

As a nation, we have already decided that children require extra protection, and that is why in the House of Representatives I was the principal author of the Children's Online Privacy Protection Act, or COPPA, which is what it is called. COPPA is the communications constitution for protecting children when they are online. I believe very deeply that parents, not private companies, should have the right to control information about their children, even when a child's data is in the hands of a private company.

We know that the pre-K through 12 educational software and digital content market is currently worth more than \$8 billion. I will say that again. An \$8 billion industry has now been built up around pre-K through 12 educational software, and nearly all of America's school districts rely on cloud services for a diverse range of functions that include data collection and analysis related to student performance.

As data analytics companies increasingly play a role in the education area, Congress must act to ensure that safeguards are in place for student data that is shared with third parties. Show-and-tell should be a classroom exercise with students, not with students' personal and sensitive information.

A child's educational record should not be sold as a product on the open market. That is why earlier this year I introduced the Protecting Student Privacy Act with Senators HATCH and KIRK. That is why today my colleague Senator HATCH and I are offering a bipartisan amendment which the Senators will be asked to vote on which will establish a commission to report to Congress on how we protect student privacy and parental rights in the digital age.

These recommendations the Senators will be voting on here today will include a number of things—No. 1, how to prevent marketers from using educational records to target students with advertisements. The goal here is to help young scholars make the grade—not to have private sector companies make a sale. They should not be using the information they have in order to target young kids with products. That should be an issue for which we have a national policy.

No. 2, when should student information be deleted? Permanent records of children shouldn't be held permanently by private sector companies, but only by students and their parents.

No. 3 is how parents should be able to access and correct private information about their children. Just as there could be an erroneous charge on a credit report and that should not prevent someone from getting a loan, a false grade or a false bit of information on a report card shouldn't prevent a young person from getting into the college of their choice, and parents should have the ability to say they want that changed.

No. 4, how do we ensure that outside vendors, outside companies that handle

and store this sensitive information put in place the strongest possible data security standards? This is a business. These companies are making money, saying: We will store this information so you don't have to build more physical storehouses. We will put this information up into the cloud. That will be a real cost savings for the school system. Well, how much security is that private sector company now going to build around the cloud with all of that information? Are they going to have the highest level of cyber security protections built in? Or are they just going to buy something that is dirt cheap and say they have security precautions but, like Target, like Sony, like the Office of Personnel Management, they will not have actually put in place the security protections which will ensure that children's most sensitive information is not compromised as it is being stored up in the cloud.

The reality is that our data is being increasingly compromised, and companies of all shapes and sizes must devote the resources necessary to protect that information. As it is stored in the cloud and as it is being subjected to malicious attacks, there must be a security system that can repel those attacks.

The amendment Senator HATCH and I bring to the floor here this afternoon at 5:30 brings together privacy experts, parents, school leaders, public advocates, and the technology industry in order to tackle how to best balance protecting students' personal information while promoting greater academic achievement. I urge my colleagues to support this bipartisan amendment.

There is a Dickensian quality to this digital world. It is the best of technology and the worst of technology simultaneously. It can be used to enable and ennoble. It can be used to degrade and debase. How we choose will only be determined by human beings and by those who represent them in the Senate. We have to ensure that we put in place policies that ensure we have the best use of these digital technologies while not having children and their parents be robbed of the private information that is so sensitive to the long term well-being of a child as they are developing.

That is what this amendment is all about here today. I urge an "aye" vote. Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa.

EXTENSION OF MORNING BUSINESS

Mr. GRASSLEY. Madam President, I ask unanimous consent that morning business be extended until 4:30 p.m.

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

SANCTUARY POLICY

Mr. GRASSLEY. Madam President, just 12 days ago, Kate Steinle was

walking along Pier 14 in San Francisco with her father when she was shot by an individual in this country illegally. At the age of 32—a very young age—her life was taken. Friends and family mourned her death and laid her to rest late last week.

Kate Steinle should be with us today. Her death is a result of weak immigration policies, an insecure border, and a lack of will to enforce the law. Her alleged killer was deported five times and has a rap sheet that dates back to 1991. Despite his criminal background, San Francisco's sanctuary policy allowed this man to walk the streets.

Today we are learning that there are thousands of detainees placed each year on undocumented immigrants by Federal officials, but these detainees go ignored.

Detainers are requests to another law enforcement entity that it wants to take custody of a person. The Federal Government will ask, for instance, a State or local jurisdiction to hold an individual for 48 hours until the Federal Government can assume custody.

According to government documents provided by the Center for Immigration Studies, between January and September of 2014, there were 8,811 declined detainees in 276 counties in 43 States, including the District of Columbia. Of the 8,811 declined detainees, 62 percent of them were associated with over 5,000 individuals who were previously charged, convicted of a crime or presented some other public safety concern. And nearly 1,900 of the released offenders were arrested for another crime once they were released by the sanctuary jurisdiction.

This is very disturbing—not only to me but to most Americans. There is no good rationale for noncooperation between Federal officials and State and local law enforcement. Public safety is put at risk when State and local officials provide sanctuary to lawbreaking immigrants just to make some political point.

But San Francisco isn't the only one to shoulder blame here. The Obama administration has turned a blind eye to law enforcement in this area, even releasing thousands of criminal aliens on its own, many of whom have gone on to commit serious crimes—even murder. They have also turned a blind eye to sanctuary cities, all while challenging States to take a more aggressive approach to immigration and enforcing immigration laws.

That is why I wrote to Attorney General Lynch and Department of Homeland Security Secretary Johnson just last week. I urged them to take control of the situation so that detainees are not ignored and undocumented individuals are safely transferred to Federal custody and put into deportation proceedings. I implored them to take a more direct role in this matter.

This administration needs to stop turning a blind eye to State and local jurisdictions that thumb their nose at the law and harbor criminals who are evading immigration authorities.

But this isn't a new issue for this administration. I wrote to then-Secretary Napolitano in 2011 and asked her to intervene in Cook County, IL, another sanctuary jurisdiction. I wrote to her again, along with then-Attorney General Holder, about sanctuary cities in January of 2012. They failed to do anything at the time. In fact, since then, administration officials have made it clear that detainees did not have to be honored.

The man charged with the murder of Kate Steinle told officials that he sought refuge and moved to San Francisco precisely because of its sanctuary policy.

This is a tipping point, however. There are many other victims we need to remember.

That is why, as chairman of the Judiciary Committee, I plan to hold a hearing on the President's immigration policies and the tragic effect they are having on Americans. I have invited the head of U.S. Immigration and Customs Enforcement as well as the Director of U.S. Citizenship and Immigration Services to testify. Before they testify, I plan to have relatives of victims present to tell Congress how their loved ones and how their lives have been forever changed because of criminal aliens. This hearing will take place next Tuesday.

This is far too important an issue to go unresolved. The heartbreaking death of Kate Steinle at the hands of a criminal alien in the country illegally underscores the need for swift and decisive action to prevent further tragedies of this nature.

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. MURRAY. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

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

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

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 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.

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.

Murray (for Warren/Gardner) amendment No. 2120 (to amendment No. 2089), to amend section 1111(d) of the Elementary and Secondary Education Act of 1965 regarding the cross-tabulation of student data.

Alexander (for Kirk) amendment No. 2161 (to amendment No. 2089), to ensure that States measure and report on indicators of student access to critical educational resources and identify disparities in such resources.

Alexander (for Scott) amendment No. 2132 (to amendment No. 2089), to expand opportunity by allowing Title I funds to follow low-income children.

Alexander (for Hatch/Markey) amendment No. 2080 (to amendment No. 2089), to establish a committee on student privacy policy.

Murray (for Franken) amendment No. 2093 (to amendment No. 2089), to end discrimination based on actual or perceived sexual orientation or gender identity in public schools.

Murray (for Kaine) amendment No. 2118 (to amendment No. 2089), to amend the State accountability system under section 1113(b)(3) regarding the measures used to ensure that students are ready to enter postsecondary education or the workforce without the need for postsecondary remediation.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Madam President, I believe that providing all of our students with a quality education is one of our most important national priorities. The workforce in the years to come will depend on today's students being able to create and take on the jobs of tomorrow, and providing students with the chance to learn, grow, and thrive will help our country continue to compete and lead in the 21st-century global economy.

Today we are continuing our work on the Senate floor to make sure all of our students have access to a quality education by working to fix the badly broken No Child Left Behind law. I thank Chairman ALEXANDER, the senior Senator from Tennessee, for working with me on this bipartisan bill. He has been a great partner throughout this process. The 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 have access to a quality public education. But I want to work, of course, to continue to improve and strengthen this bill throughout this process on the Senate floor. I want to make sure struggling schools get the resources they need. I want to make sure all of our kids, especially our most vulnerable students, are able to succeed in the classroom.

Finishing this process and getting a bill signed into law isn't going to be easy. Nothing in Congress ever is. But students and parents and teachers in communities across our country—including in my home State of Washington—are looking to Congress to fix this broken law. We cannot let them down. We need to work across the aisle to provide a quality education for all students, regardless of where they live or how they learn or how much money their parents make.

So I look forward to continuing to work with Chairman ALEXANDER as we move this through the Senate floor and to conference—and I think he agrees with me—and, hopefully, to the President to get it signed into law. I see the chairman is here.

I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Madam President, I do agree with the Senator on our goal. We had a good week last week. We had a large number of amendments that were agreed to, a number were adopted in addition to ones we had in committee. We need to finish this week. We need Senators to do what members of the committee did, which is to pursue a result exercising some restraint. If we all insist on everything we have a right to insist on, nothing would ever happen.

As Senator MURRAY said, teachers, Governors, school boards, and parents are expecting us to get this job done. We can do it. The House did its part last week. We can finish our work this week. Put it together and then she is correct, we want a result, not just a political speech, which means we need to have the President's signature in the end. So we have a bipartisan process. We are 7 years overdue. This is a bill everybody in the country who cares about education wants us to act on. We have had a remarkable consensus on what we need to do.

Basically, what we are saying is that we want to keep the important measurements of student achievement so parents and teachers and communities can know how children are doing, how schools are doing, whether anyone is being left behind, but we want to restore to States and local school boards and communities and classroom teachers the responsibility for deciding what to do about the results of those tests and make sure they are appropriate and make sure there are not too many tests.

We believe that is the real way to improve teaching, to improve schools, and to have real accountability. So we have taken lots of different opinions and we have put them together in a bill. I was thinking over the weekend, having a bill on elementary and secondary education is like going to a football game at the University of Tennessee. There are 100,000 people in the stands, and they all are experts on football, whether it is Iowa or Washington or Tennessee.

Well, we are all experts—and so are most of our citizens experts on education—but we need to have a consensus here. We are close to one. I thank Senator MURRAY and the majority leader and the Democratic leader for creating an environment in which we so far have been able to succeed.

Mrs. MURRAY. Madam 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.