period, the plan or request shall be considered to be approved. If the plan or request is disapproved, the Secretary may provide a reasonable period of time in which the plan or request may be amended and resubmitted for approval. If the plan or request is approved, the Secretary shall allot funds to the State under subsection (c) within 90 days after such approval.

(3) MODIFICATIONS TO STATE PLAN OR REQUEST.—The Governor may submit further modifications to a State plan modification or other State request for funds specified under subsection (b), consistent with the requirements of this section.

(e) WITHIN-STATE ALLOCATION AND ADMINISTRATION.—

(1) IN GENERAL.—Of the funds allotted to the State under subsection (c), the Governor—

(A) may reserve not more than 5 percent of the funds for administration and technical assistance; and

(B) shall allocate the remainder of the funds among local areas within the State in accordance with clauses (i), (ii), and (iii) of subsection (c)(2)(B), except that for purposes of such allocation references to a State in subsection (c)(2)(B) shall be deemed to be references to a local area and references to all States shall be deemed to be references to all local areas in the State involved.

(2) LOCAL PLAN.—

(A) SUBMISSION.—In order to receive an allocation under paragraph (1)(B), the local board, in partnership with the chief elected official for the local area involved, shall submit to the Governor a local plan modification, or such other request for funds by local areas as may be specified in guidance under subsection (b), not later than 30 days after the submission by the State of the State plan modification or other State request for funds specified in guidance under subsection (b), describing the strategies and activities to be carried out under this section.

(B) APPROVAL.—The Governor shall approve the local plan modification or other local request for funds submitted under subparagraph (A) not later than 30 days after the submission date, unless the Governor determines that the plan or request is inconsistent with requirements of this section. If the Governor has not made a determination within that 30-day period, the plan shall be considered to be approved. If the plan or request is disapproved, the Governor may provide a reasonable period of time in which the plan or request may be amended and resubmitted for approval. If the plan or request is approved, the Governor shall allocate funds to the local area within 30 days after such approval.

(3) REALLOCATION.—If a local board and chief elected official do not submit a local plan modification (or other local request for funds specified in guidance under subsection (b)) by the date specified in paragraph (2), or the Governor disapproves a local plan modification (or other local request), the amount the local area would have been eligible to receive pursuant to the formula under paragraph (1)(B) shall be allocated to local areas that receive approval of their local plan modifications or local requests for funds under paragraph (2). Each such local area shall receive a share of the total amount available for reallocation under this paragraph, in accordance with the area's share of the total amount allocated under paragraph (1)(B) to such local areas.

(f) USE OF FUNDS.—

(1) IN GENERAL.—The funds made available under this section shall be used—

(A) to provide summer employment opportunities for low-income youth, with direct linkages to academic and occupational learning, and may be used to provide supportive services, such as transportation or child care, that is necessary to enable the participation of such youth in the opportunities; and

(B) to provide year-round employment opportunities, which may be combined with other activities authorized under section 129 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3164), to low-income youth.

(2) PROGRAM PRIORITIES.—In administering the funds under this section, the local board and chief elected official shall give priority to—

(A) identifying employment opportunities that are—

(i) in emerging or in-demand occupations in the local area; or

(ii) in the public or nonprofit sector and meet community needs; and

(B) linking participants in year-round employment opportunities to training and educational activities that will provide such participants an industry-recognized certificate or credential (referred to in this subpart as an ''industry-recognized credential'').

(3) ADMINISTRATION.—Not more than 5 percent of the funds allocated to a local area under this section may be used for the costs of administration of this section.

(4) PERFORMANCE ACCOUNTABILITY.—For activities funded under this section, in lieu of meeting the requirements described in (before July 1, 2016) section 136 of the Workforce Investment Act of 1998 (29 U.S.C. 2871) and (after June 30, 2016) section 116 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3141), States and local areas shall provide such reports as the Secretary of Labor may require regarding the performance outcomes described in section 10305(b)(5).

SEC. 10304. WORK-BASED EMPLOYMENT STRATEGIES AND ACTIVITIES OF DEMONSTRATED EFFECTIVENESS.

(a) IN GENERAL.—From the funds available under section 10302(c)(2), the Secretary of Labor shall make allotments to States, and award grants to eligible entities, under subsection (b) to carry out work-based strategies and activities of demonstrated effectiveness.

(b) ALLOTMENTS AND GRANTS.—

(1) ALLOTMENTS TO STATES FOR GRANTS.—

(A) ALLOTMENTS.—Using funds described in subsection (a), the Secretary of Labor shall allot to each State an amount equal to ½ of 1 percent of such funds.

(B) GRANTS TO ELIGIBLE ENTITIES.—The State shall use the funds to award grants, on a competitive basis, to eligible entities in the State.

(2) DIRECT GRANTS TO ELIGIBLE ENTITIES.—Using the funds described in subsection (a) that are not allotted under paragraph (1), the Secretary of Labor shall award grants on a competitive basis to eligible entities.

(c) ELIGIBLE ENTITY.—To be eligible to receive a grant under this section, an entity—

(1) shall include—

(A) a partnership involving a chief elected official and the local board for the local area involved (which may include a partnership with such elected officials and boards and State elected officials and State boards, in the region and in the State); or

(B) an entity eligible to apply for a grant, contract, or agreement under section 166 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3221); and

(2) may include, in combination with a partnership or entity described in paragraph (1)—

(A) employers or employer associations;

(B) adult education providers or postsecondary educational institutions, including community colleges;

(C) community-based organizations;

(D) joint labor-management committees;

(E) work-related intermediaries;

(F) labor organizations that sponsor training or employment upgrade programs; and

(G) other appropriate organizations.

(d) APPLICATION.—To be eligible to receive a grant under this section, an entity shall submit to the Secretary of Labor (or to the State, if applying for a grant under subsection (b)(1)(B)) an application at such time, in such manner, and containing such information as the Secretary may require. At a minimum, the application shall—

(1) describe the strategies and activities of demonstrated effectiveness that the eligible entity will carry out to provide unemployed, low-income young adults and low-income youth with skills that will lead to employment upon completion of participation in such activities;

(2) describe the requirements that will apply relating to the eligibility of unemployed, low-income young adults and low-income youth, consistent with section 10302, for activities carried out under this section, which requirements may include criteria to target assistance to particular categories of such adults and youth, such as individuals with disabilities or individuals who have exhausted all rights to unemployment compensation;

(3) describe how the strategies and activities will address the needs of the target populations identified in paragraph (2) and the needs of employers in the local area;

(4) describe the expected outcomes to be achieved by implementing the strategies and activities;

(5) provide evidence that the funds provided through the grant will be expended expeditiously and efficiently to implement the strategies and activities;

(6) describe how the strategies and activities will be coordinated with other Federal, State and local programs providing employment, education and supportive activities;

(7) provide evidence of employer commitment to participate in the activities funded under this section, including identification of anticipated occupational and skill needs;

(8) provide assurances that the eligible entity will report such information relating to fiscal, performance, and other matters, as the Secretary of Labor may require and as the Secretary determines is necessary to effectively monitor the activities carried out under this section;

(9) provide assurances that the eligible entity will ensure compliance with the requirements, restrictions, labor standards, and other provisions described in section 10305(a); and

(10) if the entity will provide activities described in subsection (f)(4), a description of how the activities will lead to the industry-recognized credentials involved.

(e) PRIORITY IN AWARDS.—In awarding grants under this section, the Secretary of Labor (or a State, under subsection (b)(1)(B)) shall give priority to applications submitted

by eligible entities from areas of high poverty and high unemployment, as defined by the Secretary, such as Public Use Microdata Areas designated by the Bureau of the Census.

(f) USE OF FUNDS.—An entity that receives a grant under this section shall use the funds made available through the grant to support work-based strategies and activities of demonstrated effectiveness that are designed to provide unemployed, low-income young adults and low-income youth with skills that will lead to employment as part of or upon completion of participation in such activities. Such strategies and activities may include—

(1) on-the-job training, registered apprenticeship programs, or other programs that combine work with skills development;

(2) sector-based training programs that have been designed to meet the specific requirements of an employer or group of employers in that sector and for which employers are committed to hiring individuals upon successful completion of the training;

(3) training that supports an industry sector or an employer-based or labor-management committee industry partnership and that includes a significant work-experience component;

(4) activities that lead to the acquisition of industry-recognized credentials in a field identified by the State or local area as a growth sector or in-demand industry in which there are likely to be significant job opportunities in the short term;

(5) activities that provide connections to immediate work opportunities, including subsidized employment opportunities, or summer employment opportunities for youth, that include concurrent skills training and other supports;

(6) activities offered through career academies that provide students with the academic preparation and training, such as paid internships and concurrent enrollment in community colleges or other postsecondary institutions, needed to pursue a career pathway that leads to postsecondary credentials and in-demand jobs; and

(7) adult basic education and integrated basic education and training for low-skilled individuals who are not younger than 16 but are younger than 25, hosted at community colleges or at other sites, to prepare individuals for jobs that are in demand in a local area.

(g) COORDINATION OF FEDERAL ADMINISTRATION.—The Secretary of Labor shall administer this section in coordination with the Secretary of Education, the Secretary of Health and Human Services, and other appropriate agency heads, to ensure the effective implementation of this section.

SEC. 10305. GENERAL REQUIREMENTS.

(a) LABOR STANDARDS AND PROTECTIONS.—Activities provided with funds made available under this subpart shall be subject to the requirements and restrictions, including the labor standards, described in section 181 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3241) and the nondiscrimination provisions of section 188 of such Act (29 U.S.C. 3248), in addition to other applicable Federal laws.

(b) REPORTING.—The Secretary of Labor may require the reporting of information relating to fiscal, performance and other matters that the Secretary determines is necessary to effectively monitor the activities carried out with funds provided under this subpart. At a minimum, recipients of grants (including recipients of subgrants) under this subpart shall provide information relating to—

(1) the number of individuals participating in activities with funds provided under this subpart and the number of such individuals who have completed such participation;

(2) the expenditures of funds provided under this subpart;

(3) the number of jobs created pursuant to the activities carried out under this subpart;

(4) the demographic characteristics of individuals participating in activities under this subpart; and

(5) the performance outcomes for individuals participating in activities under this subpart, including—

(A) for low-income youth participating in summer employment activities under sections 3 and 4, performance on indicators consisting of—

(i) work readiness skill attainment using an employer validated checklist; and

(ii) placement in or return to secondary or postsecondary education or training, or entry into unsubsidized employment;

(B) for low-income youth participating in year-round employment activities under section 10303 or in activities under section 10304, performance on indicators consisting of—

(i) placement in or return to postsecondary education;

(ii) attainment of a secondary school diploma or its recognized equivalent;

(iii) attainment of an industry-recognized credential; and

(iv) entry into, retention in, and earnings in, unsubsidized employment; and

(C) for unemployed, low-income young adults participating in activities under section 10304, performance on indicators consisting of—

(i) entry into, retention in, and earnings in, unsubsidized employment; and

(ii) attainment of an industry-recognized credential.

(c) ACTIVITIES REQUIRED TO BE ADDITIONAL.—Funds provided under this subpart shall only be used for activities that are in addition to activities that would otherwise be available in the State or local area in the absence of such funds.

(d) ADDITIONAL REQUIREMENTS.—The Secretary of Labor may establish such additional requirements as the Secretary determines may be necessary to ensure fiscal integrity, effective monitoring, and the appropriate and prompt implementation of the activities under this subpart.

(e) REPORT OF INFORMATION AND EVALUATIONS TO CONGRESS AND THE PUBLIC.—The Secretary of Labor shall provide to the appropriate committees of Congress and make available to the public the information reported pursuant to subsection (b).

SEC. 10306. DEFINITIONS.

In this subpart:

(1) CHIEF ELECTED OFFICIAL.—The term ''chief elected official'' means the chief elected executive officer of a unit of local government in a local area or in the case in which such an area includes more than one unit of general government, the individuals designated under an agreement described in section 107(c)(1)(B) of the Workforce Innovation and Opportunity Act (29 U.S.C. 3122(c)(1)(B)).

(2) LOCAL AREA.—The term ''local area'' has the meaning given the term in section 3 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3102).

(3) LOCAL BOARD.—The term ''local board'' has the meaning given the term in section 3 of the Workforce Innovation and Opportunity Act.

(4) LOCAL PLAN.—The term ''local plan''—

(A) means a local plan approved, before July 1, 2016, under section 118 of the Workforce Investment Act of 1998 (29 U.S.C. 2833); and

(B) after June 30, 2016, means a local plan as defined in section 3 of the Workforce Innovation and Opportunity Act.

(5) LOW-INCOME YOUTH.—The term ''low-income youth'' means an individual who—

(A) is not younger than 16 but is younger than 25;

(B) meets the definition of a low-income individual provided in section 3(36) of the Workforce Innovation and Opportunity Act (29 U.S.C. 3102(36)), except that—

(i) States and local areas, subject to approval in the applicable State plans and local plans, may increase the income level specified in subparagraph (B)(i) of such section to an amount not in excess of 200 percent of the poverty line for purposes of determining eligibility for participation in activities under section 10303; and

(ii) eligible entities described in section 10304(c), subject to approval in the applicable applications for funds, may make such an increase for purposes of determining eligibility for participation in activities under section 10304; and

(C) is in one or more of the categories specified in subparagraph (B)(iii) or (C)(iv) of section 129(a)(1) of the Workforce Innovation and Opportunity Act (29 U.S.C. 3164(a)(1)).

(6) POVERTY LINE.—The term ''poverty line'' means a poverty line as defined in section 673 of the Community Services Block Grant Act (42 U.S.C. 9902), applicable to a family of the size involved.

(7) REGISTERED APPRENTICESHIP PROGRAM.—The term ''registered apprenticeship program'' means an apprenticeship program registered under the Act of August 16, 1937 (commonly known as the ''National Apprenticeship Act''; 50 Stat. 664, chapter 663; 29 U.S.C. 50 et seq.).

(8) STATE.—The term ''State'' means each of the several States of the United States, and the District of Columbia.

(9) STATE PLAN.—The term ''State plan'' means a State plan approved—

(A) before July 1, 2016, under section 112 of the Workforce Investment Act of 1998 (29 U.S.C. 2822); or

(B) after June 30, 2016, under section 102 or 103 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3112, 3113).

(10) UNEMPLOYED, LOW-INCOME YOUNG ADULT.—The term ''unemployed, low-income young adult'' means an individual who—

(A) is not younger than 18 but is younger than 35;

(B) is without employment and is seeking assistance under this subpart to obtain employment; and

(C) meets the definition of a low-income individual specified in section 3(36) of the Workforce Innovation and Opportunity Act (29 U.S.C. 3102(36)), except that eligible entities described in section 10304(c), subject to approval in the applicable applications for funds, may increase the income level specified in subparagraph (B)(i) of such section 3(36) to an amount not in excess of 200 percent of the poverty line for purposes of determining eligibility for participation in activities under section 10304.

Subpart 2—Carried Interest Fairness

SEC. 10311. SHORT TITLE; ETC.

(a) SHORT TITLE.—This subpart may be cited as the ''Carried Interest Fairness Act of 2015''.

(b) AMENDMENT OF 1986 CODE.—Except as otherwise expressly provided, whenever in this subpart an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Internal Revenue Code of 1986.

SEC. 10312. PARTNERSHIP INTERESTS TRANSFERRED IN CONNECTION WITH PERFORMANCE OF SERVICES.

(a) MODIFICATION TO ELECTION TO INCLUDE PARTNERSHIP INTEREST IN GROSS INCOME IN

YEAR OF TRANSFER.—Subsection (c) of section 83 is amended by redesignating paragraph (4) as paragraph (5) and by inserting after paragraph (3) the following new paragraph:

''(4) PARTNERSHIP INTERESTS.—Except as provided by the Secretary—

''(A) IN GENERAL.—In the case of any transfer of an interest in a partnership in connection with the provision of services to (or for the benefit of) such partnership—

''(i) the fair market value of such interest shall be treated for purposes of this section as being equal to the amount of the distribution which the partner would receive if the partnership sold (at the time of the transfer) all of its assets at fair market value and distributed the proceeds of such sale (reduced by the liabilities of the partnership) to its partners in liquidation of the partnership, and

''(ii) the person receiving such interest shall be treated as having made the election under subsection (b)(1) unless such person makes an election under this paragraph to have such subsection not apply.

''(B) ELECTION.—The election under subparagraph (A)(ii) shall be made under rules similar to the rules of subsection (b)(2).''.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to interests in partnerships transferred after the date of the enactment of this Act.

SEC. 10313. SPECIAL RULES FOR PARTNERS PROVIDING INVESTMENT MANAGEMENT SERVICES TO PARTNERSHIPS.

(a) IN GENERAL.—Part I of subchapter K of chapter 1 is amended by adding at the end the following new section:

''SEC. 710. SPECIAL RULES FOR PARTNERS PROVIDING INVESTMENT MANAGEMENT SERVICES TO PARTNERSHIPS.

''(a) TREATMENT OF DISTRIBUTIVE SHARE OF PARTNERSHIP ITEMS.—For purposes of this title, in the case of an investment services partnership interest—

''(1) IN GENERAL.—Notwithstanding section 702(b)—

''(A) an amount equal to the net capital gain with respect to such interest for any partnership taxable year shall be treated as ordinary income, and

''(B) subject to the limitation of paragraph (2), an amount equal to the net capital loss with respect to such interest for any partnership taxable year shall be treated as an ordinary loss.

''(2) RECHARACTERIZATION OF LOSSES LIMITED TO RECHARACTERIZED GAINS.—The amount treated as ordinary loss under paragraph (1)(B) for any taxable year shall not exceed the excess (if any) of—

''(A) the aggregate amount treated as ordinary income under paragraph (1)(A) with respect to the investment services partnership interest for all preceding partnership taxable years to which this section applies, over

''(B) the aggregate amount treated as ordinary loss under paragraph (1)(B) with respect to such interest for all preceding partnership taxable years to which this section applies.

''(3) ALLOCATION TO ITEMS OF GAIN AND LOSS.—

''(A) NET CAPITAL GAIN.—The amount treated as ordinary income under paragraph (1)(A) shall be allocated ratably among the items of long-term capital gain taken into account in determining such net capital gain.

''(B) NET CAPITAL LOSS.—The amount treated as ordinary loss under paragraph (1)(B) shall be allocated ratably among the items of long-term capital loss and short-term capital loss taken into account in determining such net capital loss.

''(4) TERMS RELATING TO CAPITAL GAINS AND LOSSES.—For purposes of this section—

''(A) IN GENERAL.—Net capital gain, long-term capital gain, and long-term capital loss, with respect to any investment services partnership interest for any taxable year, shall be determined under section 1222, except that such section shall be applied—

''(i) without regard to the recharacterization of any item as ordinary income or ordinary loss under this section,

''(ii) by only taking into account items of gain and loss taken into account by the holder of such interest under section 702 (other than subsection (a)(9) thereof) with respect to such interest for such taxable year, and

''(iii) by treating property which is taken into account in determining gains and losses to which section 1231 applies as capital assets held for more than 1 year.

''(B) NET CAPITAL LOSS.—The term 'net capital loss' means the excess of the losses from sales or exchanges of capital assets over the gains from such sales or exchanges. Rules similar to the rules of clauses (i) through (iii) of subparagraph (A) shall apply for purposes of the preceding sentence.

''(5) SPECIAL RULE FOR DIVIDENDS.—Any dividend allocated with respect to any investment services partnership interest shall not be treated as qualified dividend income for purposes of section 1(h).

''(6) SPECIAL RULE FOR QUALIFIED SMALL BUSINESS STOCK.—Section 1202 shall not apply to any gain from the sale or exchange of qualified small business stock (as defined in section 1202(c)) allocated with respect to any investment services partnership interest.

''(b) DISPOSITIONS OF PARTNERSHIP INTERESTS.—

''(1) GAIN.—

''(A) IN GENERAL.—Any gain on the disposition of an investment services partnership interest shall be—

''(i) treated as ordinary income, and

''(ii) recognized notwithstanding any other provision of this subtitle.

''(B) GIFT AND TRANSFERS AT DEATH.—In the case of a disposition of an investment services partnership interest by gift or by reason of death of the taxpayer—

''(i) subparagraph (A) shall not apply,

''(ii) such interest shall be treated as an investment services partnership interest in the hands of the person acquiring such interest, and

''(iii) any amount that would have been treated as ordinary income under this subsection had the decedent sold such interest immediately before death shall be treated as an item of income in respect of a decedent under section 691.

''(2) LOSS.—Any loss on the disposition of an investment services partnership interest shall be treated as an ordinary loss to the extent of the excess (if any) of—

''(A) the aggregate amount treated as ordinary income under subsection (a) with respect to such interest for all partnership taxable years to which this section applies, over

''(B) the aggregate amount treated as ordinary loss under subsection (a) with respect to such interest for all partnership taxable years to which this section applies.

''(3) ELECTION WITH RESPECT TO CERTAIN EXCHANGES.—Paragraph (1)(A)(ii) shall not apply to the contribution of an investment services partnership interest to a partnership in exchange for an interest in such partnership if—

''(A) the taxpayer makes an irrevocable election to treat the partnership interest received in the exchange as an investment services partnership interest, and

''(B) the taxpayer agrees to comply with such reporting and recordkeeping requirements as the Secretary may prescribe.

''(4) DISTRIBUTIONS OF PARTNERSHIP PROPERTY.—

''(A) IN GENERAL.—In the case of any distribution of property by a partnership with respect to any investment services partnership interest held by a partner, the partner receiving such property shall recognize gain equal to the excess (if any) of—

''(i) the fair market value of such property at the time of such distribution, over

''(ii) the adjusted basis of such property in the hands of such partner (determined without regard to subparagraph (C)).

''(B) TREATMENT OF GAIN AS ORDINARY INCOME.—Any gain recognized by such partner under subparagraph (A) shall be treated as ordinary income to the same extent and in the same manner as the increase in such partner's distributive share of the taxable income of the partnership would be treated under subsection (a) if, immediately prior to the distribution, the partnership had sold the distributed property at fair market value and all of the gain from such disposition were allocated to such partner. For purposes of applying subsection (a)(2), any gain treated as ordinary income under this subparagraph shall be treated as an amount treated as ordinary income under subsection (a)(1)(A).

''(C) ADJUSTMENT OF BASIS.—In the case of a distribution to which subparagraph (A) applies, the basis of the distributed property in the hands of the distributee partner shall be the fair market value of such property.

''(D) SPECIAL RULES WITH RESPECT TO MERGERS, DIVISIONS, AND TECHNICAL TERMINATIONS.—In the case of a taxpayer which satisfies requirements similar to the requirements of subparagraphs (A) and (B) of paragraph (3), this paragraph and paragraph (1)(A)(ii) shall not apply to the distribution of a partnership interest if such distribution is in connection with a contribution (or deemed contribution) of any property of the partnership to which section 721 applies pursuant to a transaction described in paragraph (1)(B) or (2) of section 708(b).

''(c) INVESTMENT SERVICES PARTNERSHIP INTEREST.—For purposes of this section—

''(1) IN GENERAL.—The term 'investment services partnership interest' means any interest in an investment partnership acquired or held by any person in connection with the conduct of a trade or business described in paragraph (2) by such person (or any person related to such person). An interest in an investment partnership held by any person—

''(A) shall not be treated as an investment services partnership interest for any period before the first date on which it is so held in connection with such a trade or business,

''(B) shall not cease to be an investment services partnership interest merely because such person holds such interest other than in connection with such a trade or business, and

''(C) shall be treated as an investment services partnership interest if acquired from a related person in whose hands such interest was an investment services partnership interest.

''(2) BUSINESSES TO WHICH THIS SECTION APPLIES.—A trade or business is described in this paragraph if such trade or business primarily involves the performance of any of the following services with respect to assets held (directly or indirectly) by one or more investment partnerships referred to in paragraph (1):

''(A) Advising as to the advisability of investing in, purchasing, or selling any specified asset.

''(B) Managing, acquiring, or disposing of any specified asset.

''(C) Arranging financing with respect to acquiring specified assets.

''(D) Any activity in support of any service described in subparagraphs (A) through (C).

''(3) INVESTMENT PARTNERSHIP.—

''(A) IN GENERAL.—The term 'investment partnership' means any partnership if, at the

end of any two consecutive calendar quarters ending after the date of enactment of this section—

''(i) substantially all of the assets of the partnership are specified assets (determined without regard to any section 197 intangible within the meaning of section 197(d)), and

''(ii) less than 75 percent of the capital of the partnership is attributable to qualified capital interests which constitute property held in connection with a trade or business of the owner of such interest.

''(B) LOOK-THROUGH OF CERTAIN WHOLLY OWNED ENTITIES FOR PURPOSES OF DETERMINING ASSETS OF THE PARTNERSHIP.—

''(i) IN GENERAL.—For purposes of determining the assets of a partnership under subparagraph (A)(i)—

''(I) any interest in a specified entity shall not be treated as an asset of such partnership, and

''(II) such partnership shall be treated as holding its proportionate share of each of the assets of such specified entity.

''(ii) SPECIFIED ENTITY.—For purposes of clause (i), the term 'specified entity' means, with respect to any partnership (hereafter referred to as the upper-tier partnership), any person which engages in the same trade or business as the upper-tier partnership and is—

''(I) a partnership all of the capital and profits interests of which are held directly or indirectly by the upper-tier partnership, or

''(II) a foreign corporation which does not engage in a trade or business in the United States and all of the stock of which is held directly or indirectly by the upper-tier partnership.

''(C) SPECIAL RULES FOR DETERMINING IF PROPERTY HELD IN CONNECTION WITH TRADE OR BUSINESS.—

''(i) IN GENERAL.—Except as otherwise provided by the Secretary, solely for purposes of determining whether any interest in a partnership constitutes property held in connection with a trade or business under subparagraph (A)(ii)—

''(I) a trade or business of any person closely related to the owner of such interest shall be treated as a trade or business of such owner,

''(II) such interest shall be treated as held by a person in connection with a trade or business during any taxable year if such interest was so held by such person during any 3 taxable years preceding such taxable year, and

''(III) paragraph (5)(B) shall not apply.

''(ii) CLOSELY RELATED PERSONS.—For purposes of clause (i)(I), a person shall be treated as closely related to another person if, taking into account the rules of section 267(c), the relationship between such persons is described in—

''(I) paragraph (1) or (9) of section 267(b), or

''(II) section 267(b)(4), but solely in the case of a trust with respect to which each current beneficiary is the grantor or a person whose relationship to the grantor is described in paragraph (1) or (9) of section 267(b).

''(D) ANTIABUSE RULES.—The Secretary may issue regulations or other guidance which prevent the avoidance of the purposes of subparagraph (A), including regulations or other guidance which treat convertible and contingent debt (and other debt having the attributes of equity) as a capital interest in the partnership.

''(E) CONTROLLED GROUPS OF ENTITIES.—

''(i) IN GENERAL.—In the case of a controlled group of entities, if an interest in the partnership received in exchange for a contribution to the capital of the partnership by any member of such controlled group would (in the hands of such member) constitute property held in connection with a trade or business, then any interest in such partnership held by any member of such group shall be treated for purposes of subparagraph (A) as constituting (in the hands of such member) property held in connection with a trade or business.

''(ii) CONTROLLED GROUP OF ENTITIES.—For purposes of clause (i), the term 'controlled group of entities' means a controlled group of corporations as defined in section 1563(a)(1), applied without regard to subsections (a)(4) and (b)(2) of section 1563. A partnership or any other entity (other than a corporation) shall be treated as a member of a controlled group of entities if such entity is controlled (within the meaning of section 954(d)(3)) by members of such group (including any entity treated as a member of such group by reason of this sentence).

''(F) SPECIAL RULE FOR CORPORATIONS.—For purposes of this paragraph, in the case of a corporation, the determination of whether property is held in connection with a trade or business shall be determined as if the taxpayer were an individual.

''(4) SPECIFIED ASSET.—The term 'specified asset' means securities (as defined in section 475(c)(2) without regard to the last sentence thereof), real estate held for rental or investment, interests in partnerships, commodities (as defined in section 475(e)(2)), cash or cash equivalents, or options or derivative contracts with respect to any of the foregoing.

''(5) RELATED PERSONS.—

''(A) IN GENERAL.—A person shall be treated as related to another person if the relationship between such persons is described in section 267(b) or 707(b).

''(B) ATTRIBUTION OF PARTNER SERVICES.—Any service described in paragraph (2) which is provided by a partner of a partnership shall be treated as also provided by such partnership.

''(d) EXCEPTION FOR CERTAIN CAPITAL INTERESTS.—

''(1) IN GENERAL.—In the case of any portion of an investment services partnership interest which is a qualified capital interest, all items of gain and loss (and any dividends) which are allocated to such qualified capital interest shall not be taken into account under subsection (a) if—

''(A) allocations of items are made by the partnership to such qualified capital interest in the same manner as such allocations are made to other qualified capital interests held by partners who do not provide any services described in subsection (c)(2) and who are not related to the partner holding the qualified capital interest, and

''(B) the allocations made to such other interests are significant compared to the allocations made to such qualified capital interest.

''(2) AUTHORITY TO PROVIDE EXCEPTIONS TO ALLOCATION REQUIREMENTS.—To the extent provided by the Secretary in regulations or other guidance—

''(A) ALLOCATIONS TO PORTION OF QUALIFIED CAPITAL INTEREST.—Paragraph (1) may be applied separately with respect to a portion of a qualified capital interest.

''(B) NO OR INSIGNIFICANT ALLOCATIONS TO NONSERVICE PROVIDERS.—In any case in which the requirements of paragraph (1)(B) are not satisfied, items of gain and loss (and any dividends) shall not be taken into account under subsection (a) to the extent that such items are properly allocable under such regulations or other guidance to qualified capital interests.

''(C) ALLOCATIONS TO SERVICE PROVIDERS' QUALIFIED CAPITAL INTERESTS WHICH ARE LESS THAN OTHER ALLOCATIONS.—Allocations shall not be treated as failing to meet the requirement of paragraph (1)(A) merely because the allocations to the qualified capital interest represent a lower return than the allocations made to the other qualified capital interests referred to in such paragraph.

''(3) SPECIAL RULE FOR CHANGES IN SERVICES AND CAPITAL CONTRIBUTIONS.—In the case of an interest in a partnership which was not an investment services partnership interest and which, by reason of a change in the services with respect to assets held (directly or indirectly) by the partnership or by reason of a change in the capital contributions to such partnership, becomes an investment services partnership interest, the qualified capital interest of the holder of such partnership interest immediately after such change shall not, for purposes of this subsection, be less than the fair market value of such interest (determined immediately before such change).

''(4) SPECIAL RULE FOR TIERED PARTNERSHIPS.—Except as otherwise provided by the Secretary, in the case of tiered partnerships, all items which are allocated in a manner which meets the requirements of paragraph (1) to qualified capital interests in a lower-tier partnership shall retain such character to the extent allocated on the basis of qualified capital interests in any upper-tier partnership.

''(5) EXCEPTION FOR NO-SELF-CHARGED CARRY AND MANAGEMENT FEE PROVISIONS.—Except as otherwise provided by the Secretary, an interest shall not fail to be treated as satisfying the requirement of paragraph (1)(A) merely because the allocations made by the partnership to such interest do not reflect the cost of services described in subsection (c)(2) which are provided (directly or indirectly) to the partnership by the holder of such interest (or a related person).

''(6) SPECIAL RULE FOR DISPOSITIONS.—In the case of any investment services partnership interest any portion of which is a qualified capital interest, subsection (b) shall not apply to so much of any gain or loss as bears the same proportion to the entire amount of such gain or loss as—

''(A) the distributive share of gain or loss that would have been allocated to the qualified capital interest (consistent with the requirements of paragraph (1)) if the partnership had sold all of its assets at fair market value immediately before the disposition, bears to

''(B) the distributive share of gain or loss that would have been so allocated to the investment services partnership interest of which such qualified capital interest is a part.

''(7) QUALIFIED CAPITAL INTEREST.—For purposes of this section—

''(A) IN GENERAL.—The term 'qualified capital interest' means so much of a partner's interest in the capital of the partnership as is attributable to—

''(i) the fair market value of any money or other property contributed to the partnership in exchange for such interest (determined without regard to section 752(a)),

''(ii) any amounts which have been included in gross income under section 83 with respect to the transfer of such interest, and

''(iii) the excess (if any) of—

''(I) any items of income and gain taken into account under section 702 with respect to such interest, over

''(II) any items of deduction and loss so taken into account.

''(B) ADJUSTMENT TO QUALIFIED CAPITAL INTEREST.—

''(i) DISTRIBUTIONS AND LOSSES.—The qualified capital interest shall be reduced by distributions from the partnership with respect to such interest and by the excess (if any) of the amount described in subparagraph (A)(iii)(II) over the amount described in subparagraph (A)(iii)(I).

''(ii) SPECIAL RULE FOR CONTRIBUTIONS OF PROPERTY.—In the case of any contribution

of property described in subparagraph (A)(i) with respect to which the fair market value of such property is not equal to the adjusted basis of such property immediately before such contribution, proper adjustments shall be made to the qualified capital interest to take into account such difference consistent with such regulations or other guidance as the Secretary may provide.

''(C) TECHNICAL TERMINATIONS, ETC., DISREGARDED.—No increase or decrease in the qualified capital interest of any partner shall result from a termination, merger, consolidation, or division described in section 708, or any similar transaction.

''(8) TREATMENT OF CERTAIN LOANS.—

''(A) PROCEEDS OF PARTNERSHIP LOANS NOT TREATED AS QUALIFIED CAPITAL INTEREST OF SERVICE PROVIDING PARTNERS.—For purposes of this subsection, an investment services partnership interest shall not be treated as a qualified capital interest to the extent that such interest is acquired in connection with the proceeds of any loan or other advance made or guaranteed, directly or indirectly, by any other partner or the partnership (or any person related to any such other partner or the partnership). The preceding sentence shall not apply to the extent the loan or other advance is repaid before the date of the enactment of this section unless such repayment is made with the proceeds of a loan or other advance described in the preceding sentence.

''(B) REDUCTION IN ALLOCATIONS TO QUALIFIED CAPITAL INTERESTS FOR LOANS FROM NONSERVICE-PROVIDING PARTNERS TO THE PARTNERSHIP.—For purposes of this subsection, any loan or other advance to the partnership made or guaranteed, directly or indirectly, by a partner not providing services described in subsection (c)(2) to the partnership (or any person related to such partner) shall be taken into account in determining the qualified capital interests of the partners in the partnership.

''(9) SPECIAL RULE FOR QUALIFIED FAMILY PARTNERSHIPS.—

''(A) IN GENERAL.—In the case of any specified family partnership interest, paragraph (1)(A) shall be applied without regard to the phrase 'and who are not related to the partner holding the qualified capital interest'.

''(B) SPECIFIED FAMILY PARTNERSHIP INTEREST.—For purposes of this paragraph, the term 'specified family partnership interest' means any investment services partnership interest if—

''(i) such interest is an interest in a qualified family partnership,

''(ii) such interest is held by a natural person or by a trust with respect to which each beneficiary is a grantor or a person whose relationship to the grantor is described in section 267(b)(1), and

''(iii) all other interests in such qualified family partnership with respect to which significant allocations are made (within the meaning of paragraph (1)(B) and in comparison to the allocations made to the interest described in clause (ii)) are held by persons who—

''(I) are related to the natural person or trust referred to in clause (ii), or

''(II) provide services described in subsection (c)(2).

''(C) QUALIFIED FAMILY PARTNERSHIP.—For purposes of this paragraph, the term 'qualified family partnership' means any partnership if—

''(i) all of the capital and profits interests of such partnership are held by—

''(I) specified family members,

''(II) any person closely related (within the meaning of subsection (c)(3)(C)(ii)) to a specified family member, or

''(III) any other person (not described in subclause (I) or (II)) if such interest is an investment services partnership interest with respect to such person, and

''(ii) such partnership does not hold itself out to the public as an investment advisor.

''(D) SPECIFIED FAMILY MEMBERS.—For purposes of subparagraph (C), individuals shall be treated as specified family members if such individuals would be treated as one person under the rules of section 1361(c)(1) if the applicable date (within the meaning of subparagraph (B)(iii) thereof) were the latest of—

''(i) the date of the establishment of the partnership,

''(ii) the earliest date that the common ancestor holds a capital or profits interest in the partnership, or

''(iii) the date of the enactment of this section.

''(e) OTHER INCOME AND GAIN IN CONNECTION WITH INVESTMENT MANAGEMENT SERVICES.—

''(1) IN GENERAL.—If—

''(A) a person performs (directly or indirectly) investment management services for any investment entity,

''(B) such person holds (directly or indirectly) a disqualified interest with respect to such entity, and

''(C) the value of such interest (or payments thereunder) is substantially related to the amount of income or gain (whether or not realized) from the assets with respect to which the investment management services are performed,

any income or gain with respect to such interest shall be treated as ordinary income. Rules similar to the rules of subsections (a)(5) and (d) shall apply for purposes of this subsection.

''(2) DEFINITIONS.—For purposes of this subsection—

''(A) DISQUALIFIED INTEREST.—

''(i) IN GENERAL.—The term 'disqualified interest' means, with respect to any investment entity—

''(I) any interest in such entity other than indebtedness,

''(II) convertible or contingent debt of such entity,

''(III) any option or other right to acquire property described in subclause (I) or (II), and

''(IV) any derivative instrument entered into (directly or indirectly) with such entity or any investor in such entity.

''(ii) EXCEPTIONS.—Such term shall not include—

''(I) a partnership interest,

''(II) except as provided by the Secretary, any interest in a taxable corporation, and

''(III) except as provided by the Secretary, stock in an S corporation.

''(B) TAXABLE CORPORATION.—The term 'taxable corporation' means—

''(i) a domestic C corporation, or

''(ii) a foreign corporation substantially all of the income of which is—

''(I) effectively connected with the conduct of a trade or business in the United States, or

''(II) subject to a comprehensive foreign income tax (as defined in section 457A(d)(2)).

''(C) INVESTMENT MANAGEMENT SERVICES.—The term 'investment management services' means a substantial quantity of any of the services described in subsection (c)(2).

''(D) INVESTMENT ENTITY.—The term 'investment entity' means any entity which, if it were a partnership, would be an investment partnership.

''(f) EXCEPTION FOR DOMESTIC C CORPORATIONS.—Except as otherwise provided by the Secretary, in the case of a domestic C corporation—

''(1) subsections (a) and (b) shall not apply to any item allocated to such corporation with respect to any investment services partnership interest (or to any gain or loss with respect to the disposition of such an interest), and

''(2) subsection (e) shall not apply.

''(g) REGULATIONS.—The Secretary shall prescribe such regulations or other guidance as is necessary or appropriate to carry out the purposes of this section, including regulations or other guidance to—

''(1) require such reporting and recordkeeping by any person in such manner and at such time as the Secretary may prescribe for purposes of enabling the partnership to meet the requirements of section 6031 with respect to any item described in section 702(a)(9),

''(2) provide modifications to the application of this section (including treating related persons as not related to one another) to the extent such modification is consistent with the purposes of this section,

''(3) prevent the avoidance of the purposes of this section (including through the use of qualified family partnerships), and

''(4) coordinate this section with the other provisions of this title.

''(h) CROSS REFERENCE.—For 40-percent penalty on certain underpayments due to the avoidance of this section, see section 6662.''.

(b) APPLICATION OF SECTION 751 TO INDIRECT DISPOSITIONS OF INVESTMENT SERVICES PARTNERSHIP INTERESTS.—

(1) IN GENERAL.—Subsection (a) of section 751 is amended by striking ''or'' at the end of paragraph (1), by inserting ''or'' at the end of paragraph (2), and by inserting after paragraph (2) the following new paragraph:

''(3) investment services partnership interests held by the partnership,''.

(2) CERTAIN DISTRIBUTIONS TREATED AS SALES OR EXCHANGES.—Subparagraph (A) of section 751(b)(1) is amended by striking ''or'' at the end of clause (i), by inserting ''or'' at the end of clause (ii), and by inserting after clause (ii) the following new clause:

''(iii) investment services partnership interests held by the partnership,''.

(3) APPLICATION OF SPECIAL RULES IN THE CASE OF TIERED PARTNERSHIPS.—Subsection (f) of section 751 is amended—

(A) by striking ''or'' at the end of paragraph (1), by inserting ''or'' at the end of paragraph (2), and by inserting after paragraph (2) the following new paragraph:

''(3) an investment services partnership interest held by the partnership,'', and

(B) by striking ''partner.'' and inserting ''partner (other than a partnership in which it holds an investment services partnership interest).''.

(4) INVESTMENT SERVICES PARTNERSHIP INTERESTS; QUALIFIED CAPITAL INTERESTS.—Section 751 is amended by adding at the end the following new subsection:

''(g) INVESTMENT SERVICES PARTNERSHIP INTERESTS.—For purposes of this section—

''(1) IN GENERAL.—The term 'investment services partnership interest' has the meaning given such term by section 710(c).

''(2) ADJUSTMENTS FOR QUALIFIED CAPITAL INTERESTS.—The amount to which subsection (a) applies by reason of paragraph (3) thereof shall not include so much of such amount as is attributable to any portion of the investment services partnership interest which is a qualified capital interest (determined under rules similar to the rules of section 710(d)).

''(3) EXCEPTION FOR PUBLICLY TRADED PARTNERSHIPS.—Except as otherwise provided by the Secretary, in the case of an exchange of an interest in a publicly traded partnership (as defined in section 7704) to which subsection (a) applies—

''(A) this section shall be applied without regard to subsections (a)(3), (b)(1)(A)(iii), and (f)(3), and

''(B) such partnership shall be treated as owning its proportionate share of the property of any other partnership in which it is a partner.

''(4) RECOGNITION OF GAINS.—Any gain with respect to which subsection (a) applies by reason of paragraph (3) thereof shall be recognized notwithstanding any other provision of this title.

''(5) COORDINATION WITH INVENTORY ITEMS.—An investment services partnership interest held by the partnership shall not be treated as an inventory item of the partnership.

''(6) PREVENTION OF DOUBLE COUNTING.—Under regulations or other guidance prescribed by the Secretary, subsection (a)(3) shall not apply with respect to any amount to which section 710 applies.

''(7) VALUATION METHODS.—The Secretary shall prescribe regulations or other guidance which provide the acceptable methods for valuing investment services partnership interests for purposes of this section.''.

(c) TREATMENT FOR PURPOSES OF SECTION 7704.—Subsection (d) of section 7704 is amended by adding at the end the following new paragraph:

''(6) INCOME FROM CERTAIN CARRIED INTERESTS NOT QUALIFIED.—

''(A) IN GENERAL.—Specified carried interest income shall not be treated as qualifying income.

''(B) SPECIFIED CARRIED INTEREST INCOME.—For purposes of this paragraph—

''(i) IN GENERAL.—The term 'specified carried interest income' means—

''(I) any item of income or gain allocated to an investment services partnership interest (as defined in section 710(c)) held by the partnership,

''(II) any gain on the disposition of an investment services partnership interest (as so defined) or a partnership interest to which (in the hands of the partnership) section 751 applies, and

''(III) any income or gain taken into account by the partnership under subsection (b)(4) or (e) of section 710.

''(ii) EXCEPTION FOR QUALIFIED CAPITAL INTERESTS.—A rule similar to the rule of section 710(d) shall apply for purposes of clause (i).

''(C) COORDINATION WITH OTHER PROVISIONS.—Subparagraph (A) shall not apply to any item described in paragraph (1)(E) (or so much of paragraph (1)(F) as relates to paragraph (1)(E)).

''(D) SPECIAL RULES FOR CERTAIN PARTNERSHIPS.—

''(i) CERTAIN PARTNERSHIPS OWNED BY REAL ESTATE INVESTMENT TRUSTS.—Subparagraph (A) shall not apply in the case of a partnership which meets each of the following requirements:

''(I) Such partnership is treated as publicly traded under this section solely by reason of interests in such partnership being convertible into interests in a real estate investment trust which is publicly traded.

''(II) Fifty percent or more of the capital and profits interests of such partnership are owned, directly or indirectly, at all times during the taxable year by such real estate investment trust (determined with the application of section 267(c)).

''(III) Such partnership meets the requirements of paragraphs (2), (3), and (4) of section 856(c).

''(ii) CERTAIN PARTNERSHIPS OWNING OTHER PUBLICLY TRADED PARTNERSHIPS.—Subparagraph (A) shall not apply in the case of a partnership which meets each of the following requirements:

''(I) Substantially all of the assets of such partnership consist of interests in one or more publicly traded partnerships (determined without regard to subsection (b)(2)).

''(II) Substantially all of the income of such partnership is ordinary income or section 1231 gain (as defined in section 1231(a)(3)).

''(E) TRANSITIONAL RULE.—Subparagraph (A) shall not apply to any taxable year of the partnership beginning before the date which is 10 years after the date of the enactment of this paragraph.''.

(d) IMPOSITION OF PENALTY ON UNDERPAYMENTS.—

(1) IN GENERAL.—Subsection (b) of section 6662 is amended by inserting after paragraph (7) the following new paragraph:

''(8) The application of section 710(e) or the regulations or other guidance prescribed under section 710(g) to prevent the avoidance of the purposes of section 710.''.

(2) AMOUNT OF PENALTY.—

(A) IN GENERAL.—Section 6662 is amended by adding at the end the following new subsection:

''(k) INCREASE IN PENALTY IN CASE OF PROPERTY TRANSFERRED FOR INVESTMENT MANAGEMENT SERVICES.—In the case of any portion of an underpayment to which this section applies by reason of subsection (b)(8), subsection (a) shall be applied with respect to such portion by substituting '40 percent' for '20 percent'.''.

(B) CONFORMING AMENDMENT.—Subparagraph (B) of section 6662A(e)(2) is amended by striking ''or (i)'' and inserting '', (i), or (k)''.

(3) SPECIAL RULES FOR APPLICATION OF REASONABLE CAUSE EXCEPTION.—Subsection (c) of section 6664 is amended—

(A) by redesignating paragraphs (3) and (4) as paragraphs (4) and (5), respectively;

(B) by striking ''paragraph (3)'' in paragraph (5)(A), as so redesignated, and inserting ''paragraph (4)''; and

(C) by inserting after paragraph (2) the following new paragraph:

''(3) SPECIAL RULE FOR UNDERPAYMENTS ATTRIBUTABLE TO INVESTMENT MANAGEMENT SERVICES.—

''(A) IN GENERAL.—Paragraph (1) shall not apply to any portion of an underpayment to which section 6662 applies by reason of subsection (b)(8) unless—

''(i) the relevant facts affecting the tax treatment of the item are adequately disclosed,

''(ii) there is or was substantial authority for such treatment, and

''(iii) the taxpayer reasonably believed that such treatment was more likely than not the proper treatment.

''(B) RULES RELATING TO REASONABLE BELIEF.—Rules similar to the rules of subsection (d)(3) shall apply for purposes of subparagraph (A)(iii).''.

(e) INCOME AND LOSS FROM INVESTMENT SERVICES PARTNERSHIP INTERESTS TAKEN INTO ACCOUNT IN DETERMINING NET EARNINGS FROM SELF-EMPLOYMENT.—

(1) INTERNAL REVENUE CODE.—

(A) IN GENERAL.—Section 1402(a) is amended by striking ''and'' at the end of paragraph (16), by striking the period at the end of paragraph (17) and inserting ''; and'', and by inserting after paragraph (17) the following new paragraph:

''(18) notwithstanding the preceding provisions of this subsection, in the case of any individual engaged in the trade or business of providing services described in section 710(c)(2) with respect to any entity, investment services partnership income or loss (as defined in subsection (m)) of such individual with respect to such entity shall be taken into account in determining the net earnings from self-employment of such individual.''.

(B) INVESTMENT SERVICES PARTNERSHIP INCOME OR LOSS.—Section 1402 is amended by adding at the end the following new subsection:

''(m) INVESTMENT SERVICES PARTNERSHIP INCOME OR LOSS.—For purposes of subsection (a)—

''(1) IN GENERAL.—The term 'investment services partnership income or loss' means, with respect to any investment services partnership interest (as defined in section 710(c)) or disqualified interest (as defined in section 710(e)), the net of—

''(A) the amounts treated as ordinary income or ordinary loss under subsections (b) and (e) of section 710 with respect to such interest,

''(B) all items of income, gain, loss, and deduction allocated to such interest, and

''(C) the amounts treated as realized from the sale or exchange of property other than a capital asset under section 751 with respect to such interest.

''(2) EXCEPTION FOR QUALIFIED CAPITAL INTERESTS.—A rule similar to the rule of section 710(d) shall apply for purposes of applying paragraph (1)(B).''.

(2) SOCIAL SECURITY ACT.—Section 211(a) of the Social Security Act is amended by striking ''and'' at the end of paragraph (15), by striking the period at the end of paragraph (16) and inserting ''; and'', and by inserting after paragraph (16) the following new paragraph:

''(17) Notwithstanding the preceding provisions of this subsection, in the case of any individual engaged in the trade or business of providing services described in section 710(c)(2) of the Internal Revenue Code of 1986 with respect to any entity, investment services partnership income or loss (as defined in section 1402(m) of such Code) shall be taken into account in determining the net earnings from self-employment of such individual.''.

(f) SEPARATE ACCOUNTING BY PARTNER.—Section 702(a) is amended by striking ''and'' at the end of paragraph (7), by striking the period at the end of paragraph (8) and inserting '', and'', and by inserting after paragraph (8) the following:

''(9) any amount treated as ordinary income or loss under subsection (a), (b), or (e) of section 710.''.

(g) CONFORMING AMENDMENTS.—

(1) Subsection (d) of section 731 is amended by inserting ''section 710(b)(4) (relating to distributions of partnership property),'' after ''to the extent otherwise provided by''.

(2) Section 741 is amended by inserting ''or section 710 (relating to special rules for partners providing investment management services to partnerships)'' before the period at the end.

(3) The table of sections for part I of subchapter K of chapter 1 is amended by adding at the end the following new item:

''Sec. 710. Special rules for partners providing investment management services to partnerships.''.

(h) EFFECTIVE DATE.—

(1) IN GENERAL.—Except as otherwise provided in this subsection, the amendments made by this section shall apply to taxable years ending after the date of the enactment of this Act.

(2) PARTNERSHIP TAXABLE YEARS WHICH INCLUDE EFFECTIVE DATE.—In applying section 710(a) of the Internal Revenue Code of 1986 (as added by this section) in the case of any partnership taxable year which includes the date of the enactment of this Act, the amount of the net capital gain referred to in such section shall be treated as being the lesser of the net capital gain for the entire partnership taxable year or the net capital gain determined by only taking into account items attributable to the portion of the partnership taxable year which is after such date.

(3) DISPOSITIONS OF PARTNERSHIP INTERESTS.—

(A) IN GENERAL.—Section 710(b) of such Code (as added by this section) shall apply to dispositions and distributions after the date of the enactment of this Act.

(B) INDIRECT DISPOSITIONS.—The amendments made by subsection (b) shall apply to

transactions after the date of the enactment of this Act.

(4) OTHER INCOME AND GAIN IN CONNECTION WITH INVESTMENT MANAGEMENT SERVICES.—Section 710(e) of such Code (as added by this section) shall take effect on the date of the enactment of this Act.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on Wednesday, July 8, 2015, at 10 a.m., to conduct a hearing entitled ''The Role of the Financial Stability Board in the U.S. Regulatory Framework.''

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

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the Committee on Environment and Public Works be authorized to meet during the session of the Senate on July 8, 2015, at 10 a.m., in room SD–406 of the Dirksen Senate Office Building, to conduct a hearing entitled ''Road to Paris: Examining the President's International Climate Agenda and Implications for Domestic Environmental Policy.''

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

COMMITTEE ON FOREIGN RELATIONS

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on July 8, 2015, at 5 p.m., to conduct a hearing entitled ''Department of Defense Maritime Activities and Engagement in the South China Sea.''

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

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on July 8, 2015, at 10 a.m., to conduct a hearing entitled ''Stopping an Avian Influenza Threat to Animal and Public Health.''

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

COMMITTEE ON INDIAN AFFAIRS

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the Committee on Indian Affairs be authorized to meet during the session of the Senate on July 8, 2015, in room SD–628 of the Dirksen Senate Office Building, at 2:15 p.m., to conduct a hearing entitled ''A Path Forward: Trust Modernization and Reform for Indian Lands.''

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

COMMITTEE ON THE JUDICIARY

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate on July 8, 2015, at 10 a.m., in room SD–226 of the Dirksen Senate Office Building, to conduct a hearing entitled ''Going Dark: Encryption, Technology, and the Balance Between Public Safety and Privacy.''

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

SELECT COMMITTEE ON INTELLIGENCE

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on July 8, 2015, at 2:30 p.m.

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

SUBCOMMITTEE ON CRIME AND TERRORISM

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the Committee on the Judiciary; Subcommittee on Crime and Terrorism, be authorized to meet during the session of the Senate on July 8, 2015, at 2:15 p.m., in room SD–226 of the Dirksen Senate Office Building, to conduct a hearing entitled ''Cyber Crime: Modernizing our Legal Framework for the Information Age.''

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

PRIVILEGES OF THE FLOOR

Mr. BENNET. Mr. President, I ask unanimous consent that Jessica Bowen, a fellow in my office, have floor privileges for the remainder of this session.

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

THE CALENDAR

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar Nos. 128, 129, 130, and 131 en bloc.

There being no objection, the Senate proceeded to consider the bills en bloc.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the bills be read a third time and passed, the motions to reconsider be considered made and laid upon the table, and that any statements related to the bills be printed in the RECORD, all en bloc.

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

SERGEANT FIRST CLASS WILLIAM B. WOODS, JR. POST OFFICE

The bill (H.R. 728) to designate the facility of the United States Postal Service located at 7050 Highway BB in Cedar Hill, Missouri, as the ''Sergeant First Class William B. Woods, Jr. Post Office,'' was ordered to a third reading, was read the third time, and passed.

FLORESVILLE VETERANS POST OFFICE BUILDING

The bill (H.R. 891) to designate the facility of the United States Postal Service located at 141 Paloma Drive in Floresville, Texas, as the ''Floresville Veterans Post Office Building'' was ordered to a third reading, was read the third time, and passed.

SERGEANT FIRST CLASS DANIEL M. FERGUSON POST OFFICE

The bill (H.R. 1326) to designate the facility of the United States Postal Service located at 2000 Mulford Road in Mulberry, Florida, as the ''Sergeant First Class Daniel M. Ferguson Post Office,'' was ordered to a third reading, was read the third time, and passed.

HERMAN BADILLO POST OFFICE BUILDING

The bill (H.R. 1350) to designate the facility of the United States Postal Service located at 442 East 167th Street in Bronx, New York, as the ''Herman Badillo Post Office Building,'' was ordered to a third reading, was read the third time, and passed.

WISHING HIS HOLINESS THE 14TH DALAI LAMA A HAPPY 80TH BIRTHDAY ON JULY 6, 2015

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Judiciary Committee be discharged from further consideration of S. Res. 200 and the Senate proceed to its immediate consideration.

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

The clerk will report the resolution by title.

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 200) wishing His Holiness the 14th Dalai Lama a happy 80th birthday on July 6, 2015, and recognizing the outstanding contributions His Holiness has made to the promotion of nonviolence, human rights, interfaith dialogue, environmental awareness, and democracy.

There being no objection, the Senate proceeded to consider the resolution.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

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

The resolution (S. Res. 200) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in the RECORD of June 11, 2015, under ''Submitted Resolutions.'')

CONGRATULATING THE UNITED STATES WOMEN'S NATIONAL TEAM FOR WINNING THE 2015 FIFA WORLD CUP

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 218, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 218) congratulating the United States Women's National Team for winning the 2015 FIFA World Cup.

There being no objection, the Senate proceeded to consider the resolution.

Mr. MENENDEZ. Mr. President, I rise as the coauthor, with Senator COLLINS, of this Senate resolution to honor and congratulate an extraordinary team on an extraordinary accomplishment. The U.S. women's national soccer team and their triumphant 5-to-2 victory over Japan at the 2015 FIFA World Cup final was an extraordinary accomplishment and a great victory for them, for the United States, for women's soccer, and women's sports.

These inspiring athletes have spent the past months captivating audiences around the globe with their determination, tenacity, and sheer grit. It started with our national team winning the so-called group of death against Australia, Sweden, and Nigeria. They went on to beat powerhouse teams Colombia, China, and Germany on the way to the final.

All along the way, they tied a World Cup record by playing 540 consecutive minutes without conceding a single goal. In the final, our national team came up strong, scoring four goals in the first 16 minutes, including three goals from New Jersey's own Carli Lloyd. Fellow New Jerseyan Tobin Heath would add another goal, and the team cruised to a resounding 5-to-2 victory. All in all, in the entire tournament, our women's national team never lost a game.

We are all proud of them. I am especially proud of fellow New Jerseyans Christie Rampone, Heather O'Reilly, Tobin Heath, and Golden Ball winner Carli Lloyd. But more than pride, we look to this team for inspiration. The women's World Cup final was the most watched soccer game in American history. The final game had my stepchildren Jana, who is an avid player and a big women's soccer fan, and her brother Sonny, who was rooting the team on—they were both riveted at what these women players were accomplishing. This game showed them what hard work and determination can do.

For Jana and every young girl who aspires to be the best, this victory makes her dreams seem within reach. Just as the 1999 U.S. World Cup team motivated an entire generation to pursue their dreams, I am certain the performance of this team will do the same and push this generation to dream bigger, work harder, and achieve even more than they have ever imagined.

I congratulate our champions. I look forward to the adoption of the resolution.

Mr. DURBIN. Mr. President, I want to recognize the 2015 United States Women's National Soccer Team. Sunday night, our athletes brought home their third World Cup championship and continued the excellence that we have come to know from the team. Four of the woman's national team players—Shannon Boxx, Julie Johnston, Lori Chalupny, and Christen Press—are also on Chicago's National Women's Soccer League team, the Red Stars.

More than 22 million Americans watched Team USA—including a crowd of thousands gathering in Lincoln Park in Chicago to watch the match on the big screens and cheer the U.S. women to victory. This was not an easy road for the United States team. Their mettle was tested against the best teams in the world, including No. 1 ranked Germany in the semifinal.

These 23 athletes displayed the best qualities of champions: depth, confidence, selflessness, athleticism, and unconquerable spirit. With a decisive 5–2 victory over Japan, the U.S. Women's National Team showed the world that this is what legacy looks like.

We will forever remember when this team of athletes brought the Nation to its feet, yelling, ''I believe, I believe that we will win.'' And they did.

Mr. President, I congratulate all the players, coaches, and staff of the 2015 U.S. women's national soccer team.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

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

The resolution (S. Res. 218) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under ''Submitted Resolutions.'')

ORDERS FOR THURSDAY, JULY 9, 2015

Mr. MCCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m. tomorrow, Thursday, July 9; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; finally, that following leader remarks, the Senate resume consideration of S. 1177.

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

PROGRAM

Mr. MCCONNELL. Mr. President, Chairman ALEXANDER and Ranking Member MURRAY intend to set up further amendment votes tomorrow before lunch, so Senators should expect a series of votes around 11:30 a.m. tomorrow.

ORDER FOR ADJOURNMENT

Mr. MCCONNELL. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order, following the remarks of Senator BLUMENTHAL.

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

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

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

EVERY CHILD ACHIEVES ACT

Mr. BLUMENTHAL. Mr. President, I want to thank all of my colleagues for their hard work that has brought us to this point on the bipartisan Every Child Achieves Act. My friend and colleague from Tennessee, Chairman ALEXANDER, and my great colleague, Ranking Member MURRAY, of the HELP Committee have worked tirelessly to bring this bill to the floor. I salute them for finding many points of agreement that unite us in a very bipartisan way in forming our approach to high-stakes testing—an issue that has bedeviled this body and our Nation for many years—and requiring increased data collection and reporting, expanding access to early childhood education, increases in authorization of funding, and finally, after 13 years, reauthorizing the Elementary and Secondary Education Act.

This bill is by no means perfect. Few measures approved by the Congress are. We work to come as close to perfection as possible. But, as the saying goes, we cannot let the perfect be the enemy of the good. This bill is a good bill. I personally would like to see some of the accountability provisions of the bill strengthened, ensuring that schools have real incentives to make reform.

I have some very serious qualms about a proposal that would change the formula for allocating title I funding in a way that would take funding away from certain districts in Connecticut and other States that serve low-income children.

I am hoping that three of the amendments I have written will make this legislation stronger.

First, I am pleased to say that an amendment that I had led to make sure schools and districts understand their responsibility under title IX was adopted in the underlying bill. I thank Chairman ALEXANDER and Ranking Member MURRAY for their commitment on this important title IX provision that makes the bill better and guarantees that title IX will be enforced.

A lot of people think title IX affects only athletic programs. In fact, it actually covers all forms of gender-based

discrimination in schools, including sexual harassment and assault, bullying, the needs of pregnant and parenting students, female participation in the STEM field, and a lot more. All kinds of discrimination are covered by title IX.

This landmark measure in our Federal law requires every school to designate an employee to serve as a title IX coordinator, helping students and staff to understand their rights and their obligations. Unfortunately, a lot of schools currently fail to designate such a coordinator.

In Connecticut, my friend Bill Howe has provided vitally important statewide title IX compliance training for years, but I know he often found it very difficult to secure funding for his efforts and was sometimes forced to dip into his own pocket to keep these programs going. Bill Howe is a hero in Connecticut for maintaining and sustaining a title IX training program.

My amendment will give States the resources they need to ensure their schools are protecting and promoting gender equity. No longer will Bill Howe be forced to make that funding out of his own pocket—Connecticut will have it as well.

I am proud to join with Senator AYOTTE in championing an amendment that will provide critical training and resources to help educators recognize and respond to the earliest signs of mental illness. This provision is really key because school personnel frequently see young people in many different situations, and therefore they are among the best positioned to see young people who are at risk of serious mental illness and identify those risk signs and provide mental health services at critical times before those illnesses become more serious.

We know from our tragic and horrific experience—we in Connecticut know better than most—that violence and emergency situations can happen anywhere, including at the youngest ages in elementary and secondary schools. Resources must be made available for people to help deescalate crisis situations. These funds will help diffuse those crises before they occur or while they occur by providing critical mental health services.

Training programs are important for teaching school professionals how to safely deescalate a crisis, recognize the signs and symptoms of mental illness, and refer people to appropriate mental health service providers at the early stages of mental illness, reducing the number of crisis situations.

Some of the programs already in place provide models of what kind of training will be funded. They have proven immensely successful. They are profoundly important, and they can serve as models for other schools. Some of those models are in Connecticut—training and education in helping to diffuse and resolve crises and provide for treating mental illness.

Third, I am perhaps most proud to offer the Jesse Lewis Empowering Educators Act. I am proud to offer the Jesse Lewis Empowering Educators Act because I think it reflects an advance in education that truly embodies the spirit and legacy of Jesse Lewis himself—a brave young boy who had emotional intelligence way beyond his years and who was a victim of the unspeakable, unimaginable, horrific tragedy that occurred in Newtown. I thank my colleagues, Senators MURPHY and CANTWELL, for cosponsoring it.

Jesse was one of the children who lost their lives in the Sandy Hook tragedy. In those painful, aching days after Sandy Hook, I sat in the living room of Scarlet Lewis, Jesse's mom, and I saw firsthand through Jesse's own words and photos the awe-inspiring courage and caring of this boy—his empathy and resilience and the compassion he demonstrated repeatedly throughout his all-too-brief life.

This amendment is directly shaped by the Sandy Hook Advisory Commission's final report, which highlights the importance of integrating social and emotional learning concepts into our schools. The commission noted that social-emotional learning is an integral part of education because students must learn coping skills, such as how to identify and name feelings and emotions such as frustration, anger, sadness, and how to use their problem-solving skills to manage those difficult emotional and potentially conflictual situations.

Resolving conflict means understanding the reasons for it. Social intelligence is the means to do it, and training teachers in how to teach it is one of the great missions we need to make sure our schools serve.

As much as the commission's work, this amendment really is formed by Scarlet Lewis and Jesse. His example of emotional and social learning, of intelligence in that sense, provides an example of what we should seek to emulate in our schools—demonstrating caring and concern for others, maintaining positive relationships, and making responsible decisions and resolving conflicts effectively. All of these are teachable and learnable skills. In fact, they are essential to learn for participating and contributing to society. The only question is, Where are young people going to learn them? If they do not learn them at home, they need to be taught in our schools.

If students are surrounded by educators who understand these concepts and who have the right tools and training to teach them, these students can learn to demonstrate what intelligence and emotional intelligence means in practical, everyday terms—how it can make people happier and make the people around those young people happier. Demonstrating the kinds of emotional gifts and intelligence that Jesse had innately is itself a gift that can be taught, and we have an obligation to teach it.

Social and emotional learning is a strategy that is strongly grounded in academic research. Numerous studies and reports, including the great work being done at the Yale Center for Emotional Intelligence, have found that students who exhibit these skills not only perform better academically but are less likely to engage in problematic behavior, such as alcohol and drug use, violence, truancy, and bullying. It makes perfect common sense. Students who have that emotional intelligence better adjust and avoid the pitfalls of substance abuse, violence, bullying, and conflict with fellow students.

We have an obligation to adopt social—emotional learning as part of the curricula of our schools and to make sure teachers are trained in how to impart and inculcate those great talents and gifts that are so important to the happiness of the young people who come through their classrooms, and I am hopeful this amendment will become part of this bill.

My amendments recognize that education is not only about reading, writing, and arithmetic, but learning requires an environment and a culture that cares for each student and prepares each person as an individual and as a healthy, involved member of a larger community. I think that will be a legacy we can leave through this bill, and I hope we will.

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

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

The PRESIDING OFFICER. The Senate stands adjourned until 9:30 a.m. tomorrow morning.

Thereupon, the Senate, at 7:18 p.m., adjourned until Thursday, July 9, 2015, at 9:30 a.m.

NOMINATIONS

Executive nominations received by the Senate:

SAINT LAWRENCE SEAWAY DEVELOPMENT CORPORATION

ANTHONY G. COLLINS, OF NEW YORK, TO BE A MEMBER OF THE ADVISORY BOARD OF THE SAINT LAWRENCE SEAWAY DEVELOPMENT CORPORATION, VICE WILLIAM L. WILSON.

DEPARTMENT OF DEFENSE

BRAD R. CARSON, OF OKLAHOMA, TO BE UNDER SECRETARY OF DEFENSE FOR PERSONNEL AND READINESS, VICE JESSICA GARFOLA WRIGHT, RESIGNED.

DEPARTMENT OF STATE

MARI CARMEN APONTE, OF THE DISTRICT OF COLUMBIA, TO BE PERMANENT REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE ORGANIZATION OF AMERICAN STATES, WITH THE RANK OF AMBASSADOR.

PETER WILLIAM BODDE, OF MARYLAND, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER–COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO LIBYA.

CATHERINE EBERT–GRAY, OF VIRGINIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER–COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE INDEPENDENT STATE OF PAPUA NEW GUINEA, AND TO SERVE CONCURRENTLY AND WITHOUT ADDITIONAL COMPENSATION AS AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE SOLOMON ISLANDS AND AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF VANUATU.

DENNIS B. HANKINS, OF MINNESOTA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER–COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF GUINEA.

G. KATHLEEN HILL, OF COLORADO, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF MALTA.

ELISABETH I. MILLARD, OF VIRGINIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER–COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF TAJIKISTAN.

MERIT SYSTEMS PROTECTION BOARD

MARK PHILIP COHEN, OF MARYLAND, TO BE A MEMBER OF THE MERIT SYSTEMS PROTECTION BOARD FOR THE TERM OF SEVEN YEARS EXPIRING MARCH 1, 2021, VICE ANNE MARIE WAGNER, TERM EXPIRED.

IN THE ARMY

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY VETERINARY CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

To be lieutenant colonel

NICHOLAS R. CABANO
BARBARA CLOUTIER
THOMAS H. EDWARDS
MICHAEL D. HANSEN
ERIN J. HAVERLY
GREGORY S. LAUGHLIN
JAMES W. PRATT

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL SPECIALIST CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

To be lieutenant colonel

KIMBERLY D. BRENDA
TED T. CHAPMAN
ANDREW D. CONTRERAS
MICHAEL A. DAVIDSON
LORIE L. FIKE
CHRISTOPHER A. FLAUGH
NICHELLE A. JOHNSON
JAMES J. JONES
DAVID LARRES
DUSTIN S. MARTIN
MAE H. MIRANDA
JOHNNY W. PAUL
JULIE C. RYLANDER
JAMES R. SCHMID
ENRIQUE V. SMITHFORBES
ZACK T. SOLOMON
CARRIE A. STORER

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL SERVICE CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

To be lieutenant colonel

ERIC J. ANSORGE
JUSTIN AVERY
AMY M. BIRD
MERBIN CARATTINI
TELLIS L. CARR
ANNETTE M. CARTER
JOHN D. CARTER
LAKISHIA T. CHEEFUS
RICKEY CHRISTOPHER
CHRISTOPHER M. CHUNG
SIDNEY M. COBB
MICHAEL M. COE
MICHELLE COLACICCOMAYHUGH
KYMBERLY A. DEBEAUCLAIR
MICHAEL R. DEVRIES
ERICA R. DIJOSEPH
CHARLES A. DITUSA
LUCINDA DUNCAN
LIQUORI L. ETHERIDGE
YUN H. FAN
CHADWICK FLETCHER
BRIAN T. FREIDLINE
DAVID L. GLAD
TAMMY D. GLASCOE
BRYAN T. GNADE
ALEJANDRO GONZALES
MICHELLE J. GRADNIGO
ANDREW R. GREGORY
BRENT W. GRUVER
JIAN GUAN
CASEY E. HAINES
VANESA D. HAMARD
TIFFANY N. HEADY
THWANA F. JOHNSON
DONALD C. JOHNSTON
ALAN A. JONES
NICOS KARASAVVA
PAUL J. KASSEBAUM
ALEXANDER K. KAYATANI
TODD M. KIJEK
CHRISTOPHER W. KISS
MELISSA LECCESE
JASON D. LING
HERBERT LORFILS
ROBERT G. LOWEN
CLAUDIA S. LUNA
JAMES C. MAKER
DAVID R. MALDONADOLOPEZ
DAMIAN G. MCCABE
HARRY MCDONALD, JR.
RICHARD B. MCNEMEE, JR.
MARILYN M. MUELLER
JITTAWADEE MURPHY
ALFRED H. NADER III
CLAUDIA G. NOYOLA
JAMES A. NUCE
MARCO A. OCHOA
MARILYN V. OFIELD
CHRISTOPHER J. OLIVER
CHRISTIAN K. OLSON
TRAVIS D. PAMENTER
ANTHONY W. PATTERSON
LORENZA L. PETERSON
LALINI PILLAY
JOSE M. PIZARROMATOS
PAUL R. ROLEY
ANDREW T. SCHNAUBELT
STEPHANIE A. SIDO
TRACY C. SMALLBROWN
ROSE L. SMYTH
SUSAN L. SPIAK
VEASNA T. SREY
KIRSTEN F. SWANSON
MATTHEW T. SWINGHOLM
TERESA M. TERRY
SABRINA R. THWEATT
WILLIAM A. TUDOR, JR.
SORAYA TURNER
JOLANDA L. WALKER
DAVID V. WALSH
FRED K. WEIGEL
MARC R. WELDE
MICHAEL S. WHIDDON
WILLIAM D. WHITAKER
RACHEL J. WIENKE
EMILE K. WIJNANS
ROBERT V. WILLIAMS
GREGORY C. WILSON
D010268
D011713

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY NURSE CORPS UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

To be lieutenant colonel

JOHN L. AMENT
MARIA O. P. ANGELES
SARAH R. BELLENGER
DAVID E. BENNETT
DWIGHT R. BERRY
ALLAN J. BOUDREAUX
SILVANA R. BOYD
LISA D. BRADFORD
JODY A. BROWN
KRISTAL R. BRYANT
EDWARD F. BURKE
GAIL M. CASLEYSAWYER
RICHARD CLARK
SHANNON M. COLE
JACQUELIN COLEMANADAMS
MICHAEL R. CORBIN
ROBERT L. CORSON
LESLIE A. CURTIS
SHIRLEY DANIEL
TERRY R. DICKINSON
BRENT L. DONMOYER
E E. DUNTON II
JENNIFER L. FLORENT
CLAUDE E. FOURROUX
ROBERT K. FREDREGILL
LAURA M. GALLAWAY
WENDY L. GRAY
JOHN C. HANSON
WILLIAM R. HERRMANN
RENEE L. HOWELL
SARAH T. HUML
JENNIFER R. HUXEL
MARY E. ITTNER
KRISTIN D. JAUREGUI
HYUN J. KANG
STEVEN S. KERTES
ANN K. KETZ
LAURA O. KHAN
KIJA A. KOROWICKI
DAVID D. LAMBERT
TRACY A. LITTLE
STEPHANIE K. MARTINSON
BILLIE J. MATTHEWS
REBECCA K. MCARTHUR
STEVEN T. MEYER
JOHN L. MITCHELL, JR.
IDA S. MONTGOMERY
VINCENT B. MYERS
TRACY J. OSTROM
LILLIAN S. PERKINS
SAFIYA S. PETERSON
BRENT K. RAMSEY
DARRELL G. REAMER
COLLEEN M. REID
WILLIAM S. SEDGWICK
MARIA H. SHELTON
CHRISTOPHER T. STAKE
RACHEL STRATMAN
PAULINE A. SWIGER
LORI M. TAPLEY
RUBY J. THOMAS
JEFFREY D. THOMPSON
SHEILA J. WEBB
MICHAEL W. WISSEMANN
WENDY G. WOODALL

THE FOLLOWING NAMED INDIVIDUAL FOR REGULAR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY NURSE CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

To be major

LAURA M. HUDSON

IN THE NAVY

THE FOLLOWING NAMED OFFICERS FOR TEMPORARY APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 5721:

To be lieutenant commander

CHRISTOPHER N. ANDREWS
GLEN A. BARNETT
RYAN L. BROOKS
MATTHEW A. BURMESTER
CHRISTOPHER D. CARAWAY
PATRICK C. CASHIN
STEPHEN L. CLAGETT
PAUL M. DANOS
EDWARD J. DAVIS, JR.
TIMOTHY D. ERICKSON
STEVEN E. GREY, JR.
CHARLES R. HALL
ROGER A. HART
RYAN C. LANGHAM
ANDREW J. LAWRENCE
JOSHUA E. LISTER
JOSHUA LUDWIG
TIMOTHY S. MARSHALL
BRIAN D. MAXFIELD
RYAN M. P. MCCABE
TIMOTHY L. MERRICK
GREGORY A. MISCHLER
GWENDOLYN H. MURPHY
JONATHAN S. OVREN
CHARLES C. POGUE
SHANE H. PRICE
RYAN W. ROBERTSON
CHRISTOPHER A. ROMNEK
MARK G. ROSTEDT
ALEXANDER M. SAYERS
MICHAEL A. SCHENK
DUSTIN T. SMITH
JAMES P. STEBBINS
DEREK A. SUTTON
JOSHUA D. THOMPSON
JOSHUA P. THURMAN
JOSHUA H. TILEY
CHRISTOPHER R. TOCKEY
BRIAN L. TRIBBITT
JON K. TURNIPSEED
NICHOLAS A. TUUK
NICHOLAS J. VANDYKE

IN THE COAST GUARD

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES COAST GUARD TO THE GRADE INDICATED UNDER TITLE 14, U.S.C., SECTION 211(A)(2):

To be lieutenant commander

STEPHEN R. BIRD

FOREIGN SERVICE

THE FOLLOWING–NAMED PERSONS OF THE DEPARTMENT OF STATE FOR APPOINTMENT AS FOREIGN SERVICE OFFICERS OF THE CLASSES STATED.

FOR APPOINTMENT AS FOREIGN SERVICE OFFICER OF CLASS ONE, CONSULAR OFFICER AND SECRETARY IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA:

JASON DOUGLAS KALBFLEISCH, OF ALASKA

FOR APPOINTMENT AS FOREIGN SERVICE OFFICER OF CLASS TWO, CONSULAR OFFICER AND SECRETARY IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA:

ARLENE RENEE BARILEC, OF NEW YORK
MARLAINA R. CASEY, OF THE DISTRICT OF COLUMBIA
PHATHANIE S. CHAPMAN, OF VIRGINIA
REBECCA SCHWALBACH DALEY, OF VIRGINIA
LISA A. DERRICKSON, OF ALASKA
REBECCA EDWARDS, OF VIRGINIA
PATRICK FENNING, OF VIRGINIA
FADI A. HADDAD, OF FLORIDA
ALBERT JOHN JANEK III, OF VIRGINIA
DAVID H. LIBOFF, OF FLORIDA
GWENDOLYN LLEWELLYN, OF VIRGINIA
DALEY C. O'NEIL, OF FLORIDA
CHRISTOPHER W. VOLCIAK, OF PENNSYLVANIA

FOR APPOINTMENT AS FOREIGN SERVICE OFFICER OF CLASS THREE, CONSULAR OFFICER AND SECRETARY IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA:

LIDIA AVAKIAN, OF VIRGINIA
CARRIE LYNN BASNIGHT, OF FLORIDA
KARLA C. BROWN, OF CALIFORNIA
TABATHA L. FAIRCLOUGH, OF THE DISTRICT OF COLUMBIA
KWANG H. KIM, OF FLORIDA
KEIJI D. TURNER, OF WYOMING

FOR APPOINTMENT AS FOREIGN SERVICE OFFICER OF CLASS FOUR, CONSULAR OFFICER AND SECRETARY IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA:

NISHA ABRAHAM, OF TEXAS
MICHAEL KEITH AGNER, JR., OF FLORIDA
MEGAN AHEARN, OF PENNSYLVANIA
MAROOF P. AHMED, OF FLORIDA
NADIA SHAIRZAY AHMED, OF VIRGINIA
DRU ALEJANDRO, OF FLORIDA
BRIAN DAVID ASCHER, OF FLORIDA
RACHEL ATWOOD MENDIOLA, OF NORTH DAKOTA
OSCAR D. AVILA, OF FLORIDA
KALA CARRUTHERS AZAR, OF VIRGINIA
ANDREW C. BAKER, OF CALIFORNIA
ANNA L. BALOGH, OF MASSACHUSETTS
FRANCESCO CARLO BARBACCI, OF VIRGINIA

ANDREW BARWIG, OF COLORADO
NICOLE C. BAYER, OF CALIFORNIA
CALEB DANIEL BECKER, OF TEXAS
BRANISLAVA BELL, OF NORTH CAROLINA
ANNIKA R. BETANCOURT, OF CONNECTICUT
SHAILAJA BISTA, OF GEORGIA
D. JAMES BJORKMAN, OF VERMONT
BRIDGET BLAGOEVSKI–TRAZOFF, OF NEW YORK
RICHMOND PAUL BLAKE, OF PENNSYLVANIA
SEAN DANIEL BODA, OF FLORIDA
MATTHEW ANTHONY BOULLIOUN, OF CALIFORNIA
MICHAEL DAVIDSON BOVEN, OF MICHIGAN
ROYCE MELBERT BRANCH II, OF TEXAS
BRIAN JAMES BREUHAUS, OF NEW YORK
LASEAN WADE BROWN, OF GEORGIA
CAROLINE R. BUDDENHAGEN, OF FLORIDA
KEVIN J. BURGWINKLE, OF VIRGINIA
LAURA ALLISON BURNS, OF FLORIDA
ANDREW GEORGE BURY III, OF VIRGINIA
JOHN W. BUSH II, OF FLORIDA
YANCY W. CARUTHERS, OF MISSOURI
JEFFREY PHILIP CERNYAR, OF TEXAS
DEAN I. CHANG, OF PENNSYLVANIA
GRACE WOORI CHOI, OF CALIFORNIA
YUSHIN CHOI, OF CALIFORNIA
ROGER VINCENT CHUANG, OF CALIFORNIA
D. MARKO CIMBALJEVICH, OF INDIANA
SHOSHAUNA A. CLARK, OF COLORADO
VANESSA D. COLON, OF TEXAS
NATHAN J. COOPER, OF CALIFORNIA
JESSI MARIE COPELAND, OF VIRGINIA
JULIA HARTT KENTNOR CORBY, OF ARIZONA
ELISE S. CRANE, OF COLORADO
REID MILLER CREEDON, OF MICHIGAN
CATHERINE CROFT, OF WASHINGTON
CHAD SPENCER CRYDER, OF INDIANA
CHANSONETTA C. CUMMINGS, OF VIRGINIA
DAVID JUDE CUMMINGS, OF COLORADO
ANDREW A. DAEHNE, OF TEXAS
EDWARD FRANCIS DANOWITZ III, OF GEORGIA
CYNTHIA C. DAVILA, OF CALIFORNIA
STEWART E. DAVIS, OF THE DISTRICT OF COLUMBIA
JENNIFER L. DENHARD, OF FLORIDA
ANDREW R. DEVLIN, OF VIRGINIA
DAISY A. DIX, OF VIRGINIA
ANDREW HARRINGTON DOEHLER, OF MARYLAND
CHRISTY S. DOHERTY, OF VIRGINIA
KIRK EDWARD DONAHOE, OF PENNSYLVANIA
CLARE E. DOWDLE, OF THE DISTRICT OF COLUMBIA
RICHARD L. DUBOIS III, OF KANSAS
MICHAEL DUBRAY, OF CALIFORNIA
KARL DUCKWORTH, OF PENNSYLVANIA
ANDREW WEBER DUFF, OF VIRGINIA
SUSAN L. DUNATHAN, OF WASHINGTON
ANNA DUPONT, OF NEW YORK
SANDRA L. DUPUY, OF FLORIDA
JOEL DYLHOFF, OF ILLINOIS
DERRICK EDUARD ECKARDT, OF INDIANA
TIMOTHY R. EDGE, OF CALIFORNIA
WREN S. ELHAI, OF VIRGINIA
CHRISTOPHER CHARLES ELLIS, OF OREGON
MARY K. FANOUS, OF FLORIDA
CHRISTOPHER R. FARLOW, OF FLORIDA
JESSICA T. FARMER, OF MAINE
MICHAEL JARED FELDMAN, OF MARYLAND
JAMES P. FELDMAYER, OF VIRGINIA
DANIEL D. FENECH, OF TEXAS
BETH RUSHFORD FERNALD, OF NEW HAMPSHIRE
LIAM E. FITZGERALD, OF VIRGINIA
SHARYN C. FITZGERALD, OF VIRGINIA
ROBERT WILLIAM FOLLEY, OF WISCONSIN
AMIRA A. FOUAD, OF CALIFORNIA
SACHA FRAITURE, OF MARYLAND
DAVID FREITAS, OF CALIFORNIA
WILLIAM DAVID TUNGETT FROST, OF KENTUCKY
GREGORY ROBERT GAEDE, OF CALIFORNIA
JASON HOWARD GALLIAN, OF UTAH
EDUARDO GARCIA, OF TEXAS
LAUREN M. GIBSON, OF MARYLAND
BRIAN A. GILLESPIE, OF TENNESSEE
DARROW SLADE GODESKI MERTON, OF NEW YORK
KESHAV GOPINATH, OF CALIFORNIA
KAM J. GORDON, OF UTAH
NICHOLAS GRAY, OF WISCONSIN
LUKE S. GREICIUS, OF NEW YORK
KAY TRENHOLME HAIRSTON, OF VIRGINIA
ALEXANDER FERRELL HALL, OF WASHINGTON
JOHN RICHARD HALL, OF TEXAS
HAMMAD BASSAM HAMMAD, OF CALIFORNIA
JEFFREY HANLEY, OF PENNSYLVANIA
MICHAEL HARKER, OF NORTH CAROLINA
BRENDAN J. HARLEY, OF PENNSYLVANIA
MARY K. HARRINGTON, OF NEW HAMPSHIRE
JENNIFER ANNE–MARIE HARWOOD, OF MARYLAND
KARLENE M. HENNINGER FRELICH, OF FLORIDA
YASMEEN HIBRAWI, OF CALIFORNIA
CARLTON JEROME HICKS, OF VIRGINIA
CHRISTIANA MICHELLE HOLLIS, OF FLORIDA
REID STEVENSON HOWELL, OF OREGON
MAIETA HOWZE, OF NEW YORK
RICHARD DANIEL HUGHES, OF NEW YORK
JONATHAN HWANG, OF CALIFORNIA
ADAEZE J. IGWE, OF TEXAS
KUMI T. IKEDA, OF CALIFORNIA
AMIRAH TAREK ISMAIL, OF VIRGINIA
AARON THEODORE JACKSON, OF CALIFORNIA
DANIEL ALEXANDER JACOBS–NHAN, OF GEORGIA
JESSICA LYNN JARCEV, OF WASHINGTON
JOSANDA EVELYN JINNETTE, OF TEXAS
ELVIN JOHN, OF TEXAS
DOUGLAS MAYES JOHNSON, OF ARIZONA
NADINE FARID JOHNSON, OF WASHINGTON
ALLISON BARR JONES, OF MAINE
BRITT JAMISON JONES, OF NORTH CAROLINA
DAVID JOSAR, OF PENNSYLVANIA
JAMES JOSEPH KANIA, OF NEW JERSEY
ASHOK KAUL, OF NEVADA
KAMILAH MARESSA KEITH, OF GEORGIA
PHILIP R. KERN, OF WYOMING
AAMER ALAM KHAN, OF NEW JERSEY
UZMA FATIMAH KHAN, OF NORTH CAROLINA
MIRA J. KIM, OF ILLINOIS
CHELSEA M. KINSMAN, OF NEW YORK
JENNIFER S. KLARMAN, OF FLORIDA
JOHN C. KNETTLES, OF WASHINGTON
AHMED KOKON, OF NEW YORK
JAN JERRY KRASNY, OF FLORIDA
KAREN ANN KUZIS MEYER, OF WASHINGTON
VALERIE A. LABOY, OF TEXAS
BORCHIEN LAI, OF THE DISTRICT OF COLUMBIA
JEFFREY R. LAKSHAS, OF WASHINGTON
JIN–FONG YASUO LAM, OF FLORIDA
MATTHEW COURTNEY LAMM, OF WASHINGTON
RENEE LYNN LARIVIERE, OF VERMONT
BENJAMIN ISAAC LAZARUS, OF NORTH CAROLINA
BENEY JUHYON LEE, OF WASHINGTON
DANIEL K. LEE, OF CALIFORNIA
SCOTT T. LEO, OF CONNECTICUT
KRISTINA LESZCZAK, OF THE DISTRICT OF COLUMBIA
STEVE DAVIS LEU, OF CALIFORNIA
KUAN–WEN LIAO, OF NEW YORK
SHANNON LIBURD, OF NEW YORK
JOSEPH KUO LIN, OF CALIFORNIA
DAVID LINFIELD, OF FLORIDA
ALLISON WERNER LISTERMAN, OF NORTH CAROLINA
PETER ALBERT LOSSAU, OF FLORIDA
MY LU, OF CALIFORNIA
JACLYN LUO, OF TEXAS
JENNIFER L. MAATTA, OF WASHINGTON
EWAN JOHN MACDOUGALL, OF NEW YORK
DANIEL P. MADAR, OF SOUTH CAROLINA
MATTHEW A. MALONE, OF MARYLAND
CRISTOPH ALEXIS MARK, OF CALIFORNIA
DAN MARK, OF WASHINGTON
DOREEN VAILLANCOURT MARONEY, OF MARYLAND
THOMAS PATRICK MAROTTA, OF FLORIDA
TRACY MARTIN, OF NEW YORK
CATHERINE LIND MATHES, OF KANSAS
BRIAN AARON MATTYS, OF NEW YORK
PAUL A. MCDERMOTT, OF TEXAS
KRISTINE R. MCELWEE, OF OREGON
KARL W. MCNAMARA, OF SOUTH DAKOTA
DAVID MCWILLIAMS, OF TEXAS
KRISTIN ASHLEY MENCER, OF TENNESSEE
SAUL MERCADO, OF NEW YORK
SHANNON M. MERLO, OF VIRGINIA
LITAH NICOLE MILLER, OF MISSOURI
RYAN S. MILLER, OF OHIO
CHAD GREGORY MINER, OF LOUISIANA
KYLE JOHN MISSBACH, OF TEXAS
MICHAEL JOHN MITCHELL, OF MINNESOTA
CHARLES L. MONTGOMERY, OF CALIFORNIA
EVAN MORRISEY, OF WASHINGTON
AMAL MOUSSAOUI HAYNES, OF NEW YORK
SCOTT E. MURPHY, OF VIRGINIA
NINA MURRAY, OF NEBRASKA
KERRIE ANN NANNI, OF TEXAS
JOSEPH JOHN NARUS, OF OREGON
CRISTINA MARIE NARVAEZ, OF FLORIDA
WILLIAM E. O'BRYAN, OF NEBRASKA
RACHEL OREOLUWA OKUNUBI, OF THE DISTRICT OF COLUMBIA
AMBER M. OLIVA, OF ALASKA
DAVID TODD PANETTI, OF MINNESOTA
JASON LEE PARK, OF NEW JERSEY
JOO WEON JOHN PARK, OF VIRGINIA
TYLER J. PARTRIDGE, OF ARIZONA
LEONARD K. PAYNE IV, OF FLORIDA
CASSANDRA J. PAYTON, OF FLORIDA
MIGAEL S. PENIX, OF NORTH CAROLINA
AMY PETERSEN, OF TEXAS
NATALIE L. PETERSON, OF OHIO
SHANNON ELISABETH PETRY, OF TEXAS
ROBERT MATTHEW PICKETT, OF OREGON
BRANDON NOBLE PIERCE, OF FLORIDA
MATTHEW COLE PIERSON, OF VIRGINIA
LISA N. PODOLNY, OF FLORIDA
KEVIN C. PRICE, OF VIRGINIA
LAURA QUINN, OF NEW YORK
HEDAYAT KHALIL RAFIQZAD, OF VIRGINIA
CHRISTOPHER RAINS, OF CALIFORNIA
AMANJIT RAMESH, OF VIRGINIA
SHANKAR RAO, OF CALIFORNIA
KEDENARD MADEILLE RAYMOND, OF MARYLAND
JUSTIN REID, OF CALIFORNIA
JAMES PATRICK REIDY, OF TEXAS
REBECCA RESNIK, OF MARYLAND
SALINA RICO, OF CALIFORNIA
ARMANDO DIEGO RIVERA, OF ARIZONA
JOHN TIMOTHY ROBBINS, OF TEXAS
KAHINA MILDRANA ROBINSON, OF CALIFORNIA
THAD W. ROSS, OF IDAHO
JOHN RUNKLE, OF WASHINGTON
RAOUL A. RUSSELL, OF TENNESSEE
WILLIAM C. SANDS, OF TEXAS
SCOTT R. SANFORD, OF WYOMING
JOHN DAVID SARRAF, OF PENNSYLVANIA
BRIAN J. SAWICH, OF NEW HAMPSHIRE
JOANNA M. SCHENKE, OF TEXAS
MIRIAM S. SCHIVE, OF MARYLAND
STEPHANIE LAURA SCHMID, OF THE DISTRICT OF COLUMBIA
CURTIS L. SCHMUCKER, OF FLORIDA
GARY SCHUMANN, OF FLORIDA
MATTHEW WILLIAM SCRANTON, OF DELAWARE
JAMES JONAS SHEA, OF MARYLAND
MARY ANN SHEPHERD, OF COLORADO
TIMOTHY SHRIVER, OF IOWA
JEFFREY HANCOCK SILLIN, OF THE DISTRICT OF COLUMBIA
JOAN LOUISE SIMON BARTHOLOMAUS, OF WASHINGTON
KRISTEN MICHELLE EDIANN SMART, OF THE DISTRICT OF COLUMBIA
BENJAMIN J. SMITH, OF ARIZONA
CHRISTOPHER FREDERIC SMITH, OF TEXAS
MARISSA L. SMITH, OF ARIZONA
RACHEL ELIZABETH SMITH, OF CALIFORNIA
SEAN ROBERT SMITH, OF PENNSYLVANIA
THERESA ANN CARPENTER SONDJO, OF MARYLAND
LACHLYN M. SOPER, OF TEXAS
JULIANA AURELIA SPAVEN, OF THE DISTRICT OF COLUMBIA
SILVIA FREYRE SPRING, OF MARYLAND
PAUL A. ST. PIERRE II, OF TENNESSEE
EVAN ROBERT STANLEY, OF FLORIDA
ANDREW STAPLES, OF WASHINGTON
ADAM T. STEVENS, OF CONNECTICUT
JACOB DARYL STEVENS, OF WASHINGTON
KARYN M. STOVALL, OF ILLINOIS
LUCIJA BAJZER STRALEY, OF MINNESOTA
ELISABETH CORBIN STRATTON, OF THE DISTRICT OF COLUMBIA
TRACY M. STRAUCH, OF VIRGINIA
MARY M. STREETZEL, OF FLORIDA
AKASH R. SURI, OF CALIFORNIA
SARAH HOWE SWATZBURG, OF NEVADA
CODY W. SWYER, OF CALIFORNIA
KAREN TANG, OF VIRGINIA
SHAWN TENBRINK, OF OHIO
JOHN THOMPSON, OF TEXAS
SEAN ANDREW THOMPSON, OF WASHINGTON
BRIAN ANDREW TIMM–BROCK, OF MARYLAND
LESLIE M. TOKIWA, OF CALIFORNIA
GREGORY VINSON TOLLE, OF VIRGINIA
J. BARRETT TRAVIS, OF TEXAS
AARON CHAUNCEY TRUAX, OF NEW HAMPSHIRE
CAITLIN JANE TUMULTY, OF MASSACHUSETTS
NICHOLAS TYNER, OF MASSACHUSETTS
DAVID MARK URBIA, OF MINNESOTA
ANNE M. VASQUEZ, OF FLORIDA
KARINA A. VERAS, OF NEW YORK
CHARLES F. VETTER, OF TEXAS
VANJA VUKOTA, OF FLORIDA
CYNTHIA H. WANG, OF CALIFORNIA
RONALD P. WARD, OF FLORIDA
JEFFREY M. WARNER, OF NEVADA
EILEEN WEDEL, OF FLORIDA
REBECCA WEIDNER, OF VIRGINIA
NELSON H. WEN, OF TEXAS
KEITH E. WEST, OF FLORIDA
ELIZABETH ANNE WEWERKA, OF FLORIDA
EMILY BUTLER WHITE, OF CALIFORNIA
ZAINABU ZAWADI WILLIAMS, OF MARYLAND
ERIC MICHAEL WILSON, OF THE DISTRICT OF COLUMBIA
ANDREW G. WINKELMAN, OF NORTH CAROLINA
COURTNEY J. WOODS, OF ARKANSAS
STALLION EASE YANG, OF CALIFORNIA
HYUN YOON, OF FLORIDA
DENISE ROSALIND ZAVRAS, OF THE DISTRICT OF COLUMBIA
LU ZHOU, OF CALIFORNIA
MICHELLE ZIA, OF VIRGINIA
RAFAELA ZUIDEMA–BLOMFIELD, OF PENNSYLVANIA

THE FOLLOWING NAMED PERSON OF THE DEPARTMENT OF STATE FOR APPOINTMENT AS A FOREIGN SERVICE OFFICER OF THE CLASS STATED:

FOREIGN SERVICE OFFICER OF CLASS FOUR, CONSULAR OFFICER AND SECRETARY IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA, EFFECTIVE JULY 6, 2010:

DERRIN RAY SMITH, OF FLORIDA

THE FOLLOWING–NAMED CAREER MEMBER OF THE FOREIGN SERVICE OF THE DEPARTMENT OF STATE FOR PROMOTION WITHIN THE SENIOR FOREIGN SERVICE TO THE CLASS INDICATED:

CAREER MEMBER OF THE SENIOR FOREIGN SERVICE OF THE UNITED STATES OF AMERICA, CLASS OF MINISTER–COUNSELOR:

STUART MACKENZIE HATCHER, OF VIRGINIA

THE FOLLOWING–NAMED MEMBERS OF THE FOREIGN SERVICE TO BE CONSULAR OFFICERS AND SECRETARIES IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA:

JENNIFER ANN AMOS, OF TEXAS
JENNIFER ANDERSON, OF ALASKA
PATRICK B. BAETJER, OF VIRGINIA
LAUREN ELIZABETH BARROW, OF FLORIDA
JOHN CONNOR BIBA, OF VIRGINIA
RANDALL E. BROWN, OF TEXAS
DAVID LUKE BRUNS, OF FLORIDA
MATTHEW THOMAS CALVIN, OF COLORADO
LEROY A. CAMPBELL, OF VIRGINIA
DANA LYNN CANDELL, OF VIRGINIA
MICHAEL P. CASSIN, OF VIRGINIA
JEFFREY LOUIS CHRISTY, OF VIRGINIA
MARLYNN P. CIAVOLA, OF VIRGINIA
APRIL L. CONWAY, OF GEORGIA
MICHAEL L. COOK, OF VIRGINIA
RUSSELL JAMES CORNELIA, OF MASSACHUSETTS
JENNIFER M. CROSSON, OF VIRGINIA
JASON T. CUMMINGS, OF VIRGINIA
COURTNEY LYNN DE ANGELIS, OF THE DISTRICT OF COLUMBIA
BLAKE NATHANIEL EBER, OF VIRGINIA
HOLLY TAING EBHARDT, OF VIRGINIA
NURIT SIVAN EINIK, OF THE DISTRICT OF COLUMBIA
PAUL DAVID JO ELY, OF OREGON
HEATHER NALLEY FARRELL, OF VIRGINIA
WILLIAM TROY FARRIS, OF VIRGINIA
ANNA T. FEATHER, OF NEVADA
MICHAEL STEPHEN FLETCHER, OF VIRGINIA
OWEN PATRICK FLETCHER, OF MARYLAND
WILLIAM WEST FOLLMER, OF MARYLAND
EVAN FOX, OF VIRGINIA
LLOYD DUNGAN FREEMAN, OF TENNESSEE
HENRY YU–HANG FUNG, OF FLORIDA
SEAN C. GARRETT, OF VIRGINIA
STEPHANIE GIACOLETTO–STEGALL, OF UTAH
JENNIFER LYNNE GOOD, OF VIRGINIA

TIMOTHY MICHAEL HAGERTY, OF VIRGINIA
KATHERINE ANN HARBIN, OF MISSOURI
KATHERINE D. HARMON, OF VIRGINIA
RICHARD BARNEY HATCH, OF VIRGINIA
MARY E. HAWKINS, OF MARYLAND
RICHARD EDWARD HEATER, OF NEW YORK
ROSEMARY NOTTOLI HIGGINS, OF ILLINOIS
SEAN D. HILL, OF VIRGINIA
KEVIN LEE HUTTENBACH, OF VIRGINIA
JEFFRY ALAN JACKSON, OF CONNECTICUT
KENNETH EDWARD JENSEN, OF THE DISTRICT OF COLUMBIA
WILLIAM G. JOHNSON, OF CALIFORNIA
OLIVIA R. JORJANI, OF VIRGINIA
JOSHUA WESLEY PRICE KAMP, OF NEW YORK
JOHN HERMAN KAY, OF VIRGINIA
KENDRA J. KILLMER, OF VIRGINIA
JAMES PETER KLAPPS, JR., OF VIRGINIA
NOAH ADAM KLINGER, OF NEW YORK
CYNTHIA B. KNUTSEN, OF VIRGINIA
OLENA ANNA KRAWCIW, OF VIRGINIA
KEVIN C. KREPLIN, OF ARIZONA
ABIGAIL CAROLINE LACKMAN, OF THE DISTRICT OF COLUMBIA
KELLY STERLING LAURITZEN, OF TEXAS
SCOTT SUNGWON LEE, OF MARYLAND
CARY O. LEWIN, OF VIRGINIA
MEGHAN LUCKETT, OF MICHIGAN
LAURA ALLISON MACARTHUR, OF CALIFORNIA
ANGELA EVE MALONEY, OF MARYLAND
CAROLINE JESSICA MANN, OF ILLINOIS
RICHARD WILLIAM MATTON, JR., OF VIRGINIA
KEVIN WENG–YEW MAYNER, OF GEORGIA
JERRY P. MAYO, OF VIRGINIA
RYAN THOMAS MCCLELLAN, OF VIRGINIA
JOHNNY MEYER, OF VIRGINIA
PAUL DAVID MIGNANO, OF NEW YORK
MONICA A. MIRELES, OF VIRGINIA
DAVID CARLTON MORRISON, OF IOWA
JAMES RICHARD NUTTALL, OF VIRGINIA
JOHN THOMAS OCH, OF VIRGINIA
ALEX OLIVIA O'MALLEY, OF VIRGINIA
PATRICK JOSEPH PERRIELLO, JR., OF NEW YORK
NICHOLAS A. PSYHOS, OF VIRGINIA
BELLA A. REID, OF VIRGINIA
SCOTT ANDREW RISNER, OF THE DISTRICT OF COLUMBIA
ANGELIA DELOIS ROBERTSON, OF FLORIDA
JUSTIN J. RONNING, OF VIRGINIA
ADAM LELAND SCHICK, OF WASHINGTON
CATHERINE ROSE SEAGRAVES, OF OKLAHOMA
CHAD JOSEPH SLANEY, OF VIRGINIA
ELIZABETH M. SMITH, OF NEW YORK
NICHOLAS MATHEW SMITH, OF VIRGINIA
SHANE SPELLMAN, OF MISSOURI
FREDRIC NICHOLAS STOKES, OF CONNECTICUT
TINA S. SULEIMAN, OF VIRGINIA
SHRAVAN SURENDRA, OF VIRGINIA
MICHAEL PATRICK SYKES, OF THE DISTRICT OF COLUMBIA
KYLE LEWIS TADKEN, OF VIRGINIA
JESSICA L. TESORIERO, OF VIRGINIA
KAYLA RICHELLE THOMAS, OF VIRGINIA
DEVON VAN DYNE, OF WASHINGTON
CHRISTOPHER L. VASQUEZ, OF THE DISTRICT OF COLUMBIA
KRISTEN ELAINE VATT, OF ARIZONA
ERIC THOMAS VOGEL, OF TEXAS
REBECCA WALL, OF THE DISTRICT OF COLUMBIA
JENNIFER DERNAY WHALEN, OF LOUISIANA
HOLLY ROTHE WIELKOSZEWSKI, OF VIRGINIA

WITHDRAWAL

Executive Message transmitted by the President to the Senate on July 8, 2015 withdrawing from further Senate consideration the following nomination:

AIR FORCE NOMINATION OF BRIG. GEN. ROBERT N. POLUMBO, TO BE MAJOR GENERAL, WHICH WAS SENT TO THE SENATE ON APRIL 20, 2015.