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Senate

The Senate met at 3 p.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 Spirit, may our lawmakers delight today in Your guidance, finding joy in their daily fellowship with You. Strengthened by this fellowship, enable them to be as productive as trees planted by streams of water. Lord, give our Senators the wisdom to live for Your glory in each of life's seasons.

Protect our Nation from the forces that seek to destroy it both foreign and domestic. Lord, don't permit the weapons formed against America to prosper, for You remain our refuge and fortress. Continue to be the strength of our lives as we refuse to forget the many times You have protected and preserved us in the past.

We pray in Your Holy 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.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER (Mrs. ERNST). Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, the Senate will be in a period of morning business for 1 hour, with Senators permitted to speak therein for up to 10 minutes each.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

BASIN AND RANGE NATIONAL MONUMENT

Mr. REID. Madam President, cowboy poet Georgie Connell Sicking conveyed my feelings for the Nevada desert in her poem ''Nevada's Subtle Beauty.''

This picture I have in the Chamber has appeared all over the country. It appeared, for example, in the Washington Post a week or so ago, and there are other pictures that show this at more of a distance. The man there is so small compared to the vastness of the Nevada terrain. But here is what Georgie Sicking said in her poem:

Have you gone outdoors one morning after a summer rain,
With a gentle breeze blowing across a black sage valley
And smelled the earthy sagey freshness, none like it on this earth.
It sure makes life worth living, and you know when God was giving, He didn't short-change Nevada.
Have you ever in the afternoon watched the mountains changing colors,
From the shadows as they grow from brown and black to tan and violet,
Or sometimes the deepest blue.
Ever changing, ever different, they seem to smile, then frown,
Waiting for sky colors to be added as the sun goes down.
If these things I mention you have seen and felt and known,
Beware, for Nevada has a hold on you and will claim you for her own.

This is not Iowa terrain. It is very typical Nevada terrain, the deserts of Nevada. It is perfect. It is peaceful. It is the Nevada desert. It feels right. To me, it feels like home.

Last Friday, President Obama permanently protected over 700,000 acres of land in Eastern Nevada as the Basin and Range National Monument, which photographer Tyler Roemer has captured beautifully in these pictures.

The land President Obama designated as a monument—two basins and one range—is a perfect example of the stark beauty of the Nevada desert. This monument is an area where the Mojave Desert meets the Great Basin and Joshua trees and cactus give way to sagebrush. This monument is an area that is home to desert bighorn sheep, mule deer, elk, and pronghorn antelope.

This monument is an area that provided food and shelter for Native Americans and is where one can see their history today in incredible rock art panels we call petroglyphs. This monument is an area that reflects the pioneering western history from early explorers to the ranching that still exists.

Four or five years ago, I visited this area. I had been in the area but not here. I went there for a number of reasons. I had been informed of a five-decade-old art project in the middle of the vastness of this desert. While going to see this work of art, I also saw the unique beauty of the Nevada desert, and it is unique. After I completed my trip, in giving this a lot of thought and contemplation, I became passionate about doing something to protect and preserve this incredible work of art and the stark beauty of the desert, both of which are priceless.

This picture is part of the City. This work of art has taken 48 years to construct. It is the size of the National Mall here. It is a couple miles long and very wide—almost a mile wide. It is something that is in the center of the Basin and Range National Monument. It is called the City. It is a grand modern art sculpture the size of, I repeat, the National Mall, part of which you can see in this photo from a group called the Triple Aught Foundation.

The creator is internationally renowned artist Michael Heizer, who is known all over the world. He has been working on this project, as I indicated, since 1972.

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

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The New York Times has called City ''the most ambitious sculpture anyone has ever built, one of those audacious improbable American dreams at the scale of the West, conceived for the ages.'' The canvas which makes up the background of his art is the untouched desert land of the Basin Range, which makes it all the more monumental. Hundreds and hundreds of people worked on this under the guidance of Michael Heizer. He has done remarkable stuff all over the world. The latest thing he did is in Los Angeles—in the middle of the city of Los Angeles at the Los Angeles County Museum of Art. That is a big project, but it pales in comparison to this. What he did there, he moved a rock weighing 400 tons 102 miles through the cities of California. It is called Levitated Mass. The thing in L.A.—this 400-ton boulder—looks like it is suspended in space. It is not. But people walk under it.

I talked very recently to the Los Angeles County Museum director, and he said this thing needs no advertising. People come to see this. And that is the same way this will be. This is a wonderful piece of art.

One of the art critics for the Washington Post said it was the most—and I am paraphrasing—significant piece of art in the last 50 years in America.

When I first brought this up to President Obama, he said: Tell me what it is. Explain it to me. I said: I can't. How, Madam President, as you are presiding over this body, would you describe this? It is really hard to describe, and we are only seeing a tiny bit of this. It is 2 miles long and 1 mile wide, approximately.

He has done amazing things. He has developed his own dirt. We have plenty of dirt in the desert, but he was afraid it would be washed away. This will never be washed away—the same up here.

As I indicated, he has art projects all over the world, but he is from Nevada. He has spent a lot of his time in Nevada for the last 48 years, in addition to his other projects. So I am very happy this has happened in Nevada.

By using his authority under the Antiquities Act, President Obama has helped preserve the life, history, and culture of Nevada—the land I love.

Look at this. This has been preserved for my children, my grandchildren, their children, and their grandchildren. This is exquisite.

Nevada is growing very rapidly. In the southern part of the State—Las Vegas—there are about 3 million people now. People are traveling all over Nevada, and we don't have—even though it is a very large State—much unspoiled land, but this is something that has not been spoiled. There are no roads through it, no railroads, no power lines. This is beautiful, and I am so glad the President did this.

As renowned journalist Steve Sebelius wrote in his Sunday column in the Las Vegas Review-Journal, ''Preserving the land from development was the right thing to do. History will bear that out, long after the wails of the disaffected have ceased to echo through the desert canyons of Nevada's newest monument.''

I yield the floor.

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

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

Mr. DURBIN. Madam President, I ask unanimous consent to speak in morning business.

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

SALUTING CVS HEALTH

Mr. DURBIN. Madam President, the No. 1 preventable cause of death in America today: tobacco. People who use tobacco—smoking or chewing—develop a myriad of health problems, and many die prematurely.

Tobacco companies are a big business in America. They have been for a long time. And they really try their best to recruit new customers when they go into junior high and high schools. Now they are in the e-cigarette business too, but I want to stick with tobacco for a moment. The notion, of course, is, if you can addict a child to nicotine, they will continue to smoke and eventually become a lifelong user of tobacco products.

It has been a long time since I have engaged this industry in political contest. It was a little over 25 years ago when I was a Member of the House of Representatives that I boarded an airplane in Phoenix, AZ, at the last minute—a United airplane. I went to the ticket counter and said to the woman at the counter: Can I get on this plane?

She said: If you hurry, you can get on there. Here is where you are going to be seated.

And I said: Wait a minute. This is in the smoking section of the airplane and you have me in a center seat in the smoking section. Isn't there something you can do?

She looked at my ticket and said: No, Congressman, there is something you can do.

So I got on that plane and flew from Phoenix to Chicago in the smoking section of the airplane—there used to be such things—and thought to myself: This is madness. Here I sit, a nonsmoker, breathing in all this secondhand smoke, and there is an elderly person in the so-called nonsmoking section two rows away, and there is a lady with a baby, and why in the world do we have to be subjected to this?

So I came back to Washington and introduced a bill in the House of Representatives to ban smoking on airplanes. After a lot of work and a lot of good luck, I found out that the largest frequent flyer club in America—the House of Representatives—did not much like smoking on airplanes either, and I won—it surprised a lot of people—beat the tobacco lobby.

I called my friend Frank Lautenberg, the Senator from New Jersey, and asked him if he would take up the cause in the Senate. He did it masterfully. The two of us passed the law and changed the way America looked at smoking on airplanes.

Neither Senator Lautenberg nor I knew this was a tipping point in history. I did not know it. But people started thinking: If secondhand smoke is dangerous on an airplane, why isn't it dangerous on a train, in a bus, in an office building, in a hospital, in a restaurant? Today, 25-plus years later, if you walked into someone's office on Capitol Hill and they had an ashtray in the middle of the table, you would think: What are they thinking? People do not do that anymore.

It used to be standard and no one thought twice about lighting up. That was just your personal preference. Things have changed in America, and the number of people using tobacco products has declined because they have come to understand it is dangerous, it can kill you.

But we are not the only country on Earth that has figured this out. Many other countries are ahead of us in terms of regulating tobacco. If you travel overseas, take a look at cigarette packages. Ours still look pretty fancy. They have a little label on them. But in other countries, the cigarette packages are very stark and very limited in what they can say about the product. Most of what they contain are health care warnings: Tobacco can kill you. Tobacco can harm a fetus in a pregnant woman. These stark reminders are to discourage people from using tobacco products because countries overseas, just like the United States, understand how dangerous they are.

So it was in that context that I was amazed to read something a few weeks ago. The New York Times published a devastating series of articles on how the U.S. Chamber of Commerce has been playing a global strategy to fight against effective tobacco control laws in other countries—the U.S. Chamber of Commerce fighting tobacco control laws in other countries.

Why would the U.S. Chamber of Commerce—once considered a pillar of the American business community—be a champion promoting the sale and consumption of a deadly tobacco product in another country? It does not compute. One reason? The power, the money, and the influence of Big Tobacco is still very strong. The stories and letters published by the New York Times made it clear that the U.S. Chamber of Commerce has effectively rented out its letterhead to the tobacco industry, jeopardizing not only the reputation of the Chamber but all the member companies that belong to it.

I stand here today to salute one company that has fought back at this revelation of this activity by the U.S. Chamber of Commerce. CVS Health—you know them from their drugstores and pharmacies—announced it was going to quit the U.S. Chamber of Commerce because the Chamber's efforts to promote tobacco conflict with the CVS corporate policy that decided over a year ago to stop selling tobacco products in their drugstores.

I congratulate CVS Health. It is pretty bold when they decide they are going to walk out on the U.S. Chamber of Commerce because of these rotten policies they have in discouraging tobacco control overseas. Maybe this decision by CVS will give the Chamber of Commerce a reason to think twice about a policy that is going to result in deadly addictions and terrible disease. It should. The Chamber should end this insidious campaign as quickly as possible. Without question, CVS Health has shown again, as they did last year, that protecting the public health is good business and it is essential to good, responsible corporate citizenship.

The World Health Organization estimates that tobacco kills more than 6 million people worldwide every year. In the 21st century, 1 billion people—1 billion—are expected to die as a result of tobacco. And many of these deaths are in the poorest nations on Earth—8 out of 10 of today's smokers living in low-income and middle-income countries. It is unconscionable that the U.S. Chamber of Commerce is going after the laws to protect the people in these poor countries.

More than a decade ago, the World Health Organization adopted an international treaty focused on reducing tobacco consumption. This treaty, supported by 180 countries, obligates nations to employ practices to reduce tobacco use. We have made a lot of progress in the last 10 years. Madam President, 49 countries have passed comprehensive smoke-free laws protecting over 1 billion people. Madam President, 42 countries have strong, graphic warning labels, covering almost 20 percent of the population that buys these products. These policies save lives and prevent cancer, heart disease, and lung cancer.

It is hard to imagine how the U.S. Chamber of Commerce can rationalize policies that literally promote the death of innocent people from the use of tobacco.

Hats off to the CVS Health corporation for stepping up and showing responsible corporate citizenship in resigning from the U.S. Chamber of Commerce. Maybe if the U.S. Chamber of Commerce comes to its senses, CVS might consider rejoining it.

HAITI

Mr. DURBIN. Madam President, over the Fourth of July recess, I joined with Senator BILL NELSON and we went to Haiti. It is not a popular spot for Members of Congress to go on a weekend, but we made a point of going. It was a return trip for both of us.

Our visit the first time was 5 years ago, after the devastating earthquake that left the capital city of Port au Prince in ruins, claimed more than 200,000 lives, and more than 1 million people were displaced from their homes. I recall visiting the island that many years ago, 2 years after the earthquake, and witnessing the ongoing devastation—people still living in tents. So it was with some satisfaction to see that Haiti has come a long way. Buildings are being rebuilt, the overwhelming majority of those displaced have found housing, and the economy is starting to recover.

The United States has been a major contributor to Haiti's recovery, and I want to praise the dedicated American Government officials who work in a challenging environment—notably under the incredible and tireless and amazing leadership of our U.S. Ambassador in Haiti, Pam White, a career employee of USAID and now our Nation's Ambassador to Haiti.

I noted that the Senate recently confirmed a couple of President Obama's nominees to become Ambassadors. There are now dozens still waiting. Can you imagine the United States of America in our Embassies overseas with no Ambassador month after month after month, when worthy people have been nominated and the U.S. Senate refuses to even consider an Obama nomination for Ambassador? Many of these are not political. They are career. They spent their career working in the State Department. Now, at the end of their career, they are named Ambassador, and the Foreign Relations Committee in the Senate, under Republican leadership, refuses to call President Obama's nominees for these ambassadorial posts.

In many countries, the foreign minister in those countries counts the days and weeks that the United States has not had an ambassador. It is an embarrassment. I hope the majority party now will at least give the President and our Nation the opportunity to put good representatives of our countries overseas.

Madam President, I wish to say a few words about the current President of Haiti, whose term ends this year. His name is Michel Joseph Martelly. He is known as Sweet Micky, which used to be his stage name when he was a rock and roll singer. He has now been the President 4½ years and has done some very good things. He wisely guided his nation through the post-earthquake process and a lot of political change.

The end of his term marks an important moment for Haiti and its future. Given that the Haitian Parliament dissolved in January, the success and timeliness of these elections cannot be overstated. I urge the political parties and candidates to renounce the use of electoral violence and to participate constructively in the upcoming election. And I hope that the neighboring country, the Dominican Republic, will join with Haiti in resolving some very vexing immigration problems between these two countries. These are problems which involve some of the poorest people on that island of Hispaniola. We need to find a way to treat them in a decent and humane fashion so they can ultimately be located in a place where they can maintain their dignity and their work.

EVERY CHILD ACHIEVES ACT

Mr. DURBIN. Madam President, on the floor now when we return for debate is the Elementary and Secondary Education Act, which has been named the Every Child Achieves Act, and is before the Senate this week. We may finish it. The issue is our opportunity on a periodic basis to debate the future of K–12 education in America. Millions of Americans follow this debate. It affects their local schools and school districts.

It was under President George W. Bush that there was an amazing bill passed called the No Child Left Behind Act. What was amazing, politically, was that President Bush—a Republican and a conservative—called for a larger role by the Federal Government in evaluating school districts and teachers and in deciding whether they were succeeding. It was controversial from the start. Ultimately, we have moved away from it.

This new bill takes a much different approach. Instead of testing, testing, testing and grading school districts, we are basically shifting the responsibility back to the States to do this. It remains to be seen whether this is or will be an improvement.

We learned a lot under No Child Left Behind when we took a close look at test scores. To say what the average test score is at a school meant very little—or nothing—when we broke out the students at the school and found out that some were doing exceedingly well and some not so well at all. We could find groups of students—some minority groups, for example—who were not doing very well at school, but the other kids might have brought the scores up. So now, by disaggregating scores, we can target our efforts and make sure that some students have a fighting chance.

It remains to be seen, under this Every Child Achieves Act, whether we have gone far enough or too far in shifting the responsibility back to the States.

I will mention very briefly, because I see my friend and colleague from Vermont on the floor, that there is one amendment here that I have offered with Senator CAPITO. This bipartisan amendment would require States to include information on their State report cards about postsecondary enrollment rates at public and State institutions. It will allow States to go further and include information on private, public,

and out-of-State enrollment as well. It would encourage States to produce and publish data on remediation rates on students, so we can better understand which high schools are truly preparing their students for postsecondary education. Much of the data is already collected by the States. So the additional burden would be minimal.

Ensuring students coming out of high school are college and career ready is an important goal of the bill. Our commonsense bipartisan amendment would help track whether that goal is being met.

The amendment is supported by the Business Roundtable, Leadership Conference on Civil Rights, Education Trust, National Center for Learning Disabilities, National Council of La Raza, the U.S. Chamber of Commerce, and America Forward.

There is one other amendment I have, and I will close on this. When it relates to high school athletics, many of us are concerned about the incidents of concussions occurring in sporting events. I filed an amendment based on my Protecting Student Athletes from Concussions Act. It is supported by the American Academy of Neurology, American College of Sports Medicine, Illinois High School Association, NCAA, Major League Baseball, National Basketball Association, National Football League, National Hockey League, and many others.

It directs States to develop concussion safety plans for public schools to protect student athletes from this dangerous injury. Most importantly, it would require the adoption of a ''when in doubt, sit it out'' policy, promoted by the medical community. This means that a student athlete suspected of a concussion would be removed from play and prohibited from returning to play that same day, no matter what. It doesn't make any difference how much he pleads or what the score of the game is or who is sitting in the stands. If you think you have evidence of a concussion, be safe. Don't put that student athlete back on the field.

It would take the decision on when to put an injured athlete back in the game out of the hands of the coach, the athlete, and the parents. While I don't believe we will be able to get the adoption of the full amendment, I am pleased that a substitute includes a clear statement that allows funds to be used to develop these policies. I thank Chairman ALEXANDER and Senator MURRAY for working with us to include that.

I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Madam President, my dear friend, the senior Senator from Kansas, is going to speak next, but he has graciously allowed me to have the very few minutes I asked for, and then he will be recognized as soon as I give my statement.

(The remarks of Mr. LEAHY pertaining to the submission of S. Res. 222 are printed in today's RECORD under ''Submitted Resolutions.'')

Mr. LEAHY. I yield the floor, and I thank the Senator from Kansas.

The PRESIDING OFFICER. The Senator from Kansas.

Mr. ROBERTS. Madam President, I thank my colleague. I hope he gets better from his cold. He did our sports presentation for us this morning. Maybe he could do the sports news for us every morning.

Mr. LEAHY. If the Senator will yield, it is not a cold. There are a few more pollens in the air that we Vermonters are not used to.

Mr. ROBERTS. I understand.

EVERY CHILD ACHIEVES ACT

Mr. ROBERTS. Madam President, I rise to talk about the bill we have before us today.

We in the Senate have a unique opportunity long overdue and a responsibility to reauthorize the Elementary and Secondary Education Act. The acronym is ESEA. This legislation is long overdue. It is vital for our children and their future that we get it right when addressing education policy. The consequences will be seen for years to come.

I would like to acknowledge and especially commend the work of Chairman LAMAR ALEXANDER and Ranking Member PATTY MURRAY, who worked so hard to get us to this point. This is something rather unique in the Senate. We are coming together. We are percolating with regards to important bills. This is a tremendously important bill.

Due to their bipartisan leadership, the Every Child Achieves Act was approved back in April by the HELP Committee, of which I am a proud member, 22 to 0. I was very proud to vote yes.

Let me repeat that. It passed 22 to 0. Because of that hard work, led by Senators ALEXANDER and MURRAY, we are currently debating ESEA in the Senate for the first time since 2001. That is 14 years—14 years—that we have not had a reauthorization bill come to the Senate floor, and there is a lot of hope that it will pass. This is a prime example of what is possible when the Senate functions as it should and committees are actually able to legislate.

Recently, 10 national education groups, representing educators, principals, school boards, superintendents, chief State school officers, parents and PTAs, and school business officials, called on the Senate to consider the Every Child Achieves Act to reauthorize the ESEA.

Daniel Domenech, executive director of the School Superintendents Association, wrote this in a letter:

> The nation's K–6th graders have spent every day of their K–12 experience under an outdated and broken ESEA. Our students want and deserve more.

His remarks perfectly summarize the issues at hand.

I want to turn to a critical issue for States and school districts. Over the last few years, the administration has doubled down on Federal mandates and has used the waiver process to create law by fiat—thereby circumventing Congress and allowing those who have a Federal agenda in Washington to make too many decisions that are best left to the States and the school districts. It is evident that waivers have been granted only to those States that agree to implement the administration's preferred education policies. That is just not right.

In fact, the New York Times has referred to the waiver process as ''the most sweeping use of executive authority to rewrite Federal education law since Washington expanded its involvement in education in the 1960s.''

Under section 9401 of current law, the ''Secretary may waive any statutory or regulatory requirement of this Act for a state education agency, local education agency, Indian tribe or school'' if that entity receives funds and requests a waiver.

Language included in the Every Child Achieves Act amends section 9401 to clarify that the waiver process is intended to be led by State and local requests, not Washington mandates. This will help ensure the process is State-driven and will allow for greater flexibility and innovation.

In July 2011, the Congressional Research Service issued a report providing an overview of the Secretary's waiver authority under ESEA and warned of potential legal limits and challenges to the Secretary's flexibility proposal.

The report states: ''If the Secretary did, as a condition of granting a waiver, require a grantee to take another action not currently required under the ESEA, the likelihood of a successful legal challenge will increase.''

I have worked long and hard for language in the bill—years and years—that will prohibit the Secretary from imposing any additional requirements to waiver requests not authorized by the Congress. I am fully committed to fighting this one-size-fits-all Federal education agenda because I firmly believe local control is best when it comes to education.

The Every Child Achieves Act, in its current form, puts an end to Washington mandates and allows Kansans to make their own decisions about the best way to improve education. While this legislation heads in the right direction in reducing the Federal footprint, I want to remind my colleagues it is important that we avoid adding back Federal mandates and prescriptive requirements.

As we move forward, I will continue to push to return K–12 education decision-making to State and local control, where we can establish the best policies to ensure that every child receives the highest quality education.

Now, I would like to briefly discuss something called Common Core and the Federal overreach in education. Common Core started out as a State-

led effort to create high standards that States would voluntarily adopt, but the administration had different ideas.

In homes across America, parents are raising questions about what their children are being taught. In many cases, parents are hearing that local curriculum decisions have been driven by the Common Core education standards that most States adopted in a hurry under Federal pressure with little or no public input.

Decisions about what children are taught are best made on the local level as close to parents as possible. The Federal Government should not have overriding influence over State and local education decisions. Simply put, the Department of Education has incentivized and coerced States into implementing Common Core education standards. Some within our education community in Kansas have even called this practice a bribe.

The administration made it a criterion for States to adopt Common Core standards to have a reasonable chance to receive Federal funding under the multibillion-dollar Race to the Top Program and used Federal funds to develop Common Core-aligned tests. They have also threatened to withhold waivers from the onerous provisions of the No Child Left Behind Act if States do not adopt Common Core or similarly aligned standards and assessments. This is wrong.

For that reason, earlier this year, I reintroduced the LOCAL Level Act, S. 182, to explicitly prohibit the Federal Government's role and involvement in Common Core. My legislation would strictly forbid the Federal Government from intervening in a State's education standards, its curricula, and assessments through the use of incentives, mandates, grants, waivers or any form of manipulation. Simply put, my legislation will preserve State education autonomy.

A State will now be free from Federal interference in how to decide whether to use Common Core or any other type of academic standard. I am pleased the bill before us includes the language from my LOCAL Level Act and will, once and for all, end the administration's use of waivers to force or incentivize States to adopt Common Core standards.

It will end the Obama administration's—and, for that matter, any future administration's—ability to use any tool of coercion to force States to adopt Common Core or any set of standards at all, whether it is Common Core by another name or some new set of standards—period.

I thank Chairman ALEXANDER for including my language because I firmly believe it will prohibit the administration from finding additional ways to promote a State's adoption of Common Core.

I want to emphasize setting high standards for our schools, our teachers, and our children obviously is the right thing to do. But we will decide those standards in Kansas, and those decisions will be made in other States as well. We need to get the Federal Government out of the classroom and return our community decisions back to where they belong—in the community.

If the Every Child Achieves Act becomes law, we can finally say goodbye to Federal interference in what we teach our kids in school. Chairman ALEXANDER has stated that with this bill, we have the first opportunity in 25 years to restore decision-making back to States, local school districts, superintendents, principals and teachers, local school boards, parents, and especially the students. He is right.

I yield the floor.

The PRESIDING OFFICER. The Senator from West Virginia.

Mrs. CAPITO. Madam President, I rise to express my strong support for the Every Child Achieves Act that is pending before the Senate. I want to commend Chairman ALEXANDER and Ranking Member MURRAY for working in such a great bipartisan fashion that brought this bill to the floor that will improve the quality of education for children across our country.

The Every Child Achieves Act puts States and local officials back in control of our local schools. As we heard from the Senator from Kansas, Mr. ROBERTS, his hard work on this bill also stops the Department of Education from conditioning Federal funding on the adoption of national standards like Common Core.

Importantly, this bill also makes sure parents and taxpayers continue to have access to important information about how the schools in their communities are performing. The Every Child Achieves Act deserves the Senate's support this week. Last week, the Senate unanimously adopted an amendment that will allow community school programs the flexibility to use Federal funds to pay for a site resource coordinator at their school or local education agency. This is important to the State of West Virginia. We have community schools. Community school programs provide important health, nutrition, and other key services for many of our West Virginia students who are, unfortunately, living in poverty.

The amendment passed last week will allow those programs to better coordinate with community partners to provide resources and support for our children in need. I was happy to work with Senator BROWN and my fellow Senator from West Virginia, Mr. MANCHIN, to see that that amendment passed.

I also want to talk briefly about a bipartisan amendment I introduced with Senator DURBIN—he spoke about it a few minutes ago on the floor—that takes important steps to create transparency for students and families. It does so by allowing students and parents to know the quality and progress of their schools as it relates to college readiness.

This amendment will require States and local educational agencies to include postsecondary enrollment data on the existing report card measures that are included in the Every Child Achieves Act. It also encourages the inclusion of data on postsecondary remediation.

It is supported by dozens of organizations, including the College Summit, the Business Roundtable, and the U.S. Chamber of Commerce, because this amendment seeks to improve the education outcomes of our students.

Parents and students alike deserve to know they are being adequately prepared to enter and succeed in postsecondary education. Including these simple, easy-to-understand measures on State and local report cards will provide them with the information they need to make informed choices about their future education. Additionally, the data will help States and school districts target limited resources to the schools that need it most. This amendment was carefully crafted to avoid putting onerous and additional burdens on our schools and States. Nearly all States already have made the investments necessary to collect, link, and report this data. In fact, the majority of States are already reporting it. Currently, 40 States produce high school feedback reports that include postsecondary enrollment data. More than 30 States already include some measure of postsecondary success, such as remediation rates.

Adding postsecondary enrollment and remediation rates to existing report card measures included in Every Child Achieves Act would make sure students, parents, educators, and policymakers have access to critical information about how well our high schools are preparing students to enter and succeed in postsecondary education. The end result will be successfully restoring decisionmaking to those who know best—the students and their parents.

I urge everyone to support this amendment and also to support the bill.

I yield the floor.

The PRESIDING OFFICER. The Senator from Minnesota.

STUDENT NON-DISCRIMINATION ACT

Mr. FRANKEN. Madam President, I rise to speak about the urgency of passing the Student Non-Discrimination Act, which takes the same protections that children have against discrimination on the basis of race and national origin and gender and disability, and it extends those protections to lesbian, gay, bisexual, and transgender children—LGBT children. That is it. It is a simple bill. It stands for the principle that LGBT kids have a right not to be bullied just because of who they are.

There are people who will say: What can you do to stop bullying? Kids will be kids. Boys will be boys. I don't think that is right. Because what we

are seeing in our schools today is not just teasing; it is not playground behavior. What we are seeing is more than just bullying. We are seeing discrimination. Let me explain what I mean.

If a Black child was referred to by a racial slur at school, would we say kids will be kids? If a Jewish student got beat up because he wore a yarmulke to school, would we wave it off and say boys will be boys? If a shop teacher told a female teacher she didn't belong in his class, would we be fine if the school just looked the other way?

No, we would not. In fact, there are Federal civil rights laws that are specifically designed to stop this kind of conduct. But if a gay child is relentlessly harassed by his classmates, if a principal tells a girl she can't go to her senior prom because she wants to bring another girl as her date or if a school stands by as teachers, students, and other administrators refer to a transgender child not as ''he'' or ''she'' but as ''it,'' there is no law that was written to protect those children. Our laws fail those children, and that is just wrong. We can change that.

The bullying of LGBT children in our schools has reached epidemic proportions. More than 30 percent of LGBT kids report missing a day of school in the previous month because they felt unsafe. Nearly 75 percent of LGBT students say they have been verbally harassed at school, and more than 35 percent of LGBT students report being physically attacked. You cannot learn if you dread going to school. It has been estimated that, on average, LGBT kids comprise 40 percent of all homeless youth. To be sure, family rejection is a leading factor, but LGBT kids' inability to escape verbal harassment and physical attacks makes them drop out, which makes them much more likely to be homeless. That is unacceptable. Our children should not have to experience that kind of hate at school, and, as we have seen all too often, some of them just can't endure it.

A few years ago, I met a wonderful woman named Wendy Walsh, the mother of Seth Walsh, whose photo is next to me here. Wendy told me that Seth had endured years of anti-gay harassment at school in Tehachapi, CA. When he was in the fifth grade, other students started calling him gay, and as he got older the harassment became more frequent and more abusive. By seventh grade, taunts and verbal abuse were a constant part of Seth's day. Students called him faggot and queer. He was afraid to use the restroom or to be in the boys' locker room before gym class.

Seth had always been a good student, receiving A's and B's, but as the harassment escalated, he started to get failing grades. Friends reported that he became depressed and withdrawn. Wendy desperately tried to get school district officials to do something, but her pleas were brushed aside, and in September of 2010, Seth hanged himself from a tree in his family's backyard. He was 13. Seth left a note expressing his love for family and friends but also his anger at the school.

Justin Aaberg was a rising sophomore at high school in Anoka, MN, my home State. Justin played the cello. In fact, he composed music for the cello. His mother Tammy told people that he was a ''sweet boy who seemed to always have a smile on his face.'' Justin came out to his mom when he was 13. In July of 2010, Justin hanged himself in his bedroom. His mother later learned from Justin's friends and from messages he left before his death that he had been the victim of incessant bullying at school. Justin was 15 when he died.

Carl Walker Hoover was a Boy Scout and a football player for his school in Springfield, MA. But starting in the sixth grade, the kids at Carl's school started to bully and harass him for ''acting gay'' or ''acting like a girl'' even though he didn't identify as LGBT. When Carl's mother, Sirdeaner Walker, learned about the harassment, she spoke to his principal, his teacher, and his guidance counselor repeatedly, asking the school to intervene. But in April of 2009, Sirdeaner found her son hanging by an extension cord on the second floor of her home. In the letter Carl left behind, he said he simply couldn't take it anymore. Carl was 11 years old.

Justin, Seth, and Carl's stories are not anomalies. They are just a few of the many tragic cases in an epidemic of school bullying against LGBT kids or kids who are perceived to be LGBT.

The bill we are debating this week is an education bill, a bill about taking the steps necessary to secure better and brighter futures for our children. It is our responsibility not just as Senators but as adults to protect children and to help them flourish. Children who are afraid to go to school can't get a good education.

Think about the children in your life—your son or your daughter, your grandchild or your niece or nephew—and what it must be like for a child in your life to get up and face the school day ahead not with excitement but with anxiety and fear, with dread and shame. This shouldn't happen in America. In America, we have passed laws that guard against harassment in our schools on the basis of race, national origin, sex, and disability, but LGBT students face bullying and intimidation without recourse.

This amendment would simply provide LGBT kids with the same legal remedies available to other kids under our Federal civil rights laws. It says that schools would have to listen when a parent calls and says: My child isn't safe, and then the school has to do something about it. It would ensure that LGBT kids have the same protections, not some of the same protections, as other kids.

This is not a revolutionary idea. In fact, more than a dozen States have already passed laws that protect students from discrimination based on sexual orientation and gender identity, and it is working. In States that have protections for sexual orientation and gender identity in schools, LGBT students report nearly one-third fewer instances of physical harassment and nearly half as many instances of physical assault as in States lacking these protections.

We have come incredibly far in our understanding of LGBT people in a very short period of time not just as a country but as a body. In 2013, by a vote of 64 to 32, the Senate passed ENDA, the Employment Non-Discrimination Act, which would prohibit job discrimination on the basis of sexual orientation and gender identity. It would prohibit firing someone or harassing them at work for being gay or transgender. It would protect adults.

Now it is time to protect kids and to put in place policies to ensure that a child of 11 or 13 or 15 is allowed to live their life and discover who they are—to discover that maybe they are a great cellist or a first-round NFL draft pick—without facing taunts and intimidation and physical violence in the school. It is our responsibility as a country and as a body to protect our children. I strongly urge my colleagues to do just that by supporting the Student Non-Discrimination Act and voting for it as an amendment to this bill.

I thank the Presiding Officer and yield the floor.

The PRESIDING OFFICER. The Senator from Massachusetts.

PROTECTING STUDENT PRIVACY ACT

Mr. MARKEY. Madam President, we do not have to look any further than the recent data breaches at the Government Office of Personnel Management, Target, Home Depot, Sony, Neiman Marcus, and countless others to know there are pitfalls to the rush to store our personal, sensitive data online. And there is no information more personal and more sensitive than that of school-aged children.

The business of sifting through and storing the records of grade school and high school students is growing as fast as students are. By collecting personal information about students' test results and learning abilities, teachers may find better ways to educate their students. We can help improve their test scores, improve academic achievement, and prepare students for the future.

The increased use of data analysis of student performance holds promise for increasing student achievement, but at the same time there are perils from a privacy perspective. Putting the sensitive information of students in the hands of third parties and private sector companies raises a number of very serious questions about the privacy rights of parents and their children. The information being collected is about students as young as 5 years old.

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 detainers placed each year on undocumented immigrants by Federal officials, but these detainers 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 detainers in 276 counties in 43 States, including the District of Columbia. Of the 8,811 declined detainers, 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 detainers 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 detainers 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.

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

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

NUCLEAR AGREEMENT WITH IRAN

Mr. DAINES. Madam President, as we speak, negotiations are ongoing between Iran and the P5+1 countries regarding one of the greatest threats to global security today; that is, a potentially nuclear-capable Iran. If both sides reach a final negotiated agreement, this body will have to consider whether the agreement truly prevents Iran from becoming a nuclear state or whether it paves the way for the leading state sponsor of terror to obtain a nuclear weapon.

Agreeing to a bad deal would pose a serious threat to the national security of the United States, to Israel, and our other allies. We cannot take this decision lightly. We should not base our votes on the legacy of the President. We will be dealing with the consequences of this potential agreement long after President Obama leaves office.

There are specific terms of any final agreement that are vital to preventing Iran's nuclear weapons capability. One-hundred percent certainty is impossible in matters of intelligence, particularly with a regime like Iran's that has a history of being less than forthright about its nuclear program. In fact, on June 21, the Iranian Parliament voted to bar inspectors from military sites. As they were passing this resolution to bar inspectors from military sites, they were chanting ''Death to America.''

Let's not forget that Iran is the leading state sponsor of terrorism in the world. It is critical that the International Atomic Energy Agency be able to conduct extensive inspections at all military facilities, including unannounced inspections, to ensure that Iran is upholding its commitments.

A final deal must ensure that we have verifiable evidence that Iran is complying with the terms of the agreement before lifting sanctions. A final deal must permit international inspection to occur anytime, anywhere. A final deal must require Iran to disclose and dismantle its nuclear infrastructure, its uranium stockpile, and all other aspects of its nuclear program as specified in six—let me repeat—six U.N. Security Council resolutions.

A final deal must ensure Iranians never get a nuclear weapon. If Iran does violate these terms, the deal must guarantee that strong sanctions go back into place immediately. It took years to get in place the sanctions we have today. It was largely because of these sanctions that Iran was forced to come to the negotiating table. The sanctions are working. I would also like to address the notion that we either come to a deal or we resort to military action. This is a false choice. In fact, accepting a bad deal now will make military action more likely down the road. A bad deal will provide Iran with an influx of cash to continue sponsoring terrorism around the world, while failing to prevent them from ultimately obtaining a nuclear weapon when this deal expires.

Like so many Montanans I have heard from, I truly hope negotiations are successful. However, I am concerned the that based on the framework agreement that we have seen so far, the final agreement will ultimately fail to safeguard our national security and prevent a nuclear-armed Iran. No deal is better than a bad deal. If the final agreement the President presents falls short of the requirements I have talked about today, I will not support it.

Over the past month, we have now blown through four deadlines. It is starting to look like Groundhog Day in Vienna.

SAFE KIDS ACT

Madam President, on a separate note, this past week the Senate began debating legislation about our Nation's educational system. In the same week, we learned more about a major data breach at the Office of Personnel Management, which put more than 21 million American's personnel information at risk. Those events and the policy debates bring to light an issue that often does not gather a lot of information; that is, protecting our student's personal information and data in the digital age.

As a father of four, this issue is particularly personal to me. To date, countless schools across the United States utilize electronic records to update student information and transfer data from one school to another. But as the data is collected, it is important students' privacy is maintained and that the data is being stored safely and securely. In 2014, a working group was formed to address the issue of student data privacy. This group produced the Student Data Privacy Pledge, which intended to set self-imposed principles to ensure that information collected from students is kept both secure as well as private.

This week, I will be introducing legislation called the SAFE KIDS Act, that builds on these ideas by empowering the Federal Trade Commission to oversee and enforce the collection, storage, and usage of covered information. This bill will put important reforms in place to protect students privacy, to establish greater security and transparency measures, and to encourage innovation among education technology providers, and better ensure accountability in keeping our students' information safe.

As someone who spent more than 12 years in the technology sector, I am excited to see technology being used in innovative ways in our schools. As a father of four, I also want to ensure that there are proper safeguards in place to protect our kids' personal data in an increasingly data-driven world.

I also want to thank Senator BLUMENTHAL for joining me this week to introduce this important legislation to protect students' personal information and for his continued work on this issue. With that in mind, I will yield the floor so we can hear more from Senator BLUMENTHAL on this most important issue.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. BLUMENTHAL. Madam President, I thank my colleague Senator DAINES for his extraordinarily valuable work on this bipartisan bill, which will help protect students, help safeguard the privacy of young people, which would be considered separately from the measure now before us, the Every Child Achieves Act, which will strengthen the Federal Government's commitment to ensuring that every child has access to a high-quality education.

The bill Senator DAINES and I are offering ensures that every child is protected during their education from invasive and intrusive sharing and selling of highly private information about their educational progress—all kinds of sensitive, personal data that are accumulated and collected by school authorities and the companies that contract with them in the course of that child's education.

When a parent signs a take-home form permitting their children to use a learning application in math class, for example, they have no assurance right now—none—regarding what information the app company will collect or how the app company will protect that information. That kind of very personal, identifiable, confidential information is inadequately protected in many school systems around the country. If that app company fails to protect the personal information of the student and their family, it could be stolen by hackers. It could be breached. We have seen how Federal files have been breached on a scale that none of us would ever have imagined—supposedly protected information—and we are talking about companies leaving vulnerable children's information potentially on the same scale—millions of children being at risk of their data being breached and stolen by hackers. But we are also talking about that information being bought and sold, exchanged by companies. The current protections against that commercial exploitation are inadequate. Children and their parents and their families deserve better protection of their privacy.

It is a big business. It is a huge and burgeoning business for those companies. They may serve a very worthwhile purpose for many of those children and for many school authorities who need someone to organize and apply software to the raw information that is collected in test scores or other kinds of educational data. But it is not data that belongs to the companies; it belongs to the student and the school authorities, and it ought to be protected not only because of who owns it

but because of whom it belongs to. It belongs to students as a matter of morality, not just legality.

We are introducing student digital privacy legislation, the SAFE KIDS Act. This week Senator DAINES and I will introduce it to establish strong and vital protections that will give parents the peace of mind they need and deserve. Our bill would prohibit companies from reselling student data—something corporations should never profit from doing. The SAFE KIDS Act would also prohibit companies from using student data, including a personal profile of a student, for any targeted advertising. This kind of marketing goes on in our society.

Our legislation also requires companies that hold student data to enact robust protections, such as proper encryption of that data, which will prevent the theft of personal information.

Under our bill, parents are empowered to access their children's information, request corrections of any erroneous information, and request deletion of certain student data.

Our bill charges the FTC with the responsibility to implement and enforce the SAFE KIDS Act, and it enables States to enact stronger, more demanding protections if they choose to do so. It establishes a floor, not a ceiling. It does not preempt stronger measures if States choose to move forward.

This measure is in no way incompatible with the provision and amendment on which we will vote tonight that deals with another aspect of this issue in establishing a commission. I support that amendment. The commission would issue recommendations on a number of specific topics, such as preventing targeted advertising, limiting data retention, and providing parents with complete information. Those issues are complex, and they need the kinds of studies and research the commission would provide. And the results of that commission would help to inform the FTC regulations that would be issued under the SAFE KIDS Act that Senator DAINES and I are introducing this week.

I look forward to supporting the Hatch-Markey amendment, voting for it, and I urge my colleagues to support it and the SAFE KIDS Act because they enable a comprehensive approach to student privacy.

Make no mistake—this data is in danger and so is the privacy of our students. In a world that has become enormously invasive and intrusive and where personal information is so much at risk, our students, children, and their families deserve this protection. I urge my colleagues to support it.

BACKGROUND CHECKS AND GUN VIOLENCE

Madam President, I wish to talk for just a moment about the disclosure last week that Dylan Roof, the alleged killer of nine innocent people in Charleston, SC, was able to buy guns without first passing a background check. The reason, very simply, was the default-to-proceed loophole in the law, which allows—but does not require—firearms retailers to proceed with a gun sale after 3 days if an applicant's background check is still pending.

Undoubtedly, more facts will come to light. Certain facts are unknown now as we speak, but the FBI acknowledges that a completed background check would have uncovered Dylan Roof's prior arrest on a drug charge and his drug addiction. Those discoveries would have barred him from purchasing the .45-caliber handgun he used to take nine lives in that unspeakable, horrific tragedy.

In effect, Dylan Roof's exploitation of this loophole is not an anomaly. In the last 5 years, the default to proceed loophole has led firearms retailers to proceed with 15,729 gun sales to prohibited persons—people who were deemed ineligible to purchase a firearm once their background checks were completed. In effect, those 15,729 people were able to circumvent the law because of that loophole that enabled them to do so on a default to proceed after 3 days.

After that default-to-proceed loophole is exploited, the Bureau of Alcohol, Tobacco, Firearms and Explosives then has the difficult, dangerous, and often impossible job to retrieve the firearms that are sold. In fact, it is often impossible to even expect that they can once those firearms are sold without proper recordkeeping or any recordkeeping. We make that job harder every day by underfunding and hamstringing the work of the ATF in our appropriations bills. That creates that impossible task for them.

Responsible gun retailers can act today. The law allows retailers to decide whether to permit gun sales to proceed after that 3-day default period has elapsed. They have a duty to ensure that their products do not get into the hands of dangerous individuals. They have that moral duty. They have that social responsibility.

In 2008, Walmart, which is the Nation's largest gun store, agreed not to transfer firearms without a background check even if the 3 days have passed without it. The short-term inconvenience to retailers is minimal. In the vast majority of cases, a background check is completed within minutes and the retailer knows whether they may proceed with the sale.

After the horror visited on the Emanuel AME Church in Charleston, no responsible gun retailer should give the benefit of the doubt and hand over a gun without a definitive completion of that background check.

Over the weekend, my colleague Senator MURPHY and I urged the Senate Judiciary Committee to immediately review this failure in our background check system and potential remedies, lest this legislative body's silence on the matter be taken as a consent on the repeated failures we have witnessed. In the long run, this system must be made as effective and error proof as possible, and it should be extended to sales not covered now by the law.

As Senator MURPHY and I and many of our colleagues in the Senate have urged consistently and repeatedly, the failure to adopt a comprehensive, universal background check system is inexcusable, but we also have to make sure loopholes in the current law are eliminated, as the FBI and the Department of Justice have recommended, by extending that 3-day time period and otherwise increasing the efficiency and effectiveness of the background check system.

Senator MURPHY and I will be taking additional steps to try to make it more effective. Gun retailers can step up in the meantime to stop dangerous people from getting their hands on dangerous weapons and taking lives—innocent lives—as happened in Charleston. They can, very simply, stop selling guns to people who have not passed that background check even if the 3 days have expired, even if that default period has come and gone. They can do that on their own.

I look forward to working with my colleagues, including continuing the great work Senator MURPHY and I have sought to do together in making America safer and better and improving our background check system and making sure commonsense, sensible gun violence prevention measures become the law of the land.

I yield the floor.

The PRESIDING OFFICER (Mr. PERDUE). The Senator from Maryland.

Ms. MIKULSKI. Thank you very much.

Mr. President, first, I compliment the Senator from Connecticut on his initial statement related to student privacy. I think it is an essential element to clarify that privacy is meant to protect but not inadvertently inhibit our ability to give help to those who desperately need it.

Certainly, I wish to associate myself with his remarks on doing something about the background check, the timely response. I think the massacre at Emanuel AME Church deeply troubled the Nation, and the very least that can come out of this is not only the flag coming down and all that meant, but other barriers to safety should come down as well. I want the Senator from Connecticut to know that he has my admiration and my support.

PROTECTING FEDERAL EMPLOYEES

Mr. President, while we are waiting for the vote, in approximately 15 minutes, I know Senator KAINE will be coming to the floor to talk about an important postsecondary education remediation reform, but I want to comment on the 21 million Federal employees whose personnel records have been hacked by—it looks like—a foreign government. I am not going to go into the who and the attributing of who did the hacking, but I do want to say that, first of all, those Federal employees need to feel they have a government on

their side to now protect them. We should have protected them in the first place with the security of dot-gov and certainly our personnel records.

Now, in addition to a bill I have introduced and cosponsored with my colleague from Maryland, Senator CARDIN, where we have put in additional credit protection, credit monitoring, and liability protection, I have also sent a letter to the President today.

The President of the United States is not only the Commander in Chief but he is the Chief Executive Officer of something called the U.S Government dot-gov, and therefore, OPM is his HR operation. With all due respect to our President, I have called upon him, on behalf of the 300,000 Federal employees and Federal retirees who I have in my State, that they take additional and immediate action to provide lifetime credit monitoring, lifetime credit protection and unlimited liability, and that we also get a new contractor.

I know we want to get a new contractor that does security checks, but I want a new contractor that is supposed to be answering the phone. I want a new contractor answering the phone and responding to my Federal employees, and I have conveyed that to the new Acting Director of OPM, Beth Cobert. I think she has a lot of skill and a lot of knowledge. I know she comes to the White House from the private sector, McKinsey & Company, but I conveyed to her that it is outrageous what is happening to Federal employees. They try to call to get help to find out what has happened to them, and they are on the phone for 1 hour or 2 hours, and when they finally make contact, they get disconnected.

These are our Federal employees, who we count on, many of whom to protect the Nation—many of whom to protect the Nation. Our cyber shield is down to protect them, and we are also not protecting them in terms of our response to our cyber shield being down.

Who are these Federal employees in Maryland? Well, first of all, they are people who work at the National Institutes of Health trying to find cures from dreaded diseases and all of the laboratory staff and so on who support them. Or they are over at FDA or they are over at Goddard Space Flight Center helping to manage the Hubble telescope. In addition to that, we have people involved in and also who are direct hands-on with national security.

Maryland is the home to many Foreign Service officers. They not only have the information about their own Social Security numbers and their own health information but that of their spouses and their minor children. We are also the home to the National Security Agency. Most of the National Security Agency is made up of civilian DOD personnel with the highest of security clearances.

So my feeling is we have to get in there really quickly to protect them. We have to also do something about this contractor—that he ups his game or we tell him up and out. Up your game or up and out.

The third thing is the President really needs to convene an all-hands-on-deck on how we are going to protect dot-gov in this country.

There will be more to say about this bill and so on, but I see Senator KAINE is now on the floor to discuss and present his postsecondary remediation amendment, so I yield the floor.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. KAINE. Mr. President, I thank my colleague from Maryland, and I second the comments she has made about the status of our employees who have been jeopardized. I am excited to work together on the legislation introduced last Friday to provide them some protection.

AMENDMENT NO. 2118

Mr. President, I do rise on behalf of an amendment that will be voted on within the next hour, Kaine amendment No. 2118, which is a bipartisan amendment to the Every Child Achieves Act. It is an amendment to promote career readiness indicators and make sure our students, when they finish high school, are not just ready for college but they are ready for careers.

This is part of a series of amendments I have worked on in a bipartisan basis, some of which have been included in the underlying bill and one of which was passed as a floor amendment last week.

I thank the managers, Senators ALEXANDER and MURRAY, for working together to support this bipartisan amendment. We need to work to make sure we help all of our students graduate from high school ready for postsecondary education and the workforce.

Over the past 40 years, the percentage of jobs that require some form of postsecondary education has doubled from 29 percent to now nearly 60 percent, but the education system hasn't kept pace with the demand for a more highly educated and skilled workforce. More importantly, we need to define what that is—highly educated and skilled—to incorporate career and technical training, which, for a variety of reasons in the last generation or so, was sort of an undervalued part of the spectrum of American public education.

Within a very few years—by 2020, when our pages are now going to be out in the workforce—two-thirds of jobs will require at least some form of postsecondary education. But projections demonstrate that as a nation we will fall short by nearly 5 million workers. We are already seeing these shortages and having to deal with them, for example, through specialty visas. That is fine for the economy, but wouldn't it be better if we could train those in school right now to be skilled in the areas where the jobs are needed?

The career readiness amendment addresses this problem by encouraging—not requiring but encouraging—States to include in their accountability systems the types of indicators that demonstrate students are ready for postsecondary education and the workforce. These indicators would include State-designed measures to integrate rigorous academics, work-based learning and career and technical education, or technical skill attainment and placement. That will be the core of this bill.

By doing this, we send a strong message to schools, businesses, parents, and students that it is critical to be prepared for the workforce of the 21st century regardless of postsecondary education plans. As I have talked to educators, counselors, and parents, they have often commented upon the degree to which career and technical training has sort of been downgraded and that students aren't encouraged in that area, even though there are great professions to achieve in this area.

Under the amendment, schools and districts would have an incentive to partner with businesses and industries to provide career pathways for students. It is important for State accountability systems. I say this as a Virginian who is very proud of the Virginia accountability system. It is currently kind of managed by my wife, who is the secretary of education in Virginia. But it is important for these systems to measure and reward schools for helping students earn industry-recognized credentials or earn credit for college while in high school.

Just as an example, if you are a Virginia student and you take the Virginia Standards of Learning Test and you pass, that doesn't necessarily mean anything in North Carolina, and much less Oregon. But if you are a Virginia high school student and you pass a Cisco Systems administrator exam, you can take that credential, move to Oregon and get a job tomorrow. These industry credentials are, in many ways, more known, more valued, and more portable than high school credentials State by State.

Schools across the country are providing this kind of important learning opportunity. Here are just two examples, and then I will conclude. In Alexandria, just across the Potomac, the Academy of Finance at T.C. Williams High School instructs students in money management skills, financial planning, and business development. Students complete a 3-year sequential program, start working at an on-site credit union in the school, and they get early college credit for that financial literacy.

At the other end of the State—in southwest Virginia, in Vinton, near the city of Roanoke—William Byrd High School, after struggling during the 1990s to prepare students for college and career, sought input from nearby businesses and implemented programs in engineering, communication, business, and marketing to match local job needs. These partnerships are helpful

in helping students find jobs, and they have also engendered student interest in the curriculum. The school has a 90-percent graduation rate, and 83 percent of students go on to postsecondary education.

I want to thank Senators PORTMAN and BALDWIN—I think Senator PORTMAN was planning on speaking, and may still—for their involvement and working together with me on this particular amendment and on the Senate CTE Caucus.

I urge my colleagues to support this bipartisan initiative, and again, I thank the bill managers for working together with us.

With that, I yield the floor.

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

The PRESIDING OFFICER (Mrs. CAPITO). Without objection, it is so ordered.

Mr. HATCH. Madam President, I ask unanimous consent for 2 minutes to make a presentation.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

AMENDMENT NO. 2080

Mr. HATCH. Madam President, I rise in support of an amendment I have offered along with my friend, the junior Senator from Massachusetts. This amendment advances an important priority: protecting student privacy in an era of vast data collection and tenuous security protections.

Advances in education technology are revolutionizing the way students learn in today's classroom. Going forward, it is important to balance the need for innovation to allow students to take advantage of the new learning tools with the need to make sure children's private information is protected. We must also ensure continuing to improve education through research, while not necessarily allowing researchers and their employers access to sensitive data.

To this end, our amendment sets up a commission to come back with recommendations for how to update our outdated Federal education privacy law. The commission's membership consists of experts, parents, teachers, technology professionals, researchers, and State officials—a broad array of leaders capable of providing diverse perspectives on these issues. Within 270 days, the commission is required to report to Congress on the current mechanisms for transparency, parental involvement, research usage, and third-party vendor usage as well as provide recommendations on how to improve the law to better protect students. As we seek to identify the best ways of protecting student data, this commission will serve to outline some commonsense and effective options for reform that we ought to consider.

This amendment has received support from a wide variety of organizations from Microsoft to the National PTA to the U.S. Chamber of Commerce, demonstrating how this is a commonsense, bipartisan idea that we can all support. I urge my colleagues to support this important innovation.

I yield the floor.

The PRESIDING OFFICER (Mr. COATS). Under the previous order, the question now occurs on agreeing to amendment No. 2080, offered by the Senator from Tennessee, Mr. ALEXANDER, for Mr. HATCH.

Mr. ALEXANDER. Mr. President, 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 Senators are necessarily absent: the Senator from Missouri (Mr. BLUNT), the Senator from Texas (Mr. CRUZ), the Senator from South Carolina (Mr. GRAHAM), the Senator from Illinois (Mr. KIRK), the Senator from Alaska (Ms. MURKOWSKI), the Senator from Kentucky (Mr. PAUL), the Senator from Idaho (Mr. RISCH), the Senator from Florida (Mr. RUBIO), the Senator from Pennsylvania (Mr. TOOMEY), and the Senator from Louisiana (Mr. VITTER).

Mr. DURBIN. I announce that the Senator from Florida (Mr. NELSON) is necessarily absent.

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

The result was announced—yeas 89, nays 0, as follows:

[Rollcall Vote No. 231 Leg.]

YEAS—89

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

NOT VOTING—11

Blunt	Murkowski	Rubio
Cruz	Nelson	Toomey
Graham	Paul	Vitter
Kirk	Risch	

The amendment (No. 2080) was agreed to.

AMENDMENT NO. 2118

The PRESIDING OFFICER. Under the previous order, the question occurs on agreeing to amendment No. 2118, offered by the Senator from Washington, Mrs. MURRAY, for Mr. KAINE.

The amendment (No. 2118) was agreed to.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. WHITEHOUSE. Mr. President, there has been some conversation on the floor. We are working out the order of proceeding.

I ask unanimous consent that Senator WICKER and Senator SHAHEEN be recognized first for a colloquy, followed by remarks by Senator BROWN, followed by remarks by myself, followed by remarks by Senator BALDWIN.

The PRESIDING OFFICER. Is there objection?

Mr. ALEXANDER. Reserving the right to object, I ask the Presiding Officer, are we in morning business?

The PRESIDING OFFICER. No, we are still on the bill.

Mr. ALEXANDER. I have no objection.

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

The Senator from Mississippi.

Mr. WICKER. Mr. President, I ask unanimous consent that Senator SHAHEEN and I be allowed to enter into a colloquy concerning the 20th anniversary of the Srebrenica massacre.

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

20TH ANNIVERSARY OF THE SREBRENICA MASSACRE

Mr. WICKER. Mr. President, I am pleased to join my colleague from New Hampshire today to speak about a moving and important commemoration that she and I attended over the weekend. We were part of the U.S. delegation led by former President Bill Clinton that traveled to Bosnia and Herzegovina to remember the victims of the Srebrenica massacre 20 years ago. We were honored to be joined in this delegation by Representative PETER KING from New York, and I think it is significant that former Secretary of State Madeleine Albright was part of that delegation.

On July 11, 1995, more than 8,000 Bosniak Muslim men and boys were brutalized and murdered by Serbian forces that overran a United Nations safe haven during the Bosnian war. It was the worst massacre on European soil since the horrors of World War II.

Today, Senator SHAHEEN and I wear green and white flowers on our lapels. These flowers were crocheted by Srebrenica mothers and widows in remembrance of the lives that were lost 20 years ago. The white is said to symbolize innocence, and the green represents hope. It is said to be significant that the center is green because hope remains central to the country's future and to the region's future.

Two decades provide us with a helpful benchmark for reflecting on the progress that has been made and on the

progress that needs to be made. The decades have certainly not erased the deep scars left by the atrocities at Srebrenica, but the hurt continues to heal.

International courts have recognized the massacre as a genocide, and a number of the perpetrators have been imprisoned. Peace is now present in the Western Balkans and we need to do what we can to help maintain this peace. The Bosnian and Herzegovinian leadership is now applying for membership in the European Union. We wish them well in making the progress that will be necessary to attain this status.

Tough decisions still need to be made by the leadership, by the Presidency of Bosnia and Herzegovina with regard to governance, corruption, and combating extremes. There is still way too much rhetoric that centers on ethnicity and continues to divide Bosnians rather than unite them. But we can celebrate the fact that this region is no longer home to the suffering and violence that predated the historic Dayton Accords, and we can celebrate the contribution and achievement of the Americans in reaching the Dayton Accords and in getting us to where we are now with two decades of peace.

I know that these views are shared by my colleague from New Hampshire. At this point, perhaps she would like to join in this colloquy.

Mrs. SHAHEEN. Mr. President, I would like to join Senator WICKER from Mississippi in talking about what we saw and heard when we were in Bosnia.

Unfortunately, the story that came out about that inspiring commemoration was about the attack by some of the Bosniaks who were attending on the Serbian Prime Minister, Aleksandar Vucic, who had attended the ceremony.

But the larger story was one of reconciliation. The Bosniak mayor of Srebrenica, Camil Durakovic, condemned the attackers, and he was joined by the Tripartite Presidents in condemning the attackers. After the attack, the Serbian Prime Minister said that it should not distract attention from the innocent victims of Srebrenica. He said that his ''arms of reconciliation remain stretched towards the Bosniaks.'' Fortunately, we heard the same from the mayor of Srebrenica, who actually had invited the Prime Minister.

I am very proud of Mayor Durakovic because he is actually a Bosnian-American whose family fled from Srebrenica in July of 1995, and they settled in New Hampshire. He went to high school there, and he got a degree from Southern New Hampshire University. He returned to Srebrenica in 2005 and was elected mayor in 2012.

Aside from that isolated, unfortunate incident with the Prime Minister, the ceremony was a solemn tribute and remembrance to the victims of Srebrenica. There was a spirit of unity and harmony. The theme again and again was of reconciliation.

As my colleague points out, it is particularly important for us to continue to support this reconciliation, for us to continue to support Bosnia and Herzegovina and their efforts to continue to look west to join the EU. Across many centuries, the Balkans has been a flashpoint for conflicts that have spread to the rest of Europe and the entire world. In fact, 101 years ago next month, World War I began with the assassination of Archduke Ferdinand right in Sarajevo. We walked by the block where he was assassinated.

As we have seen most recently in Greece and as we are seeing in the Balkans and in other countries in Eastern Europe, the Russians are quick to exploit any trouble in the southeast corner of Europe in order to spread their influence and destabilize the West. Wouldn't my colleague agree that it is important for us in the United States to join the EU in supporting the Bosniaks, the Serbs, the Croatians, the Muslims, the Orthodox Christians, and the Roman Catholics so that they can come together and show the world that we really can create a multi-ethnic, multi-sectarian state that can serve as a model for the Middle East and for countries around the world?

Mr. WICKER. Mr. President, I do agree. I would contrast the magnanimous statements of the Tripresidency and the gesture of the Serbian President in attending with the disappointing actions of the Russian leadership, under the leadership of President Putin, in actually vetoing a Security Council resolution simply to commemorate the 20th anniversary as a genocide. Russia refused to accept a well-established fact, confirmed by international courts such as the International Court of Justice, such as the International Criminal Tribunal for the former Yugoslavia. They vetoed—they were the only vote against it, but it acted as a veto—thus keeping the United Nations officially from going on record as saying this was a genocide and that these acts should be condemned. Such defiance is a disservice not only to the victims at Srebrenica but also to relations in the area going forward. I would just contrast that with the very brave step on the part of the Serbian President, coming to Srebrenica and being part of the commemorative ceremony.

I will tell my colleagues that former President Clinton spoke on behalf of this Republican and spoke on behalf of Democrats alike, making a very instructive and constructive address at the occasion, specifically commending the Serbian President.

I would say, with regard to the rock throwing incident and what the President of Serbia actually did, his glasses were broken, and he and members of his delegation were brought to their knees. I would say that if the 50 or so people who threw those rocks had heard the remarks inside the ceremony, perhaps they would not have felt so bitter as to throw those rocks. I know there are wounds that need to be healed. But I think the conciliatory words inside, if they had been broadcast to the entire crowd, would have perhaps caused that incident, which got all the publicity, not to happen.

This was about 50 people causing a disturbance in a crowd of, I would say, about 5,000 people gathered outside. It was a very important ceremony—actually, a funeral, you might say.

So I would have to just say that the Russian leadership really should be ashamed of standing in the way of international recognition of this genocide. They thought they were doing their Serbian neighbors a favor, but, on the other hand, the Serbian President stepped forward in a very brave way to create unity in this region, and I think my colleague would agree with that.

Mrs. SHAHEEN. Absolutely, and I know Senator WICKER shared my gratitude as we walked through the streets of Sarajevo and as we met people in Srebrenica for the appreciation they showed the United States for our actions in helping to end that awful war in Bosnia and for our actions in supporting Bosnia as they try to look westward and as they try to keep their country moving forward, addressing the corruption and the democracy issues they face. I think it is in our interest as Americans to support those efforts to help them, as they continue to move their country forward, in every way we can.

Mr. WICKER. The Senator from New Hampshire is exactly right. It is in the United States' interest that we care about the Balkans, that we care about Bosnia and Herzegovina. We owe it to the U.S. troops who were deployed there in 1995 and later, who kept the peace and made it work. There is no country on the face of the Earth that could have done that but the United States of America. We owe it to the memory of the leadership, not only of President Clinton, who basically hosted the Dayton Accords in the United States of America, but also Republicans such as Speaker Gingrich. It was Gingrich and Clinton who joined together and convinced this government to support the Dayton Agreement and support the necessary deployment to make sure this worked.

As the Senator pointed out, we owe it to history going forward to remember that World War I broke out in Sarajevo, that the events leading up to World War II largely occurred in the Balkans, and to do what we can in the interest of U.S. citizens to say that this will not again be a flashpoint for conflict in Europe and conflict internationally.

Mrs. SHAHEEN. I know the Senator shares my views that we owe it to the victims of Srebrenica. I look forward to continuing to work with Senator WICKER to do everything we can to support the efforts in Bosnia and Herzegovina.

Mr. WICKER. I look forward to working on a bipartisan basis to make sure

that this peace holds, to make sure that progress is made on the ethnic issues—that we give Bosnians and Herzegovinians every reason to continue to want to embrace Europe and to embrace the United States and to embrace fairness and anticorruption and all the work that it is going to take there.

I appreciate the delegation. I appreciate Secretary Albright. I appreciate President Clinton leading the delegation. And I appreciate the indulgence of our fellow Senators in hearing this colloquy.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Ohio.

AMERICAN WORKERS AND OVERTIME PAY

Mr. BROWN. Mr. President, too many Americans are still struggling in today's economy. Despite comments by some candidates for President, Americans work hard but still have trouble getting by. We know that Americans on average are working longer hours than workers in almost every other rich country in the world—significantly longer hours. Simply, they are not getting the pay they have earned and the compensation and the lifestyle to which they aspire and have worked so hard toward.

For many workers, it feels as though the harder and longer they work, the less they have to show for it. And they are not imagining things. Since the 1970s, middle class wages have been stagnant while the number of hours spent on the job has gone up. In short, Americans are working more for less.

The middle class has shrunk in every State in this country. The Pew Research Center studies show that the share of adults in middle-income households has fallen from 61 percent in 1970 to 51 percent in 2013. In Ohio the share of families that are middle class is now below 50 percent. We need to do more to build on-ramps for middle-class hard-working Americans instead of saying that Americans are not working hard enough, instead of asking workers to do more and more for less money.

It is not uncommon today for salaried workers—salaried workers, not millionaire salaried workers but lower income and middle-income salaried workers—to work 50-, 60-, 70-hour weeks without getting a cent in overtime. When workers put in extra time, it should be reflected in their paychecks. Right now a number of employers are gaming the system to avoid paying overtime, and American workers are losing wages as a result.

It is past time for overtime hours to mean overtime pay again. That is why my colleagues and I sent a letter to the President earlier this year urging the administration to restore the strength of overtime payrolls. Forty years ago, we as a nation decided that most workers, whether they were paid hourly or a salary, should receive overtime pay when working more than 40 hours a week, but the teeth in that law have been eroded. The strength of that law, the power of that law, and the effectiveness of that law have been eroded over the past 40 years.

In 1975, 65 percent of all salaried workers were covered by overtime pay rules. Currently, just 8 percent of salaried workers are covered. That could be a night manager in a fast food restaurant making $30,000 a year classified as management—classified because that person is salaried—and asked to work more than 40 hours and still only making $30,000 a year. So 40 years ago, 65 percent of salaried workers would have been paid time and a half for those extra hours beyond 40 for that night manager, but today they don't get paid over time. They may work 50 hours, they may work 60 hours, but they simply are not compensated for it.

The salary threshold of $23,600 a year has remained static for decades because it hasn't been indexed for inflation. So in 1975, somebody making $23,000 a year was paid overtime for beyond 40 hours. Today someone making $23,000 a year isn't. If they are making $30,000 or $40,000, they aren't paid overtime. So we see what has happened. The salary threshold was put in place to exempt highly paid executives, but because it hasn't increased in 40 years—they didn't build an inflation number into it or a cost of living adjustment—instead of hitting CEOs and lawyers who shouldn't get paid overtime in hours excess of 40, workers earning as little as $455 a week now go without overtime pay just because they are salaried and just because they are called management. It allows employers the opportunity to put somebody on salary, work them many more hours, and then fail to compensate them.

The current threshold is now so low that it is below the poverty line for a family of four. So a salaried worker making a few dollars below the poverty line and working 50 or 60 hours doesn't get paid overtime. That is actually what has happened. The American public is starting to understand this, and that is why so many people are calling on the President to do this.

Overtime pay should be available to everyone who puts in the extra time—not just those earning a poverty level wage. That is why I applaud the Department of Labor's proposed rule that would strengthen overtime standards and take them back—not quite even as good, but we are pretty satisfied with this—to the 1975 level. The new rule will more than double the salary threshold for earning overtime pay from $23,000 annually to $50,000. That would mean that 40 percent of salaried workers are now eligible for overtime. In my State, as a result of this rule, 160,000 Ohioans would get a raise, as would 5 million Americans in States such as Oklahoma, Rhode Island, Wisconsin, and all over this country.

This means more money in the pockets of American workers. The rule proposes lengthening the threshold to the 40th percentile of income for full-time salaried workers instead of setting a raw number. This means that the strength of the rule is less likely to erode over time. Not only will this rule help families make ends meet, it also boosts consumer spending, creates jobs, and bolsters the American economy.

Just like raising the minimum wage, when more money is put in the pocket of somebody making $8 an hour or $9 an hour or when you put more money in the pocket of a midlevel manager making $30,000 a year in a fast-food restaurant—if you put more money in their pocket—they are going to spend that money. They are not going to invest that money in a Swiss bank account. They are going to spend that money in the community, buy more groceries, go into the hardware stores and do more to fix up their houses and do more to generate economic activity and create jobs for our economy.

But there is still more we need to do to support American workers. This is an important step toward building our middle class. There is still more we need to do to support American workers. We need to give hourly workers a raise by raising the minimum wage. The legislation a number of us on the floor have worked on, the Raise the Wage Act, would increase the minimum wage incrementally to $12 an hour by 2020, giving a raise to 1 million Ohioans, 28 million people across the country—1 million Ohioans.

Tipped workers shouldn't have to struggle to get by. They deserve to earn a living wage to help put food on the table. Lots of people in this body are unaware, as some Americans are. People here should be more aware of it, but people here tend not to know people that work in diners. People who work in diners as waitresses and waiters in diners can be paid as little as $2.13 an hour. The minimum wage for working in a diner in a so-called tipped wage or for the people who push wheelchairs in airports or in some case for many other kinds of jobs is $2.13 an hour. It is not $7.25, which is the minimum wage for everyone else. That is why we need to move on raising the minimum wage, on bringing the tipped wage up to at least 70 percent of the minimum wage.

Workers will be happier and they will be more productive when they are healthy, when they are making decent salaries, making a little bit better wages. Americans also deserve a day off when they get sick. Forty-three million Americans—2 million in my State—have no paid sick leave at all. They are faced with impossible choices. Do they stay home to care for a sick child or go to work so they can put food on the table?

Workers are happier and more productive when they are healthy. Guaranteeing paid sick leave would save precious health care resources, it would give employers safe and stable workplaces, and it would give families peace of mind. It would mean that

workers are not going to work when they are sick, infecting other workers and affecting productivity and profits at that business. That is why we should pass the Healthy Family Act. Overtime is important. Minimum wage is important. The Healthy Family Act for sick leave days is important. All are steps that we need to support hard-working American families.

We know what has happened in the economy the last 10 years. We know the wealthiest 5 percent are doing better and better and better. Profits are up for companies. Executives are making bigger and bigger bonuses. But working class, lower-middle-class workers are simply not getting ahead or even able to tread water to stay even, for that matter. The minimum wage will help, paying overtime will help, and the Healthy Family Act will help.

The Toledo Blade put it well last week: ''America's widening income gap isn't an inescapable outcome of the free market, but a political choice that can be mitigated with intelligent public policies.''

This is a political choice. We have seen this body and the body on the other side of the Capitol continue to give more tax cuts for the wealthiest Americans. We won't invest in infrastructure, we won't invest in working families, we won't help raise wages, we won't help with overtime, and we won't help with workers who just need a few sick days off, as people in bodies such as this typically have.

I urge the Department of Labor to finalize their strong overtime proposal as quickly as possible. It will make a huge difference in the lives of millions of Americans.

With that, I yield back.

20TH ANNIVERSARY OF THE NORMALIZATION OF DIPLOMATIC RELATIONS BETWEEN THE UNITED STATES AND VIETNAM

Mr. WHITEHOUSE. Mr. President, I am here to recognize a historic milestone: the 20th anniversary of the normalization of diplomatic relations between the United States and Vietnam. This occasion has some personal significance for me and my family. My father served as Deputy Ambassador to Vietnam; in effect, the chief operating officer of that conflict. I lived with him in that country for several months during the Vietnam war. If he were alive today, he would be proud of the work both countries have done to reconcile our past.

It took immense courage on both sides to look beyond the scars of that war and envision a future in which our two countries could become partners and friends. No one embodies this courage more than our friend JOHN MCCAIN, who played a major role in establishing diplomatic relations between our two countries, and Secretary of State John Kerry, then a Senator, who was his Democratic partner.

Given Senator MCCAIN's experience as a prisoner in Vietnam, his subsequent efforts to strengthen the peace and forgiveness between our two Nations are an enduring inspiration, the power of which I was privileged to see firsthand when I traveled with Senator MCCAIN to Hanoi in 2012 and 2014.

Senator MCCAIN said 20 years ago, ''I believe it is my duty to encourage this country to build from the losses and the hopes of our tragic war in Vietnam a better peace for both the American and the Vietnamese people.''

Today, the American and the Vietnamese people can be proud of the progress made to forge a lasting peace and friendship. Two years ago, President Obama and Vietnamese President Truong Tan Sang launched the U.S.-Vietnam Comprehensive Partnership, opening a new phase of bilateral relations between our nations based on mutual respect and common interests. I met recently with Nguyen Phu Trong, the General Secretary of the Central Committee of the Communist Party of Vietnam to discuss our shared interests and opportunities for closer collaboration on a range of issues, including regional stability, economic cooperation, and the lingering human and environmental consequences of that war.

I had the honor of meeting with General Secretary Trong while traveling to Vietnam with Senator MCCAIN last summer. I am pleased he has made this historic visit to the United States. I am hopeful Vietnam will bring our interests and values into closer alignment, particularly on human rights, the rights of civil society, transparency, and good governance issues.

To that end, I look forward to working together to achieve closer ties. As the United States and Vietnam continue to deepen our relationship, we should continue to address the legacies of that war, particularly the health effects and environmental contamination associated with Agent Orange and other herbicides. Here at home, we take our commitment to caring for our veterans very seriously. Although the war has ended, many American veterans and their families still battle a range of health problems and serious diseases associated with their service in Vietnam.

We must ensure that veterans get the care they need to combat the long-term health problems related to exposure to Agent Orange. Those contamination and health problems are also serious in Vietnam. I am grateful for Senator LEAHY's leadership on the Appropriations Committee, which has enabled the United States to pursue remediation projects to clean up the dioxin contamination at Da Nang International Airport and other hot spots and to support related health and disability programs.

I urge all of us that we continue to support these initiatives which strengthen our bilateral relationship. Considerable work remains. According to initial assessments of Bien Hoa Air Base, the contamination there is more severe and cleanup is expected to be more complex and costly than at Da Nang. In addition, health-related problems and disabilities persist in areas sprayed with Agent Orange or otherwise contaminated by dioxin.

In 2008, actor, advocate, and longtime friend Dick Hughes brought this issue closely to my attention and he has shared with me compelling stories about Vietnamese families who have been affected by diseases and disabilities related to Agent Orange exposure. Some of the suffering ascribed to Agent Orange has been harrowing and heartbreaking. Dick has years of experience working on humanitarian issues in Vietnam and is a compelling witness to that suffering.

We first met when I was a teenager in Saigon and Dick had established a program called the Shoeshine Boys Project, to care for homeless children who had been orphaned or left alone during the war. He brought them together and sent them on the streets with shoeshine boxes as a way of making a living and finding something they could do and provided them care and a home when they came home at nightfall.

Over 8 years, that project helped thousands of children in cities all across Vietnam. Dick attributes the success of that project to close partnerships forged with local communities and the project's management by Vietnamese citizens. When Dick returned to the United States, he continued to advocate for postwar humanitarian causes and he started a foundation to raise awareness about the effects of Agent Orange on the Vietnamese population. Dick remains a trusted friend and tireless advocate to the Vietnamese people.

As our two countries work together on a new and more engaged future, we should expand our efforts to improve the health and well-being of the Vietnamese people. We can learn from Dick's experience about the power of partnership and the value of local leadership, and together we can continue to repair the damage—physical, psychological, and political—of the path we share.

I yield the floor.

The PRESIDING OFFICER. The Senator from Wisconsin.

AMENDMENT NO. 2093

Ms. BALDWIN. Mr. President, I rise to speak in support of the Student Non-Discrimination Act, which Senator FRANKEN is offering as an amendment to the Every Child Achieves Act. The Student Non-Discrimination Act would help protect our students from bullying, harassment, and discrimination. I am a proud cosponsor of this amendment and hopeful the Senate will agree to this amendment this week.

As we consider the Every Child Achieves Act, as we did in committee back in April, and as we have discussed it on the floor over the last week, I have been guided by a core principle: that this law should ensure that every

child, regardless of his or her background, regardless of his or her family's income, has access to the opportunities provided by a great education, a high-quality education.

Now, part of providing that opportunity is ensuring that every student is able to come to school and succeed in an environment that is safe, supportive, and free from discrimination. While the Every Child Achieves Act helps advance opportunity for students in numerous ways, it falls short in addressing a significant problem limiting the achievement of some of our most vulnerable students.

Unfortunately, there are still far too many stories of harassment, of bullying, and of discrimination against lesbian, gay, bisexual, and transgender students at the hands of their peers but also, sadly, sometimes at the hands of their teachers or administrators as well. There remains no Federal law that explicitly protects these students and provides them and their families with recourse when they face bullying and harassment that limits their educational opportunities.

No student can achieve if he cannot feel safe at school. No student will excel if she spends each day in fear of just being herself. I hear from so many students in my State about the need for us to stand up against bullying. For example, a young woman in Madison wrote to me, and I quote from her letter:

> [A]s a student myself, I hear the words ''gay'', ''faggot, ''queer'' and others get tossed around . . . daily, and I do what I can to deter these words from being used in negative ways by others, but one voice can't make much of a difference. . . . I'm asking you to help raise awareness in schools anyway that you can.

I would tell this young woman in Madison that her voice speaking out on this matter can make a difference. Another young woman from Kimberly, WI, contacted me about her friend who committed suicide after suffering bullying. She wrote:

> He made everyone else come alive and be the better people that they were inside. But he killed himself because he thought he had no way out of the pain, no way to make those kids stop, other than to make sure he was not living anymore.

Across the country, lesbian, gay, bisexual, and transgender or LGBT youth experience bullying harassment at school more frequently than their non-LGBT peers. According to a national survey by the Gay, Lesbian & Straight Education Network, in the past year, nearly three-quarters of students were verbally harassed and more than 16 percent were physically assaulted because of their sexual orientation.

More than 60 percent of students who reported an incident of harassment said that school staff did nothing in response. It is unsurprising, then, that nearly one-third of students reported missing school at least once in the last month because they did not feel safe. I believe we must fix this immediately. That is why I support including Senator FRANKEN's Student Non-Discrimination Act as an amendment to the Every Child Achieves Act currently being debated before the Senate. Senator FRANKEN's amendment would provide real and strong protections for LGBT students in public, elementary, and secondary schools. It would also provide recourse through the Department of Education and, if necessary, in the courts to help students vindicate their rights.

This amendment is closely modeled on existing Federal education protections, which have helped ensure that students have remedies when they face unfair treatment based on race, ethnicity, sex, and disability. LGBT students are just as deserving of the opportunity to succeed in the school environment that is supportive and nurturing rather than discriminatory and unwelcoming.

If we are truly to ensure through this legislation that every child achieves, we must act to address the bullying, harassment, and discrimination that limits educational opportunities of too many students. I urge my colleagues to support this amendment.

I yield the floor.

The PRESIDING OFFICER. The majority leader.

CLOTURE MOTION

Mr. MCCONNELL. Mr. President, I send a cloture motion to the desk for the Alexander substitute amendment No. 2089.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The senior assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the Alexander amendment No. 2089 to S. 1177, an original bill to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves.

Mitch McConnell, Orrin G. Hatch, Lamar Alexander, Cory Gardner, Steve Daines, Pat Roberts, Johnny Isakson, Susan M. Collins, Michael B. Enzi, Kelly Ayotte, John Cornyn, Lisa Murkowski, Tim Scott, Richard Burr, Thom Tillis, Lindsey Graham, John Hoeven.

CLOTURE MOTION

Mr. MCCONNELL. Mr. President, I send a cloture motion to the desk for the underlying bill, S. 1177.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The senior assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on S. 1177, an original bill to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves.

Mitch McConnell, Lisa Murkowski, Pat Roberts, Lamar Alexander, Cory Gardner, Steve Daines, Johnny Isakson, Susan M. Collins, Michael B. Enzi, Kelly Ayotte, John Cornyn, Orrin G. Hatch, Richard Burr, Thom Tillis, Lindsey Graham, John Hoeven, Bill Cassidy.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the mandatory quorum calls under rule XXII of the Standing Rules of the Senate with respect to the cloture motions be waived.

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

MORNING BUSINESS

PENDING NOMINEES TO THE U.S. COURT OF FEDERAL CLAIMS

Mr. LEAHY. Mr. President, the U.S. Court of Federal Claims has been referred to as the ''keeper of the Nation's conscience'' and ''the people's court.'' This court was created by Congress approximately 160 years ago and embodies the constitutional principle that individuals have rights against their government. As President Lincoln has said, ''It is as much the duty of Government to render prompt justice against itself, in favor of citizens, as it is to administer the same between private individuals.'' That is what this court does. It allows citizens to seek prompt justice against our government.

The court's jurisdiction is authorized by statute, and it primarily hears monetary claims against the U.S. Government deriving from the Constitution, Federal statutes, executive regulations, and civilian or military contracts. The fact that the Court of Federal Claims is an article I court, as opposed to an article III court, does not render any of the cases that it hears any less significant.

For example, the court has presided over such important cases as the savings and loan crisis of the 1980s and the World War II internment of Japanese Americans. It also presides over civilian and military pay claims and money claims under the Fifth Amendment's takings clause.

The takings clause under the Fifth Amendment of the U.S. Constitution provides: ''nor shall private property be taken for public use without just compensation.'' As a result of this court's jurisdiction over takings' claims, it considers cases such as the auto bailout suits against General Motors and Chrysler—companies who were required to terminate agreements with franchisees as a condition of receiving Federal bailout money. The court also resolves disputes that critically impact the environment and our economy, such as those involving the taking of wetlands to create solid waste landfills and disputes over water and drainage rights by agricultural landowners.

Last week, the chief judge of the court sent a letter informing the Senate that despite the court's shortage of

judicial officers, its caseload continues unabated. She wrote that ''[t]he statutory requirements dictating deadlines for certain types of cases unique to our court, including government contract disputes—some of which involve national defense and national security—remain in effect. The dollar amounts in dispute in our currently pending cases, which are often an indication of the complexity of the underlying issues, are in the billions of dollars. At least three different cases on the court's pending docket reflect a demand for damages greater than forty billion dollars.''

This is no ordinary court. The Senate Republicans' insistence on delaying the confirmation of qualified nominees to the Court of Federal Claims harms its ability to resolve issues of national importance in a timely and just manner. Since February 2013, the U.S. Court of Federal Claims has been operating with several vacancies. Only 11 of the 16 seats on the court are occupied by active judges.

We could have a court working at full strength if we confirm the five pending on the Senate Executive Calendar. All five of them were all nominated more than a year ago and have twice been voted out of the Judiciary Committee by unanimous voice vote. I have heard no objections to any of the five nominees to this court. There is no good reason to delay filling these vacancies.

This is especially the case because the nominees before us are superbly qualified. One of the nominees, Armando Bonilla, would be the first Hispanic judge to hold a seat on the court. He is strongly endorsed by the Hispanic National Bar Association. He has spent his entire career—now spanning over two decades—as an attorney for the Department of Justice. He was hired out of law school in the Department's prestigious Honors Program, and has risen to become the Associate Deputy Attorney General in the Department.

Armando Bonilla's story is that of the American dream. The son of a Cuban immigrant and Cuban-American father, Armando Bonilla has told the story of his mother's flight from Havana with his aunt and his grandmother. He has told the story of his ''Tí Mario,'' who eventually disappeared trying to help other exiles. And he has told the story of his father, who dropped out of high school but would subsequently serve the country by joining the Marines and would ultimately take on several jobs to support Armando and his sister. As Mr. Bonilla has beautifully described, his father ''exemplified the most outstanding qualities of the Hispanic culture and Hispanic people: the selfless sacrifice, the steely resolve and unbridled optimism and the genuine pride in an honest day's work—all toward the cause of improving the lives of the next generation.'' Mr. Bonilla should be confirmed without further delay.

Another nominee, Jeri Somers, retired with the rank of Lieutenant Colonel in the U.S. Air Force. She spent over two decades serving first as a judge advocate general and then as a military judge in the U.S. Air Force and the District of Columbia's Air National Guard. In 2007, she became a board judge with the U.S. Civilian Board of Contract Appeals and currently serves as its vice chair.

Armando Bonilla and Jeri Somers are just two of the five nominees that Senate Republicans have been obstructing. These are two individuals that have done right every step of the way in their careers and are willing to serve on this important court. They have dedicated the majority of their careers in service to our Nation. They deserve better than the treatment they are receiving now.

During the Bush administration, the Senate confirmed nine judges to the Court of Federal Claims—with the support of every Senate Republican. So far during the Obama administration, only three CFC judges have received confirmation votes. That is nine CFC judges during the Bush administration to only three so far in the Obama administration.

Unfortunately, the disparity in treatment of these nominees by Senate Republicans is not surprising. More than half a year into this new Congress, the Republican leadership has scheduled votes to confirm only five district and circuit court judges. This is in stark contrast to the 25 district and circuit court judges confirmed by July 13, 2007, when the shoe was on the other foot and Democrats had regained the Senate majority in the seventh year of the Bush administration. That is 25 district and circuit court judges under a Democratic majority compared to 5 under the Republican majority. That is five times as many judges confirmed under a Democratic majority with a President of the opposite party than today's Senate Republican majority.

It is up to the majority leader now to treat President Obama's judicial nominees fairly. I ask that he schedule votes this week on the five Court of Federal Claims nominees pending on the Senate Executive Calendar.

I ask unanimous consent that a recent post to The Hill's Congress Blog by Professor Carl Tobias on the need to fill the vacancies on U.S. Court of Federal Claims be printed in the RECORD.

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

[From The Hill, July 9, 2015]

FILL THE U.S. COURT OF FEDERAL CLAIMS VACANCIES

(By Carl Tobias)

The United States Court of Federal Claims was the most important federal court that many Americans had never heard of until last month. That is when Judge Thomas Wheeler of this court ruled that Hank Greenberg and AIG shareholders had proved that the federal government exceeded its authority by demanding an eighty percent equity stake in AIG during the great recession but that plaintiffs were not entitled to damages because they suffered no economic loss.

More critical than this high profile case is the fact that the court has experienced vacancies in five of its judgeships for more than a year, while the well qualified, consensus nominees whom President Barack Obama first tapped for those openings in 2014 have languished awaiting confirmation. Because the Court of Federal Claims needs its full complement of judges to deliver justice and each nominee is highly qualified and uncontroversial, the Senate must expeditiously provide the nominees floor debates, if warranted, and up or down votes.

This tribunal is the court in which citizens seek redress against the federal government for monetary claims. These include claims that the U.S. has taken private property without just compensation under the Fifth Amendment, claims pursued by veterans who seek disability payments for injuries received in combat and claims for compensation filed by persons who allege vaccines injured them. The tribunal's recent caseload has increasingly encompassed complex, high-dollar cases and high profile disputes in fields, such as the 1980s savings and loan crisis and Second World War internment of Japanese Americans by the United States.

On April 10, 2014, Obama nominated Judge Nancy Firestone for reappointment and Thomas Halkowski to fifteen year terms, while on May 21, the White House nominated Armando Bonilla, Patricia McCarthy and Jeri Somers. Obama first nominated all five of the candidates more than one year ago, and they received Judiciary Committee hearings nearly a year ago. The panel unanimously reported all five out of committee rather soon after the hearings. Unfortunately, the Senate accorded none of the nominees a final vote before the 114th Congress adjourned.

Therefore, the White House renominated the five candidates in early January 2015. The Judiciary Committee in turn unanimously approved the nominees without substantive discussion in February. The five nominees have since languished on the floor over four months awaiting debates and yes or no ballots. In a June 24 Congressional Record statement, Sen. Patrick Leahy (D–Vt.), the Judiciary Committee Ranking Member, urged swift votes: ''We have heard no opposition to any of these nominees, yet they have been in limbo for months and months because the Republican Leader has refused to schedule a vote.''

Now that the Senate has returned from its July 4 recess, one of the chamber's first items of business must be debates and votes on the five Court of Federal Claims nominees. The tribunal needs all of the judges whom Congress has authorized to dispense justice for members of the public who seek redress because they claim that the federal government has injured them.

ADDITIONAL STATEMENTS

RECOGNIZING THE 15TH ANNIVERSARY OF THE COLORADO DRAGON BOAT FESTIVAL

• Mr. GARDNER. Mr. President, today I commemorate the annual Colorado Dragon Boat Festival on their 15th-anniversary celebration taking place on July 18 and 19 at Sloan's Lake in Denver, CO.

The Dragon Boat Festival is a ritual that is more than 2,000 years old. This sporting event has spread to cities around the world, and Denver's Dragon

Boat Festival is no exception. This cultural event celebrates Colorado's diverse Chinese and Taiwanese population. Thousands of competitors and spectators alike gather downtown for this annual race.

The Colorado Dragon Boat Festival has been recognized as one of Denver's largest and most prolific cultural events. In 2011, the CDBF earned the Denver Mayor's Diversity Award. In 2013, the event received the Denver Mayor's Award for Excellence in Arts and Culture. Additionally, Director Erin Yoshimura was the first Asian American to win the Boettcher Foundation's Livingston Fellowship.

As chairman of the Senate Foreign Relations Committee's Subcommittee on Asia, the Pacific and International Cybersecurity Cooperation, I am dedicated to strengthening relationships with our Asian communities at home and abroad.

Best of luck to the 52 teams competing in this year's race, and I look forward to many more years of celebrating the Colorado Dragon Boat Festival.●

TRIBUTE TO COL RHONDA D. SMILLIE

● Mr. JOHNSON. Mr. President, I wish to pay tribute to Col Rhonda Smillie of the U.S. Army Reserve who retired in May 2015 with more than 32 years of service and who, for the past 2 years, has served as a legislative liaison for the chief, Army Reserve. I am grateful for her life of service to the Army Reserve and wish her well as she transitions into retirement.

A native of Fort Atkinson, WI, Rhonda was commissioned via the Reserve Officer's Training Corps Program at the University of Wisconsin-Whitewater, and went on to earn advanced degrees from Lindenwood University in St. Charles, MO, and from the U.S. Army War College in Carlisle, PA.

Currently serving as the legislative liaison for the chief, Army Reserve, with responsibility for 19 States, Colonel Smillie travels extensively throughout her territory. From Ohio to Washington, from North Dakota to Missouri, she conducts education and outreach events that ensure community leaders understand the impact of the Army Reserve. Her efforts highlight key aspects of the Army Reserve that otherwise go unnoticed such as providing medical and dental assistance to underserved communities in northern Montana, providing cost effective training via Chinook helicopter simulators in Kansas, and working to ensure returning soldiers receive necessary support via the Yellow Ribbon Program in various States. She has helped to highlight the Public Private Partnership and other programs unique to the Army Reserve.

Prior to assignment as a legislative liaison, she served as the deputy director, Military Personnel Management, Department of the Army Headquarters, G–1. On points of law and policy she was trusted to consider the needs of the Army, the Army Reserve, and soldiers and families. She expertly assisted in developing personnel policies to keep pace with an Army engaged in persistent conflict while simultaneously drawing down the force.

With more than 20 years of Active Duty in support of the Army Reserve, Colonel Smillie's distinguished career is marked by tremendous accomplishments, impacting across the breadth and depth of the Army. Her distinctive leadership in positions demanding the utmost trust and responsibility, coupled with her exceptional professionalism and selfless service, will have a lasting positive impact on Army personnel readiness.

It is only fair and proper to acknowledge the tireless support of her husband, Mr. Douglas Bryan Way, and their son, Truman Douglas Smillie Way, as it enabled her to work tirelessly on her assigned duties. Let us thank them all for their sacrifices and wish them continued success in the future.●

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.)

MESSAGES FROM THE HOUSE

At 3:02 p.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. 5. An act to support State and local accountability for public education, protect State and local authority, inform parents of the performance of their children's schools, and for other purposes.

H.R. 6. An act to accelerate the discovery, development, and delivery of 21st century cures, and for other purposes.

H.R. 2647. An act to expedite under the National Environmental Policy Act of 1969 and improve forest management activities on National Forest System lands, on public lands under the jurisdiction of the Bureau of Land Management, and on tribal lands to return resilience to overgrown, fire-prone forested lands, and for other purposes.

The message also announced that the Speaker appoints the following Members as additional conferees in the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 1735) to authorize appropriations for fiscal year 2016 for military activities of the Department of the 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:

From the Permanent Select Committee on Intelligence, for consideration of matters within the jurisdiction within that committee under clause 11 of rule X: Messrs. NUNES, KING of New York, and SCHIFF.

From the Committee on Education and the Workforce, for consideration of secs. 571 and 573 of the House bill and secs. 561–63 of the Senate amendment and modifications committed to conference: Messrs. ROKITA, BISHOP of Michigan, and SCOTT of Virginia.

From the Committee on Energy and Commerce, for consideration of secs. 314, 632, 634, 3111–13, 3119, 3133, and 3141 of the House bill and secs. 601, 632, 3118, and 3119 of the Senate amendment, and modifications committed to conference: Messrs. UPTON, BARTON, and PALLONE.

From the Committee on Foreign Affairs, for consideration of secs. 1011, 1059, 1090, 1092, 1201, 1203–5, 1215, 1221, 1223, 1226, 1234–36, 1247–49, 1253, 1257, 1263, 1264, 1267, 1270, 1301, 1532, 1541, 1542, 1663, 1668–70, 2802, 3118, and 3119 of the House bill and secs. 1011, 1012, 1082, 1201–05, 1207, 1209, 1223, 1225, 1228, 1251, 1252, 1261, 1264, 1265, 1272, 1301, 1302, 1531–33, 1631, 1654, and 1655 of the Senate amendment and modifications committed to conference: Messrs. ROYCE, MARINO, and ENGEL.

From the Committee on Homeland Security, for consideration of secs. 589 and 1041 of the Senate amendment, and modifications committed to conference: Mr. MCCAUL, Mrs. MILLER of Michigan, and Mr. THOMPSON of Mississippi.

From the Committee on the Judiciary, for consideration of secs. 1040, 1052, 1085, 1216, 1641, and 2862, of the House bill and secs. 1032, 1034, 1090, and 1227 of the Senate amendment, and modifications committed to conference: Messrs. GOODLATTE, ISSA, and CONYERS.

From the Committee on Natural Resources, for consideration of secs. 312, 632, 634, 2841, 2842, 2851–53, and 2862 of the House bill and secs. 313, 601, and 632 of the Senate amendment, and modifications committed to conference: Messrs. COOK, HARDY, and GRIJALVA.

From the Committee on Oversight and Government Reform, for consideration of secs. 602, 631, 634, 838, 854, 855, 866, 871, 1069, and 1101–05 of the House bill and secs. 592, 593, 631, 806, 830, 861, 1090, 1101, 1102, 1104, 1105, 1107–09, 1111, 1112, 1114, and 1115 of the Senate amendment, and modifications committed to conference: Messrs. HURD of Texas, RUSSELL, and CUMMINGS.

From the Committee on Rules, for consideration of sec. 1032 of the Senate amendment, and modifications committed to conference: Messrs. SESSIONS, BYRNE, and Ms. SLAUGHTER.

From the Committee on Science, Space, and Technology, for consideration of sec. 3136 of the House bill and sec. 1613 of the Senate amendment, and modifications committed to conference: Messrs. LUCAS, KNIGHT, and Ms. EDDIE BERNICE JOHNSON of Texas.

From the Committee on Small Business, for consideration of secs. 831–34, 839, 840, 842–46, 854, and 871 of the House bill and secs. 828, 831, 882, 883, and 885 of the Senate amendment, and modifications committed to conference: Messrs. CHABOT, HANNA, and Ms. VELÁZQUEZ.

From the Committee on Transportation and Infrastructure, for consideration of secs. 302, 562, 569, 570a, 591, 1060a, 1073, 2811, and 3501 of the House bill and secs. 601, 642, 1613, 3504, and 3505, of the Senate amendment, and modifications committed to conference: Messrs. GRAVES of Louisiana, CURBELO of Florida, and Ms. EDWARDS.

From the Committee on Veterans' Affairs, for consideration of secs. 565, 566, 592, 652, 701, 721, 722, 1105, and 1431 of the House bill and secs. 539, 605, 633, 719, 1083, 1084, 1089, 1091, and 1411 of the Senate amendment, and modifications committed to conference: Messrs. ROE of Tennessee, BILIRAKIS, and Ms. BROWN of Florida.

ENROLLED BILL SIGNED

At 5:13 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. 2620. An act to amend the United States Cotton Futures Act to exclude certain cotton futures contracts from coverage under such Act.

The enrolled bill was subsequently signed by the President pro tempore (Mr. HATCH).

MEASURES REFERRED

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

H.R. 6. An act to accelerate the discovery, development, and delivery of 21st century cures, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

H.R. 2647. An act to expedite under the National Environmental Policy Act of 1969 and improve forest management activities on National Forest System lands, on public lands under the jurisdiction of the Bureau of Land Management, and on tribal lands to return resilience to overgrown, fire-prone forested lands, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

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. 5. An act to support State and local accountability for public education, protect State and local authority, inform parents of the performance of their children's schools, 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–2209. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''S-metolachlor; Pesticide Tolerances'' (FRL No. 9927–85) received during adjournment of the Senate in the Office of the President of the Senate on July 6, 2015; to the Committee on Agriculture, Nutrition, and Forestry.

EC–2210. A communication from the Acting Under Secretary of Defense (Personnel and Readiness), transmitting a report on the approved retirement of General Larry O. Spencer, United States Air Force, and his advancement to the grade of general on the retired list; to the Committee on Armed Services.

EC–2211. 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 ''2014 Section 45K(d)(2)(C) Reference Price'' (Notice 2015–45) received in the Office of the President of the Senate on July 8, 2015; to the Committee on Finance.

EC–2212. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report prepared by the Department of State on progress toward a negotiated solution of the Cyprus question covering the period February 1, 2015 through March 31, 2015; to the Committee on Foreign Relations.

EC–2213. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Clean Air Act Title V Operating Permit Program Revision; Pennsylvania'' (FRL No. 9930–30–Region 3) received in the Office of the President of the Senate on July 8, 2015; to the Committee on Environment and Public Works.

EC–2214. 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; Pennsylvania; Determination of Attainment of the 2006 24-Hour Fine Particulate Standard for the Liberty-Clairton Nonattainment Area'' (FRL No. 9930–23–Region 3) received in the Office of the President of the Senate on July 8, 2015; to the Committee on Environment and Public Works.

EC–2215. 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; Kansas; Update to Materials Incorporated by Reference'' (FRL No. 9926–48–Region 7) received in the Office of the President of the Senate on July 8, 2015; to the Committee on Environment and Public Works.

EC–2216. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Revisions to the California State Implementation Plan, South Coast Air Quality Management District'' (FRL No. 9929–58–Region 9) received in the Office of the President of the Senate on July 8, 2015; to the Committee on Environment and Public Works.

EC–2217. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Revisions to the California SIP, Ventura and Eastern Kern Air Pollution Control Districts; Permit Exemptions'' (FRL No. 9929–64–Region 9) received in the Office of the President of the Senate on July 8, 2015; to the Committee on Environment and Public Works.

EC–2218. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Revisions to the California State Implementation Plan, South Coast Air Quality Management District'' (FRL No. 9929–60–Region 9) received in the Office of the President of the Senate on July 8, 2015; to the Committee on Environment and Public Works.

EC–2219. 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; Preconstruction Requirements—Nonattainment New Source Review'' (FRL No. 9930–31–Region 3) received in the Office of the President of the Senate on July 8, 2015; to the Committee on Environment and Public Works.

EC–2220. 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; Pennsylvania; Redesignation Request and Associated Maintenance Plan for the Johnstown Nonattainment Area for the 1997 Annual and 2006 24-Hour Fine Particulate Matter Standard'' (FRL No. 9930–24–Region 3) received in the Office of the President of the Senate on July 8, 2015; to the Committee on Environment and Public Works.

EC–2221. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Findings of Failure to Submit a Section 110 State Implementation Plan for Interstate Transport for the 2008 National Ambient Air Quality Standards for Ozone'' (FRL No. 9930–25–OAR) received in the Office of the President of the Senate on July 8, 2015; to the Committee on Environment and Public Works.

EC–2222. 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; Low Emissions Vehicle Program Revisions'' (FRL No. 9930–35–Region 3) received in the Office of the President of the Senate on July 8, 2015; to the Committee on Environment and Public Works.

EC–2223. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''National Emission Standards for Hazardous Air Pollutants for the Portland Cement Manufacturing Industry and Standards of Performance for Portland Cement Plants'' (FRL No. 9927–62–OAR) received in the Office of the President of the Senate on July 8, 2015; to the Committee on Environment and Public Works.

EC–2224. 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; New Mexico; Revisions to the Particulate Matter Less than 2.5 Micrometers (PM2.5) Prevention of Significant

Deterioration (PSD) Permitting Program State Implementation Plan (SIP)'' (FRL No. 9930–27–Region 6) received in the Office of the President of the Senate on July 8, 2015; to the Committee on Environment and Public Works.

EC–2225. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Partial Approval and Partial Disapproval of Air Quality State Implementation Plans; Arizona; Infrastructure Requirements for Lead and Ozone'' (FRL No. 9930–28–Region 9) received in the Office of the President of the Senate on July 8, 2015; to the Committee on Environment and Public Works.

EC–2226. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Revisions to the California State Implementation Plan, Feather River Air Quality Management District'' (FRL No. 9927–76–Region 9) received during adjournment of the Senate in the Office of the President of the Senate on July 6, 2015; to the Committee on Environment and Public Works.

EC–2227. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Revisions to the California State Implementation Plan, Butte County Air Quality Management District'' (FRL No. 9928–50–Region 9) received during adjournment of the Senate in the Office of the President of the Senate on July 6, 2015; to the Committee on Environment and Public Works.

EC–2228. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Polychlorinated Biphenyls (PCBs): Revisions to Manifesting Regulations; Item Number'' (FRL No. 9929–92–OSWER) received during adjournment of the Senate in the Office of the President of the Senate on July 6, 2015; to the Committee on Environment and Public Works.

EC–2229. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''National Emissions Standards for Hazardous Air Pollutants for Mineral Wool Production and Wool Fiberglass Manufacturing'' ((RIN2060–AQ90) (FRL No. 9928–71–OAR)) received during adjournment of the Senate in the Office of the President of the Senate on July 6, 2015; to the Committee on Environment and Public Works.

EC–2230. 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 July 6, 2015; to the Committee on Environment and Public Works.

EC–2231. 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; Kansas; Update to Materials Incorporated by Reference'' (FRL No. 9926–48–Region 7) received during adjournment of the Senate in the Office of the President of the Senate on July 6, 2015; to the Committee on Environment and Public Works.

EC–2232. 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; Nebraska; Update to Materials Incorporated by Reference'' (FRL No. 9926–49–Region 7) received during adjournment of the Senate in the Office of the President of the Senate on July 6, 2015; to the Committee on Environment and Public Works.

EC–2233. A communication from the Deputy Director, Health Resources and Services Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''National Vaccine Injury Compensation Program: Addition of Intussusception as Injury for Rotavirus Vaccines to the Vaccine Injury Table'' (RIN0906–AB00) received in the Office of the President of the Senate on July 8, 2015; to the Committee on Health, Education, Labor, and Pensions.

EC–2234. A communication from the General Counsel, Pension Benefit Guaranty Corporation, transmitting, pursuant to law, the report of a rule entitled ''Partitions of Eligible Multiemployer Plans'' (RIN1212–AB29) received in the Office of the President of the Senate on July 8, 2014; to the Committee on Health, Education, Labor, and Pensions.

EC–2235. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; The Boeing Company Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2014–0485)) received in the Office of the President of the Senate on July 8, 2015; to the Committee on Commerce, Science, and Transportation.

EC–2236. A communication from the Chairman, National Transportation Safety Board, transmitting, pursuant to law, a report relative to the Board's 2015 Federal Activities Inventory Reform Act inventory; to the Committee on Homeland Security and Governmental Affairs .

EC–2237. A communication from the District of Columbia Auditor, transmitting, pursuant to law, a report entitled ''Certification of Fiscal Year 2015 Total Local Source General Fund Revenue Estimate (Net of Dedicated Taxes) in Support of the District's Issuance of General Obligation Bonds (Series 2015A and 2015B)''; to the Committee on Homeland Security and Governmental Affairs.

EC–2238. A communication from the Staff Director, U.S. Sentencing Commission, transmitting, pursuant to law, the 2014 Annual Report and Sourcebook of Federal Sentencing Statistics; to the Committee on the Judiciary.

EC–2239. A communication from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Accessible Emergency Information, and Apparatus Requirements for Emergency Information and Video Description'' (MB Docket No. 12–107, FCC 15–56) received in the Office of the President of the Senate on July 8, 2015; to the Committee on Commerce, Science, and Transportation.

EC–2240. A communication from the Chief Executive Officer, United States Anti-Doping Agency, transmitting, pursuant to law, the Agency's 2014 annual report and Independent Auditor's reports and financial statements for 2014 and 2013; to the Committee on Commerce, Science, and Transportation.

EC–2241. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Learjet Inc. Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2014–0249)) received in the Office of the President of the Senate on July 8, 2015; to the Committee on Commerce, Science, and Transportation.

EC–2242. A communication from the Paralegal Specialist, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Avidyne Corporation Integrated Flight Displays'' ((RIN2120–AA64) (Docket No. FAA–2015–2191)) received in the Office of the President of the Senate on July 8, 2015; to the Committee on Commerce, Science, and Transportation.

EC–2243. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus Airplanes'' ((RIN2120–AA64) (Docket No . FAA–2014–0618)) received in the Office of the President of the Senate on July 8, 2015; to the Committee on Commerce, Science, and Transportation.

EC–2244. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus Airplanes'' ((RIN2120–AA64) (Docket No . FAA–2014–0585)) received in the Office of the President of the Senate on July 8, 2015; to the Committee on Commerce, Science, and Transportation.

EC–2245. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Agusta S.p.A. (Agusta) Helicopters'' ((RIN2120–AA64) (Docket No. FAA–2015–2119)) received in the Office of the President of the Senate on July 8, 2015; to the Committee on Commerce, Science, and Transportation.

EC–2246. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Establishment of Class E Airspace; Tribune, KS'' ((RIN2120–AA66) (Docket No. FAA–2015–0744)) received in the Office of the President of the Senate on July 8, 2015; to the Committee on Commerce, Science, and Transportation.

EC–2247. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Establishment of Class E Airspace; Tucumari, NM'' ((RIN2120–AA66) (Docket No. FAA–2015–0902)) received in the Office of the President of the Senate on July 8, 2015; to the Committee on Commerce, Science, and Transportation.

EC–2248. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment to the Titles of Restricted Areas R–5301, R–5302A, R–5302B, and R–5302C; North Carolina'' ((RIN2120–AA66) (Docket No. FAA–2015–1862)) received in the Office of the President of the Senate on July 8, 2015; to the Committee on Commerce, Science, and Transportation.

EC–2249. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Removal of Pilot Pairing Requirement'' ((RIN2120–AK68) (Docket No. FAA–2015–2129)) received in the Office of the President of the Senate on July 8, 2015; to the Committee on Commerce, Science, and Transportation.

EC–2250. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Electronic Applications for Licenses, Permits, and Safety Approvals'' ((RIN2120–AK58) (Docket No. FAA–2015–1745)) received in the Office of the President of the Senate on July 8, 2015; to the Committee on Commerce, Science, and Transportation.

PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM–45. A resolution adopted by the Senate of the State of Louisiana memorializing the United States Congress to take such actions as are necessary to designate Grambling State University as a United States Department of Agriculture 1890 land-grant institution; to the Committee on Agriculture, Nutrition, and Forestry.

SENATE RESOLUTION NO. 141

Whereas, a land-grant college or university is a postsecondary education institution that has been designated to receive the benefits of the federal Morrill Acts of 1862 or 1890; and

Whereas, there is at least one land-grant institution in every state and territory of the United States, as well as the District of Columbia, and over the years, land-grant status has been associated with several types of federal support; and

Whereas, two universities in this state, Louisiana State University and Agricultural and Mechanical College (LSU) and Southern University and Agricultural and Mechanical College (SU), are designated as land-grant institutions; LSU received this designation in 1862, and in 1890, what is known as the Second Morrill Act conferred land-grant status to several historically black colleges and universities, commonly referred to as ''1890 land-grant institutions'', and SU is among this group; and

Whereas, Grambling State University, located in Grambling, Louisiana, is seeking designation as an 1890 land-grant institution under the banner of the Second Morrill Act; and

Whereas, Grambling State University was founded in 1901 by the North Louisiana Colored Agriculture Relief Association; in 1905, it moved to its present location and was renamed the North Louisiana Agricultural and Industrial School; in 1946, it became Grambling College; and in 1949, it earned its first accreditation by the Southern Association of Colleges and Schools; and

Whereas, in 1974, the school began to offer graduate programs in early childhood and elementary education and acquired the name Grambling State University; over the years, several new academic programs have been incorporated and new facilities added to the 384-acre campus; and

Whereas, Grambling now offers more than eight hundred courses and forty-seven degree programs in five colleges, including an honors college, two professional schools, a graduate school, and a Division of Continuing Education; and

Whereas, Grambling combines the academic strengths of a major university with the benefits of a small college, and its students grow and learn in a serene and positive environment; and

Whereas, in addition to being one of the country's top producers of African-American graduates, Grambling is home to the internationally renowned Tiger Marching Band and remains proud of the legacy of the late Eddie Robinson, Sr., a truly legendary football coach; and

Whereas, Grambling places an emphasis on the value and importance of each student, which is exemplified by its motto, ''Where Everybody is Somebody''; and

Whereas, after more than a decade since its founding, Grambling remains an important influence in the quality of lives and communities of generations of North Louisiana residents; and

Whereas, the designation of Ohio's Central State University as an 1890 land-grant institution in the 2014 Farm Bill set a very recent precedent for the addition of a university to the land-grant system; and

Whereas, the nation's system of land-grant institutions would be strengthened by the inclusion of Grambling State University; and

Whereas, as a historically black university with a strong record of academics, research, and service, Grambling, with its rich history and traditions, would bring a unique perspective to the land-grant system; and

Whereas, for one hundred twenty-five years, the 1890 land-grant institutions have played a vital role in ensuring access to higher education and opportunity for underserved communities, and as such an institution, Grambling would have access to increased resources that it could direct to serving such communities and to providing research, extension, and public services in North Louisiana, an area where these services are not currently being provided sufficiently; and

Whereas, such designation would be consistent with Grambling's agricultural origins and its mission and history of service to African-American students and the people of Louisiana and would strengthen Grambling's research and teaching in science, technology, engineering, and mathematics (STEM) programs and enhance existing programs and facilitate the development of new programs in agricultural business, biotechnology, economics, environment and natural resources, family and consumer science, and engineering technology; and

Whereas, Grambling State University has made the same extraordinary contributions to the education of African Americans in the state of Louisiana as other 1890 land-grant universities have made in their respective states; and

Whereas, as the only Historically Black College or University (HBCU) in the University of Louisiana System, the role that Grambling plays in the state is critical; and

Whereas, a land-grant designation would enhance greatly Grambling's service to the people of Louisiana, and it is appropriate that Congress take all necessary measures to grant such designation to Grambling State University: Now, therefore, be it

Resolved, That the Senate of the Legislature of Louisiana does hereby memorialize the United States Congress to take such actions as are necessary to designate Grambling State University as a United States Department of Agriculture 1890 land-grant institution; and be it further

Resolved, That a copy of this Resolution shall be transmitted to the secretary of the United States Senate, the clerk of the United States House of Representatives, and to each member of the Louisiana delegation to the United States Congress.

POM–46. A concurrent resolution adopted by the Legislature of the State of Louisiana memorializing the United States Congress to take action against illegal, unreported, and unregulated fishing in Louisiana's sovereign waters by passing H.R. 774, the Illegal, Unreported, and Unregulated Fishing Enforcement Act of 2015; to the Committee on Commerce, Science, and Transportation.

SENATE CONCURRENT RESOLUTION NO. 66

Whereas, illegal, unreported, and unregulated fishing is a global problem with serious economic, environmental, and security implications; and

Whereas, illegal fishing accounts for economic losses of up to billions of dollars per year nationally and such activity is largely conducted by foreign fleets at the expense of United States fishermen, coastal communities, and the sustainability of global fish stocks; and

Whereas, illegal fishing is of particular consequence in Louisiana, where the Gulf Coast waters supply seafood for the citizens of the United States and support the hospitality industry, tourism-related businesses, and the vibrant recreational and commercial fishing industry; and

Whereas, not only does illegal fishing result in economic losses to the Louisiana fishing industry and other coastal businesses, but it also is a threat to the sustainability of our fisheries and to the Louisiana Gulf Coast ecosystem; and

Whereas, the United States Coast Guard is to be commended for apprehending and investigating foreign vessels engaged in illegal activity along the U.S.-Mexico border, often patrolling the Gulf of Mexico in a cat-and-mouse game specifically with Mexican fishermen who are fishing illegally; and

Whereas, illegal fishermen in the Gulf of Mexico compete for local fish stock and disregard state and federal laws on catch limits, or of marine species including marine mammals and sea turtles that are indiscriminately killed by the use of illegal long-line netting, and where some of the illegally caught fish is exported back into the U.S. and flood the market; and

Whereas, vessels involved with illegal fishing are also associated with other crimes, including drug trafficking, human trafficking, and illegal immigration, and the incursion by these foreign fishing vessels into U.S. waters constitutes a violation of our sovereignty: Now, therefore, be it

Resolved, That the Legislature of Louisiana memorializes the Congress of the United States to take action against illegal, unreported, and unregulated fishing in our sovereign waters by passing H.R. 774, the Illegal, Unreported, and Unregulated Fishing Enforcement Act of 2015; and be it further

Resolved, That the Legislature of Louisiana hereby expresses its commitment to the elimination of illegal fishing, to the long-term conservation of Louisiana marine resources, and to the protection of the Louisiana Gulf Coast fishing and coastal communities; and be it further

Resolved, That a copy of this Resolution shall be transmitted to the secretary of the United States Senate and the clerk of the United States House of Representatives and to each member of the Louisiana delegation to the United States Congress.

POM–47. A resolution adopted by the Senate of the State of Louisiana commending the United States Congress on the passage of bipartisan legislation to permanently set the payment amounts that Medicare pays for physician services, known as the doc fix; to the Committee on Finance.

SENATE RESOLUTION NO. 109

Whereas, the term ''doc fix'' refers to the formula the federal government uses to pay physicians who treat patients covered by Medicare, who pay less than they would otherwise to see a physician and the federal government makes up the difference and pays the physician an amount determined by Congress; and

Whereas, in 1997, Congress cut payments to physicians who treat patients enrolled in

Medicare in order to help balance the federal budget; and

Whereas, while Congress had considered cutting the dollars to physicians treating Medicare patients, but did not have the collective will to carry it through, being concerned that some physicians might not continue to treat Medicare patients at a reduced rate, and the cut was postponed until a future date; and

Whereas, over the last eighteen years Congress has postponed the cut seventeen times and the cut has become a possible twenty percent reduction in payments if the attempt to postpone the cuts failed during this Congress; and

Whereas, with the current doc fix extension set to expire on March 31, 2015, Congress may consider the need for structural reforms to Medicare generally, not merely a postponement of the cut for another year; and

Whereas, with the unconscionable cut of more than twenty percent looming without the annual doc fix extension in April, Congress agreed to begin broader structural changes to Medicare, ending the doc fix shell game permanently;

Whereas, despite the reality that healthcare is expensive and that the annual revisiting of the doc fix formula of paying physicians was, at least, a bad way to govern, a bipartisan solution proved attainable even in a time when merely entertaining an idea from the other side of the aisle is often unthinkable; and

Whereas, with the reality that one political party leads both houses of Congress and the other holds the presidency, true bipartisanship is the only path to successfully attacking any of the country's issues, yet that bipartisanship is noticeably absent in the discussion of most of those issues; and

Whereas, while partisan differences have been more likely to win the day, the ability to craft a bipartisan doc fix solution requires the leadership of both political parties in both houses to focus on solutions rather than differences, and for that both the leadership and the members of Congress as a whole should be heartily congratulated; and

Whereas, in reaching agreement on the end to the doc fix extensions, Congress has begun the daunting task of reforming and restructuring America's entitlement programs, a beginning worthy of note and of acclaim: Now, therefore, be it

Resolved, That the Senate of the Legislature of Louisiana does hereby commend the United States Congress on the passage of bipartisan legislation to permanently set the payment amounts that Medicare pays for physician services, known as the doc fix; and be it further

Resolved, That a copy of this Resolution be transmitted to the presiding officers of the Senate and the House of Representatives of the Congress of the United States of America and to each member of the Louisiana congressional delegation.

POM–48. A concurrent resolution adopted by the Legislature of the State of Louisiana memorializing the United States Congress to restore trade relations between the United States and Cuba in order to open the market to Louisiana rice; to the Committee on Finance.

SENATE CONCURRENT RESOLUTION NO. 68

Whereas, in 2014, Louisiana produced over three billion pounds of rice amounting to fifteen percent of the United States' rice production; and

Whereas, the rice industry provides over nine thousand jobs to the Louisiana economy; and

Whereas, increased rice exports to Cuba would lead to greater export opportunities for Louisiana farmers and the potential for increased acreage; and

Whereas, resumed rice exports to Cuba would also benefit those affiliated with rice production, milling, and exporting; and

Whereas, rice farming and milling has a large impact on Louisiana's secondary economy in that for every dollar that Louisiana rice produces, approximately thirty-five cents is added indirectly to the economy through seed and fertilizer sales, farm equipment, crop services, and transportation; and

Whereas, resuming the trade of rice with Cuba would be a huge economic gain for Louisiana's port system; and

Whereas, prior to the creation of the trade embargo in 1962, the Port of New Orleans handled over sixty-five percent of all traded goods to Cuba; and

Whereas, the fifty-plus-year trade embargo between the United States and Cuba remains the longest-standing embargo in modern history; and

Whereas, Louisiana is the top state of origination for Cuban-bound exports, representing nearly thirty percent of the export market share; and

Whereas, it is time to end an outdated policy that continues to deny valuable business opportunities to Louisiana rice farmers, millers, and allied businesses, such as transportation, storage, and shipping; and

Whereas, Cuba imports more than one billion dollars worth of food every year, including approximately five hundred thousand tons of rice; and

Whereas, the rice industry in Louisiana is positioned to benefit from the market opportunities that normalized trade with Cuba would provide due to our healthy supply, port infrastructure, and proximity to Cuba; and

Whereas, the USA Rice Federation and its affiliate members along with the Louisiana Rice Growers Association, the Louisiana Rice Promotion Board, and the Louisiana Rice Council are in support of restoring trade relations between the United States and Cuba in order to open the market to Louisiana rice: Now, therefore, be it

Resolved, That the Legislature of Louisiana memorializes the Congress of the United States to restore trade relations between the United States and Cuba in order to open the market to Louisiana rice; and be it further

Resolved, That a copy of this Resolution shall be transmitted to the secretary of the United States Senate, the clerk of the United States House of Representatives, and to each member of the Louisiana delegation to the United States Congress.

POM–49. A concurrent resolution adopted by the Legislature of the State of Missouri urging the President of the United States and the United States Congress to repeal the excise tax on medical devices; to the Committee on Finance.

SENATE CONCURRENT RESOLUTION NO. 29

Whereas, a new 2.3% federal excise tax on the sale of taxable medical devices by manufacturers, producers, and importers of such devices took effect on January 1, 2013; and

Whereas, the United States Congress Joint Committee on Taxation estimates that the tax will generate $29 billion in revenue in its first ten years; and

Whereas, the United States is a net exporter in medical devices, exporting $5.4 billion more than it imports, and accounts for 40% of the global medical technology market; and

Whereas, a study completed by the Manhattan Institute found that the medical device tax will almost double the medical device industry's total tax bill and could result in the loss of up to 43,000 jobs in the medical technology industry; and

Whereas, the medical device tax will harm the United States' global competitiveness, stunt medical innovation, and restrict the ability of patients to receive the life-saving medical devices and care they need; and

Whereas, the medical device tax is imposed on United States sales, rather than profits, of medical device manufacturers, so it will be particularly damaging to innovative start-up companies: Now, therefore, be it

Resolved, That the members of the Missouri Senate, Ninety-eighth General Assembly, First Regular Session, the House of Representatives concurring therein, hereby urge the President of the United States and the Congress of the United States to repeal the excise tax on medical devices; and be it further

Resolved, That the Secretary of the Missouri Senate be instructed to prepare properly inscribed copies of this resolution for the President and Secretary of the United States Senate, the Speaker and Clerk of the United States House of Representatives and the members of the Missouri Congressional delegation.

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. HEINRICH:

S. 1749. A bill to amend the Internal Revenue Code of 1986 to allow allocation of certain renewable energy tax credits to Indian tribes, and for other purposes; to the Committee on Finance.

By Mr. WARNER (for himself, Mr. BLUNT, Mr. PORTMAN, Mr. WICKER, Mr. KIRK, Mr. GRAHAM, and Mr. TILLIS):

S. 1750. A bill to decrease the deficit by realigning, consolidating, disposing, and improving the efficiency of Federal buildings and other civilian real property, and for other purposes; to the Committee on Environment and Public Works.

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

S. 1751. A bill to provide for a grant program for handgun licensing programs, and for other purposes; to the Committee on the Judiciary.

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

S. 1752. A bill to enhance communication between Federal, State, tribal, and local jurisdictions and to ensure the rapid and effective deportation of certain criminal aliens; to the Committee on the Judiciary.

By Mr. BROWN:

S. 1753. A bill to amend the Internal Revenue Code of 1986 to modify and permanently extend qualified zone academy bonds, and to treat such bonds as specified tax credit bonds; to the Committee on Finance.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

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

By Mr. LEAHY:

S. Res. 222. A resolution expressing the sense of the Senate that the Federation Internationale de Football Association should immediately eliminate gender pay inequity and treat all athletes with the same respect and dignity; to the Committee on Health, Education, Labor, and Pensions.

ADDITIONAL COSPONSORS

S. 192

At the request of Mr. ALEXANDER, the names of the Senator from New York (Mrs. GILLIBRAND) and the Senator from Colorado (Mr. BENNET) were added as cosponsors of S. 192, a bill to reauthorize the Older Americans Act of 1965, and for other purposes.

S. 271

At the request of Mr. REID, the name of the Senator from Hawaii (Mr. SCHATZ) was added as a cosponsor of S. 271, a bill to amend title 10, United States Code, to permit certain retired members of the uniformed services who have a service-connected disability to receive both disability compensation from the Department of Veterans Affairs for their disability and either retired pay by reason of their years of military service or Combat-Related Special Compensation, and for other purposes.

S. 313

At the request of Mr. GRASSLEY, the name of the Senator from Hawaii (Ms. HIRONO) was added as a cosponsor of S. 313, a bill to amend title XVIII of the Social Security Act to add physical therapists to the list of providers allowed to utilize locum tenens arrangements under Medicare.

S. 314

At the request of Mr. GRASSLEY, the name of the Senator from North Dakota (Mr. HOEVEN) was added as a cosponsor of S. 314, a bill to amend title XVIII of the Social Security Act to provide for coverage under the Medicare program of pharmacist services.

S. 318

At the request of Ms. MIKULSKI, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 318, a bill to prioritize funding for the National Institutes of Health to discover treatments and cures, to maintain global leadership in medical innovation, and to restore the purchasing power the NIH had after the historic doubling campaign that ended in fiscal year 2003.

S. 326

At the request of Mr. FLAKE, the name of the Senator from New Mexico (Mr. UDALL) was added as a cosponsor of S. 326, a bill to amend the Healthy Forests Restoration Act of 2003 to provide cancellation ceilings for stewardship end result contracting projects, and for other purposes.

S. 330

At the request of Mr. HELLER, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. 330, a bill to amend the Internal Revenue Code of 1986 to make permanent the special rule for contributions of qualified conservation contributions, and for other purposes.

S. 338

At the request of Mr. BURR, the name of the Senator from Montana (Mr. DAINES) was added as a cosponsor of S. 338, a bill to permanently reauthorize the Land and Water Conservation Fund.

S. 429

At the request of Ms. BALDWIN, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 429, a bill to amend title XIX of the Social Security Act to provide a standard definition of therapeutic foster care services in Medicaid.

S. 439

At the request of Mr. FRANKEN, the name of the Senator from Nevada (Mr. REID) was added as a cosponsor of S. 439, a bill to end discrimination based on actual or perceived sexual orientation or gender identity in public schools, and for other purposes.

S. 471

At the request of Mr. HELLER, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 471, a bill to improve the provision of health care for women veterans by the Department of Veterans Affairs, and for other purposes.

S. 498

At the request of Mr. CORNYN, the name of the Senator from Georgia (Mr. PERDUE) was added as a cosponsor of S. 498, a bill to allow reciprocity for the carrying of certain concealed firearms.

S. 624

At the request of Mr. BROWN, the name of the Senator from Delaware (Mr. CARPER) was added as a cosponsor of S. 624, a bill to amend title XVIII of the Social Security Act to waive coinsurance under Medicare for colorectal cancer screening tests, regardless of whether therapeutic intervention is required during the screening.

S. 626

At the request of Mr. SCHUMER, the name of the Senator from Michigan (Mr. PETERS) was added as a cosponsor of S. 626, a bill to amend title XIX of the Social Security Act to cover physician services delivered by podiatric physicians to ensure access by Medicaid beneficiaries to appropriate quality foot and ankle care, to amend title XVIII of such Act to modify the requirements for diabetic shoes to be included under Medicare, and for other purposes.

S. 637

At the request of Mr. CRAPO, the name of the Senator from Montana (Mr. DAINES) was added as a cosponsor of S. 637, a bill to amend the Internal Revenue Code of 1986 to extend and modify the railroad track maintenance credit.

S. 804

At the request of Mrs. SHAHEEN, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 804, a bill to amend title XVIII of the Social Security Act to specify coverage of continuous glucose monitoring devices, and for other purposes.

S. 806

At the request of Mr. BOOZMAN, the name of the Senator from Wisconsin (Mr. JOHNSON) was added as a cosponsor of S. 806, a bill to amend section 31306 of title 49, United States Code, to recognize hair as an alternative specimen for preemployment and random controlled substances testing of commercial motor vehicle drivers and for other purposes.

S. 1002

At the request of Mr. CARDIN, the name of the Senator from Georgia (Mr. ISAKSON) was added as a cosponsor of S. 1002, a bill to amend the Internal Revenue Code of 1986 to provide for collegiate housing and infrastructure grants.

S. 1049

At the request of Ms. HEITKAMP, the name of the Senator from Vermont (Mr. LEAHY) was added as a cosponsor of S. 1049, a bill to allow the financing by United States persons of sales of agricultural commodities to Cuba.

S. 1119

At the request of Mr. PETERS, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 1119, a bill to establish the National Criminal Justice Commission.

S. 1300

At the request of Mrs. FEINSTEIN, the name of the Senator from Washington (Mrs. MURRAY) 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 fees in certain situations.

S. 1314

At the request of Mr. BOOKER, the name of the Senator from North Dakota (Ms. HEITKAMP) was added as a cosponsor of S. 1314, a bill to establish an interim rule for the operation of small unmanned aircraft for commercial purposes and their safe integration into the national airspace system.

S. 1330

At the request of Mrs. MURRAY, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. 1330, a bill to amend the Equal Credit Opportunity Act to prohibit discrimination on account of sexual orientation or gender identity when extending credit.

S. 1428

At the request of Mr. BARRASSO, the name of the Senator from Arizona (Mr. FLAKE) 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. 1429

At the request of Mr. THUNE, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. 1429, a bill to amend the Internal Revenue Code of 1986 to provide for the deductibility of charitable contributions to agricultural research organizations, and for other purposes.

S. 1434

At the request of Mr. HEINRICH, the names of the Senator from Massachusetts (Ms. WARREN) and the Senator

from New Mexico (Mr. UDALL) were added as cosponsors of S. 1434, a bill to amend the Public Utility Regulatory Policies Act of 1978 to establish an energy storage portfolio standard, and for other purposes.

S. 1490

At the request of Ms. KLOBUCHAR, the names of the Senator from New Hampshire (Ms. AYOTTE), the Senator from New Hampshire (Mrs. SHAHEEN) and the Senator from Hawaii (Mr. SCHATZ) were added as cosponsors of S. 1490, a bill to establish an advisory office within the Bureau of Consumer Protection of the Federal Trade Commission to prevent fraud targeting seniors, and for other purposes.

S. 1513

At the request of Mr. LEAHY, the name of the Senator from Maine (Mr. KING) was added as a cosponsor of S. 1513, a bill to reauthorize the Second Chance Act of 2007.

S. 1538

At the request of Mr. DURBIN, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of S. 1538, a bill to reform the financing of Senate elections, and for other purposes.

S. 1554

At the request of Mr. CARDIN, the name of the Senator from Hawaii (Ms. HIRONO) 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. 1579

At the request of Mr. SCHATZ, the name of the Senator from Alaska (Mr. SULLIVAN) was added as a cosponsor of S. 1579, a bill to enhance and integrate Native American tourism, empower Native American communities, increase coordination and collaboration between Federal tourism assets, and expand heritage and cultural tourism opportunities in the United States.

S. 1584

At the request of Mr. CASSIDY, the name of the Senator from Utah (Mr. LEE) was added as a cosponsor of S. 1584, a bill to repeal the renewable fuel standard.

S. 1598

At the request of Mr. LEE, the name of the Senator from Arizona (Mr. MCCAIN) 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. 1641

At the request of Ms. BALDWIN, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 1641, a bill to improve the use by the Department of Veterans Affairs of opioids in treating veterans, to improve patient advocacy by the Department, and to expand availability of complementary and integrative health, and for other purposes.

S. 1716

At the request of Ms. BALDWIN, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 1716, a bill to provide access to higher education for the students of the United States.

S. 1726

At the request of Mr. MERKLEY, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of S. 1726, a bill to create protections for depository institutions that provide financial services to marijuana-related businesses, and for other purposes.

S. 1748

At the request of Mrs. MURRAY, the names of the Senator from Rhode Island (Mr. REED) and the Senator from Massachusetts (Mr. MARKEY) were added as cosponsors of S. 1748, a bill to provide for improved investment in national transportation infrastructure.

S. RES. 213

At the request of Mr. ALEXANDER, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. Res. 213, a resolution designating October 30, 2015, as a national day of remembrance for nuclear weapons program workers.

AMENDMENT NO. 2135

At the request of Mr. PORTMAN, the names of the Senator from Illinois (Mr. KIRK) and the Senator from Wisconsin (Mr. JOHNSON) were added as cosponsors of amendment No. 2135 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.

At the request of Mrs. GILLIBRAND, the names of the Senator from Michigan (Ms. STABENOW) and the Senator from West Virginia (Mr. MANCHIN) were added as cosponsors of amendment No. 2135 intended to be proposed to S. 1177, supra.

AMENDMENT NO. 2159

At the request of Mr. BENNET, the name of the Senator from Florida (Mr. NELSON) was added as a cosponsor of amendment No. 2159 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. 2169

At the request of Mr. BOOKER, the name of the Senator from New Hampshire (Ms. AYOTTE) was added as a cosponsor of amendment No. 2169 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. 2174

At the request of Ms. HEITKAMP, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of amendment No. 2174 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. 2182

At the request of Ms. AYOTTE, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of amendment No. 2182 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 Mr. BROWN:

S. 1753. A bill to amend the Internal Revenue Code of 1986 to modify and permanently extend qualified zone academy bonds, and to treat such bonds as specified tax credit bonds; to the Committee on Finance.

Mr. BROWN. Mr. President, today I call attention to our Nation's education infrastructure. America's schools are in desperate need of repair. A 2014 report by the National Center for Education Statistics found that the U.S. needs to invest nearly $200 billion in school facilities just to bring them up to date. This echoed the findings of the American Society of Civil Engineers, who in 2013 gave American public school buildings a D-plus rating.

Fortunately, there is a way for Congress to help facilitate these necessary improvements. The Qualified Zone Academy Bond (QZAB) program helps schools that serve low-income students pay for building renovations, facility upgrades, equipment purchases, and other expensive projects. QZABs provide tax credits to financial institutions who provide bonds or other debt instruments to qualified schools. These tax credits decrease interest payments for schools that take on debt to renovate their facilities.

Since creating QZABs in 1997, Congress has consistently extended the program, even expanding it for a brief period between 2008 and 2010. But the program expired at the end of 2014.

It is time Congress enhanced and made permanent this important tax credit. Today I will introduce the Rebuilding America's Schools Act. This bill would extend permanently the QZAB program and increase the allotted funding for the program from $400 million per year to the levels authorized under the American Recovery and Reinvestment Act—$1.4 billion. Lastly, it would allow schools to use QZABs to finance construction of new buildings. Under current law, QZABs can only be used to finance renovations or upgrades to existing school buildings.

I hope my colleagues will join me in cosponsoring the Rebuilding America's Schools Act.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 222—EXPRESSING THE SENSE OF THE SENATE THAT THE FÉDÉRATION INTERNATIONALE DE FOOTBALL ASSOCIATION SHOULD IMMEDIATELY ELIMINATE GENDER PAY INEQUITY AND TREAT ALL ATHLETES WITH THE SAME RESPECT AND DIGNITY

Mr. LEAHY submitted the following resolution; which was referred to the Committee on Health, Education, Labor, and Pensions:

S. RES. 222

Whereas the Fédération Internationale de Football Association (referred to in this preamble as ''FIFA'') awarded $576,000,000 to the 32 teams that competed in the 2014 Men's World Cup, but only awarded $15,000,000 to the 24 teams that competed in the 2015 Women's World Cup;

Whereas FIFA awarded $35,000,000 to the team that won the 2014 Men's World Cup, but only awarded $2,000,000 to the team that won the 2015 Women's World Cup;

Whereas FIFA awarded $6,000,000 more in prizes to each team that lost in the first round of the 2014 Men's World Cup than to the team that won the 2015 Women's World Cup;

Whereas FIFA awarded $420,000,000 to the 32 teams that competed in the 2010 Men's World Cup, but only awarded $10,000,000 to the 24 teams that competed in the 2011 Women's World Cup;

Whereas FIFA awarded $31,000,000 to the team that won the 2010 Men's World Cup, but only awarded $1,000,000 to the team that won the 2011 Women's World Cup;

Whereas the 2015 Women's World Cup Final had more than 25,000,000 viewers in the United States, making it more widely viewed than the Major League Baseball World Series or the National Basketball Association Finals;

Whereas the 2015 Women's World Cup highlighted the need to eliminate the existing gender pay disparity in prize award structure in athletic competitions that has persisted for decades;

Whereas the unfair and unjust prize award allocation system used by FIFA sends a terrible message to women and girls around the world about the value of their contribution to sports;

Whereas, in 2007, Wimbledon finally implemented an equal prize payment structure for all athletes, regardless of gender; and

Whereas gender should not determine the amount of a prize award that a person or team receives in an athletic competition: Now, therefore, be it

Resolved, That the Senate—

(1) urges the Fédération Internationale de Football Association to immediately eliminate gender pay inequity and to treat all athletes with the respect and dignity those athletes deserve;

(2) supports an end to the unfair and unjust practice of gender pay inequity in the workplace, including athletic competitions and related prize awards;

(3) urges all other local, State, Federal, and international organizations to eliminate gender pay inequity; and

(4) instructs the Secretary of the Senate to submit a copy of this resolution to the President of the Fédération Internationale de Football Association.

Mr. LEAHY. Mr. President, last week more than 25 million Americans watched the U.S. women's soccer team win for the third time soccer's most coveted title—the Federation Internationale de Football Association (FIFA) World Cup. This thrilling victory was the most widely viewed women's soccer game in our Nation's history. Americans are proud of this impressive victory, and we applaud these world-class athletes for their contributions to our Nation's legacy.

Anybody walking down the road by our farm house the night of the soccer game—we had our windows open—would have heard Marcelle and I screaming with joy at the victory.

But as the celebrations fade, we should all be troubled by the way FIFA discriminates against some of the teams that compete in the World Cup. The U.S. women's team will receive $2 million for winning the Women's World Cup. The 2014 men's World Cup winner was awarded $35 million. In fact, men's teams that lost in the first round of the 2014 men's World Cup were awarded $8 million—four times more than the champion U.S. women's team. The reason for this extreme disparity? Gender.

So today, I am introducing a Senate resolution that calls on FIFA to immediately eliminate this discriminatory prize award structure. Opponents of equal prize awards in sports point to revenue as the reason behind this disparity. But revenue should not be and cannot be accepted as a means for discrimination. In fact, they ought to ask this: How many people watched the women's soccer team? Most teams would give anything to have that viewership.

The 24 women's teams that took part in FIFA's tournament are role models—not just to women and girls but to men and boys across the globe. The World Cup champions should be rewarded for their performance, for their grit, and for their teamwork, rather than devalued for their gender.

Nelson Mandela, a person I met often and admired, once said: ''Sport has the power to change the world.'' Well, sports bring us together in our communities and on the global stage. They remind us what we have in common, they inspire us to dream, and they push beyond every boundary.

This weekend, millions of people watched American tennis star Serena Williams win the women's final at Wimbledon, marking her sixth championship at the All England Club. The next day, Serbian tennis star Novak Djokovic won the men's final on the very same court. Both of these athletes competed against the very best players in the world, and they were awarded the very same amount of prize money for their impressive victories. This is because Wimbledon chose to be on the right side of history in 2007 by ensuring pay equity for female and male athletes. For years, tennis champions such as Billie Jean King and Venus Williams fought for equal treatment for the future champions of their sport.

I hope the story of the American Women's World Cup champions not receiving fair treatment will inspire more people to join the fight for equal prize awards. With the resolution I introduce today, let the Senate be on record in support of fair treatment for all World Cup champions as we urge FIFA to change its policy, just as the All England Club did years ago.

The fight for gender equality continues and is a fight worth winning. In 2009, I proudly voted for passage of the Lilly Ledbetter Fair Pay Act, which amended the Civil Rights Act of 1964 to clarify the statute of limitations for filing an equal-pay lawsuit regarding pay discrimination. And I supported Senator MIKULSKI's Paycheck Fairness Act, which would ensure that all Americans receive equal pay for equal work.

We have had a lot of civil rights fights in our Nation's history. The battle for true equality has persisted for too long. Let's join together. Let's send a powerful message of equality to those who aspire to one day become a champion. Equal pay for equal work should no longer be an ideal, but instead the reality for all.

AMENDMENTS SUBMITTED AND PROPOSED

SA 2215. Mr. REID (for Mr. NELSON) 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 2216. 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 2217. Mr. ALEXANDER (for Mr. PAUL) 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 2218. Mr. ALEXANDER (for Mr. PAUL) 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 2219. Mr. BURR (for himself and 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 2220. Ms. HIRONO 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 2221. Ms. HIRONO 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 2222. Mr. MANCHIN (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 2223. Mr. DONNELLY (for himself and Mr. REED) 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 2224. Mr. BOOKER (for himself and 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 2225. 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 2226. 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 2227. Mr. CORNYN 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 2228. Mr. THUNE (for himself, Mr. BARRASSO, Ms. HEITKAMP, and Mr. HEINRICH) 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 2215. Mr. REID (for Mr. NELSON) 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 373, strike line 22 and all that follows through page 374, line 3, and insert the following:

in the State;

''(C) information on student exposure to and retention in science, technology, engineering, and mathematics fields, including among low-income and underrepresented groups, which may include results from a pre-existing analysis; and

''(D) an analysis of the quality of pre-service preparation at all public institutions of higher education (including alternative pathways to teacher licensure or certification) for individuals preparing to teach science, technology, engineering, and mathematics subjects in the State.

On page 381, between lines 18 and 19, insert the following:

''(vi) partner with current or recently retired science, technology, engineering, and mathematics professionals, such as Federal employees, to engage students and teachers in instruction in such subjects;

''(vii) tailor and integrate educational resources developed by Federal agencies to improve student achievement in science, technology, engineering, and mathematics;

SA 2216. 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:

On page 385, between lines 4 and 5, insert the following:

''SEC. 2508. REPORT ON CYBERSECURITY EDUCATION.

''Not later than June 1, 2016, the Secretary, acting through the Director of the Institute of Education Sciences, shall submit to the Committee on Armed Services and the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Armed Services and the Committee on Education and the Workforce of the House of Representatives, a report describing whether secondary and postsecondary education programs are meeting the need of public and private sectors for cyberdefense. Such report shall include—

''(1) an assessment of the shortfalls in current secondary and postsecondary education needed to develop cybersecurity professionals, and recommendations to address such shortfalls;

''(2) an assessment of successful secondary and postsecondary programs that produce competent cybersecurity professionals; and

''(3) recommendations of subjects to be covered by elementary schools and secondary schools to better prepare students for postsecondary cybersecurity education.''.

SA 2217. Mr. ALEXANDER (for Mr. PAUL) 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 line 18 on page 36 and all that follows through line 5 on page 44 and insert the following:

''(2) STATE-DESIGNED ACADEMIC ASSESSMENT SYSTEM.—

''(A) IN GENERAL.—Each State plan shall provide an assurance that the State educational agency, in consultation with local educational agencies, has implemented a State-designed academic assessment system that—

''(i) includes, at a minimum, academic assessments in mathematics, reading or language arts, and science; and

''(ii) meets the requirements of subparagraph (B).

''(B) REQUIREMENTS.—The assessment system under subparagraph (A) shall—

''(i) be aligned with the challenging State academic standards, and provide coherent and timely information about student attainment of such standards;

''(ii) be used for purposes for which such assessments are valid and reliable, be of adequate technical quality for each purpose required under this Act, be consistent with relevant, nationally recognized professional and technical standards, and not evaluate or assess personal or family beliefs or attitudes;

''(iii) involve multiple measures of student academic achievement, which may include measures of student academic growth;

''(iv) provide for—

''(I) the participation in such assessments of all students;

''(II) the reasonable adaptations and accommodations for children with disabilities (as defined in section 602(3) of the Individuals with Disabilities Education Act) necessary to measure the academic achievement of such children relative to the challenging State academic standards;

''(III) alternate assessments aligned with grade-level academic standards, unless the State develops alternate assessments aligned with alternate academic standards, consistent with subparagraph (F), for students with the most significant cognitive disabilities; and

''(IV) the inclusion of children who are English learners, who shall be assessed in a valid and reliable manner and provided reasonable accommodations on assessments administered to such students under this paragraph, including, to the extent practicable, assessments in the language and form most likely to yield accurate data on what such students know and can do in academic content areas, until such students have achieved English language proficiency, as determined pursuant to the English language proficiency standards described in paragraph (1)(F);

''(v) notwithstanding clause (iv)(IV), provide for assessments (using tests in English) of reading or language arts of any student who has attended school in the United States (not including the Commonwealth of Puerto Rico) for 3 or more consecutive school years, except that if the local educational agency determines, on a case-by-case individual basis, that assessments in another language or form would likely yield more accurate and reliable information on what such student knows and can do, the local educational agency may make a determination to assess such student in the appropriate language other than English for a period that does not exceed 2 additional consecutive years, provided that such student has not yet reached a level of English language proficiency sufficient to yield valid and reliable information on what such student knows and can do on tests (written in English) of reading or language arts;

''(vi) produce individual student interpretive, descriptive, and diagnostic reports, consistent with clause (ii), that allow parents, teachers, and principals or other school leaders to understand and address the specific academic needs of students, and include information regarding achievement on assessments, and that are provided to parents, teachers, and principals or other school leaders in a timely manner after the assessment is given, in an understandable and uniform format;

''(vii) enable results to be disaggregated within each State, local educational agency, and school, by—

''(I) each major racial and ethnic group;

''(II) economically disadvantaged students as compared to students who are not economically disadvantaged;

''(III) students with disabilities as compared to nondisabled students;

''(IV) English proficiency status;

''(V) gender; and

''(VI) migrant status; and

''(viii) produce, at a minimum, annual student achievement data in mathematics and reading or language arts that is valid, reliable, of adequate technical quality, and comparable among all local educational agencies within the State and that will be used in the State accountability system under paragraph (3) and to meet reporting requirements under subsection (d).

''(C) EXCEPTION TO DISAGGREGATION.—Notwithstanding subparagraph (B)(vii), the disaggregated results of assessments shall not be required if—

''(i) the number of students in a category described under subparagraph (B)(vii) is insufficient to yield statistically reliable information; or

''(ii) the results would reveal personally identifiable information about an individual student.

''(D) STATE-DESIGNED SYSTEM.—Each State plan shall provide a description of its State-designed assessment system, which may include—

''(i) yearly academic assessments of all students against the challenging State academic standards in the subjects required

under subparagraph (A)(i) and any other subjects as determined by the State, that are administered—

''(I) in each of grades 3 through 8; and

''(II) at least once in grades 9 through 12;

''(ii) grade-span academic assessments of all students against the challenging State academic standards in the subjects required under subparagraph (A)(i) and any other subjects as determined by the State, that are administered at least once in—

''(I) grades 3 through 5;

''(II) grades 6 through 9; and

''(III) grades 10 through 12;

''(iii) a combination of yearly academic assessments described in clause (i) and grade-span academic assessments described in clause (ii) of all students against the challenging State academic standards in the subjects required under subparagraph (A)(i) and any other subjects as determined by the State;

''(iv) performance-based academic assessments of all students that may be used in a competency-based education model that emphasizes mastery of standards and aligned competencies;

''(v) formative assessments of all students that may be used to inform teaching and learning;

''(vi) multiple statewide assessments during the course of the year that can provide a summative score of individual student academic growth; or

''(vii) any other system of assessments of all students that meets the requirements of subparagraph (B) and the State determines is appropriate to meet the purposes of this part.

''(E) COMPARABLE DATA DESCRIPTION.—Each State shall describe how the annual student achievement data produced, at a minimum, in mathematics and reading or language arts under the assessment system described in this paragraph is valid, reliable, of high-technical quality, and comparable among all local educational agencies within the State.''.

On page 58, strike lines 16 through 25.

SA 2218. Mr. ALEXANDER (for Mr. PAUL) 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, lines 24 and 25, strike ''determinations.'' and insert ''determinations, except that a State shall allow the parent of a student to opt such student out of an assessment required under this paragraph for any reason or no reason at all and shall not include such student in calculating the rate of participation under this clause.''.

SA 2219. Mr. BURR (for himself and 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:

Strike sections 1009, 1010, and 1011 and insert the following:

SEC. 1009. ALLOCATIONS.

(a) IN GENERAL.—Subpart 2 of part A of title I (20 U.S.C. 6331 et seq.) is amended—

(1) by striking sections 1122, 1124A, 1125, 1125AA, and 1125A;

(2) by redesignating section 1121 as section 1122;

(3) by redesignating section 1124 as section 1121, and transferring such section so as to precede section 1122 (as redesignated by paragraph (2));

(4) in section 1121, as redesignated and transferred by paragraph (3)—

(A) by striking the section heading and all that follows through ''(c) CHILDREN TO BE COUNTED.—'' and inserting the following:

''SEC. 1121. DEFINITIONS; CHILDREN TO BE COUNTED.

''(a) DEFINITIONS.—In this subpart:

''(1) STATE.—The term 'State' means each of the 50 States, the District of Columbia, and the Commonwealth of Puerto Rico.

''(2) HIGH POVERTY PERCENTAGE LOCAL EDUCATIONAL AGENCY.—The term 'high poverty percentage local educational agency' means a local educational agency for which the number of children determined under subsection (b) for a fiscal year is 20 percent or more of the total population aged 5 to 17, inclusive, of the local educational agency for such fiscal year.

''(b) CHILDREN TO BE COUNTED.—For purposes of section 1123, the number of children to be counted shall be determined in accordance with the following:''; and

(B) by striking subsection (d);

(5) in section 1122(b)(3)(C)(ii), as redesignated by paragraph (2), by striking ''challenging State academic content standards'' and inserting ''challenging State academic standards'';

(6) by inserting after section 1122, as redesignated by paragraph (2), the following:

''SEC. 1123. EQUITY GRANTS.

''(a) AUTHORIZATION.—From funds appropriated under section 1002(a) for a fiscal year and not reserved under section 1122, the Secretary is authorized to make grants to States, from allotments under subsection (b), to carry out the programs and activities of this part.

''(b) DISTRIBUTION BASED UPON CONCENTRATIONS OF POVERTY.—

''(1) IN GENERAL.—

''(A) IN GENERAL.—Except as provided in subparagraphs (B) and (C), funds appropriated pursuant to subsection (a) for a fiscal year shall be allotted to each State based upon the number of children counted under section 1121(b) in such State multiplied by the product of—

''(i) 40 percent of the average per-pupil expenditure in the United States (other than the Commonwealth of Puerto Rico); multiplied by

''(ii) 1.30 minus such State's equity factor described in paragraph (2).

''(B) PUERTO RICO.—For each fiscal year, the Secretary shall allot to the Commonwealth of Puerto Rico an amount of the funds appropriated under subsection (a) that bears the same relation to the total amount of funds appropriated under such subsection as the amount that the Commonwealth of Puerto Rico received under this subpart for fiscal year 2015 bears to the total amount received by all States for such fiscal year.

''(C) STATE MINIMUM.—Notwithstanding any other provision of this section, from the total amount available for any fiscal year to carry out this section, each State (except for Puerto Rico) shall be allotted at least the lesser of—

''(i) 0.35 percent of the total amount available to carry out this section for such fiscal year; or

''(ii) the average of—

''(I) 0.35 percent of such total amount for such fiscal year; and

''(II) 150 percent of the national average grant under this section per child described in section 1121(b), without application of a weighting factor, multiplied by the State's total number of children described in section 1121(b), without application of a weighting factor.

''(2) EQUITY FACTOR.—

''(A) DETERMINATION.—

''(i) IN GENERAL.—Except as provided in subparagraph (B), the Secretary shall determine the equity factor under this section for each State in accordance with clause (ii).

''(ii) COMPUTATION.—

''(I) IN GENERAL.—For each State, the Secretary shall compute a weighted coefficient of variation for the per-pupil expenditures of local educational agencies in accordance with subclauses (II), (III), and (IV).

''(II) VARIATION.—In computing coefficients of variation, the Secretary shall weigh the variation between per-pupil expenditures in each local educational agency and the average per-pupil expenditures in the State according to the number of pupils served by the local educational agency.

''(III) NUMBER OF PUPILS.—In determining the number of pupils under this paragraph served by each local educational agency and in each State, the Secretary shall multiply the number of children counted under section 1121(b) by a factor of 1.4.

''(IV) ENROLLMENT REQUIREMENT.—In computing coefficients of variation, the Secretary shall include only those local educational agencies with an enrollment of more than 200 students.

''(B) SPECIAL RULE.—The equity factor for a State that meets the disparity standard described in section 222.162 of title 34, Code of Federal Regulations (as such section was in effect on the day preceding the date of enactment of the No Child Left Behind Act of 2001) or a State with only one local educational agency shall be not greater than 0.10.

''(c) USE OF FUNDS; ELIGIBILITY OF LOCAL EDUCATIONAL AGENCIES.—All funds awarded to each State under this section shall be allocated to local educational agencies under the following provisions:

''(1) DISTRIBUTION WITHIN LOCAL EDUCATIONAL AGENCIES.—Within local educational agencies, funds allocated under this section shall be distributed to schools on a basis consistent with section 1113, and may only be used to carry out activities under this part.

''(2) ELIGIBILITY FOR GRANT.—A local educational agency in a State is eligible to receive a grant under this section for any fiscal year if—

''(A) the number of children in the local educational agency counted under section 1121(b), before application of the weighted child count described in subsection (d), is at least 10; and

''(B) if the number of children counted for grants under section 1121(b), before application of the weighted child count described in subsection (d), is at least 5 percent of the total number of children aged 5 to 17 years, inclusive, in the school district of the local educational agency.

''(d) ALLOCATION OF FUNDS TO ELIGIBLE LOCAL EDUCATIONAL AGENCIES.—

''(1) IN GENERAL.—Funds received by States under this section for a fiscal year shall be allocated within States to eligible local educational agencies on the basis of weighted child counts calculated in accordance with paragraph (2), (3), or (4), as appropriate for each State.

''(2) STATES WITH AN EQUITY FACTOR LESS THAN .10.—

''(A) IN GENERAL.—In States with an equity factor less than .10, the weighted child counts referred to in paragraph (1) for a fiscal year shall be the larger of the two amounts determined under subparagraphs (B) and (C).

''(B) BY PERCENTAGE OF CHILDREN.—The amount referred to in subparagraph (A) is determined by adding—

''(i) the number of children determined under section 1121(b) for that local educational agency who constitute not more than 17.27 percent, inclusive, of the agency's total population aged 5 to 17, inclusive, multiplied by 1.0;

''(ii) the number of such children who constitute more than 17.27 percent, but not more than 23.48 percent, of such population, multiplied by 1.75;

''(iii) the number of such children who constitute more than 23.48 percent, but not more than 29.11 percent, of such population, multiplied by 2.5;

''(iv) the number of such children who constitute more than 29.11 percent, but not more than 36.10 percent, of such population, multiplied by 3.25; and

''(v) the number of such children who constitute more than 36.10 percent of such population, multiplied by 4.0.

''(C) BY NUMBER OF CHILDREN.—The amount referred to in subparagraph (A) is determined by adding—

''(i) the number of children determined under section 1121(b) who constitute not more than 834, inclusive, of the agency's total population aged 5 to 17, inclusive, multiplied by 1.0;

''(ii) the number of such children between 835 and 2,629, inclusive, in such population, multiplied by 1.5;

''(iii) the number of such children between 2,630 and 7,668, inclusive, in such population, multiplied by 2.0; and

''(iv)(I) in the case of an agency that is not a high poverty percentage local educational agency, the number of such children in excess of 7,668 in such population, multiplied by 2.0; or

''(II) in the case of a high poverty percentage local educational agency—

''(aa) the number of such children between 7,669 and 26,412, inclusive, in such population, multiplied by 2.5; and

''(bb) the number of such children in excess of 26,412 in such population, multiplied by 3.0.

''(3) STATES WITH AN EQUITY FACTOR GREATER THAN OR EQUAL TO .10 AND LESS THAN .20.—

''(A) IN GENERAL.—In States with an equity factor greater than or equal to .10 and less than .20, the weighted child counts referred to in paragraph (1) for a fiscal year shall be the larger of the two amounts determined under subparagraphs (B) and (C).

''(B) BY PERCENTAGE OF CHILDREN.—The amount referred to in subparagraph (A) is determined by adding—

''(i) the number of children determined under section 1121(b) for that local educational agency who constitute not more than 17.27 percent, inclusive, of the agency's total population aged 5 to 17, inclusive, multiplied by 1.0;

''(ii) the number of such children who constitute more than 17.27 percent, but not more than 23.48 percent, of such population, multiplied by 1.5;

''(iii) the number of such children who constitute more than 23.48 percent, but not more than 29.11 percent, of such population, multiplied by 3.0;

''(iv) the number of such children who constitute more than 29.11 percent, but not more than 36.10 percent, of such population, multiplied by 4.5; and

''(v) the number of such children who constitute more than 36.10 percent of such population, multiplied by 6.0.

''(C) BY NUMBER OF CHILDREN.—The amount referred to in subparagraph (A) is determined by adding—

''(i) the number of children determined under section 1121(b) who constitute not more than 834, inclusive, of the agency's total population aged 5 to 17, inclusive, multiplied by 1.0;

''(ii) the number of such children between 835 and 2,629, inclusive, in such population, multiplied by 1.5;

''(iii) the number of such children between 2,630 and 7,668, inclusive, in such population, multiplied by 2.25; and

''(iv)(I) in the case of an agency that is not a high poverty percentage local educational agency, the number of such children in excess of 7,668 in such population, multiplied by 2.25; or

''(II) in the case of a high poverty percentage local educational agency—

''(aa) the number of such children between 7,669 and 26,412, inclusive, in such population, multiplied by 3.375; and

''(bb) the number of such children in excess of 26,412 in such population, multiplied by 4.5.

''(4) STATES WITH AN EQUITY FACTOR GREATER THAN OR EQUAL TO .20.—

''(A) IN GENERAL.—In States with an equity factor greater than or equal to .20, the weighted child counts referred to in paragraph (1) for a fiscal year shall be the larger of the two amounts determined under subparagraphs (B) and (C).

''(B) BY PERCENTAGE OF CHILDREN.—The amount referred to in subparagraph (A) is determined by adding—

''(i) the number of children determined under section 1121(b) for that local educational agency who constitute not more than 17.27 percent, inclusive, of the agency's total population aged 5 to 17, inclusive, multiplied by 1.0;

''(ii) the number of such children who constitute more than 17.27 percent, but not more than 23.48 percent, of such population, multiplied by 2.0;

''(iii) the number of such children who constitute more than 23.48 percent, but not more than 29.11 percent, of such population, multiplied by 4.0;

''(iv) the number of such children who constitute more than 29.11 percent, but not more than 36.10 percent, of such population, multiplied by 6.0; and

''(v) the number of such children who constitute more than 36.10 percent of such population, multiplied by 8.0.

''(C) BY NUMBER OF CHILDREN.—The amount referred to in subparagraph (A) is determined by adding—

''(i) the number of children determined under section 1121(b) who constitute not more than 834, inclusive, of the agency's total population aged 5 to 17, inclusive, multiplied by 1.0;

''(ii) the number of such children between 835 and 2,629, inclusive, in such population, multiplied by 2.0;

''(iii) the number of such children between 2,630 and 7,668, inclusive, in such population, multiplied by 3.0; and

''(iv)(I) in the case of an agency that is not a high poverty percentage local educational agency, the number of such children in excess of 7,668 in such population, multiplied by 3.0; or

''(II) in the case of a high poverty percentage local educational agency—

''(aa) the number of such children between 7,669 and 26,412, inclusive, in such population, multiplied by 4.5; and

''(bb) the number of such children in excess of 26,412 in such population, multiplied by 6.0.

''(e) MAINTENANCE OF EFFORT.—

''(1) IN GENERAL.—A State is entitled to receive its full allotment of funds under this section for any fiscal year if the Secretary finds that the State's fiscal effort per student or the aggregate expenditures of the State with respect to the provision of free public education by the State for the preceding fiscal year was not less than 90 percent of the fiscal effort or aggregate expenditures for the second preceding fiscal year, subject to the requirements of paragraph (2).

''(2) REDUCTION IN CASE OF FAILURE TO MEET.—

''(A) IN GENERAL.—The Secretary shall reduce the amount of the allotment of funds under this section in any fiscal year in the exact proportion by which a State fails to meet the requirement of paragraph (1) by falling below 90 percent of both the fiscal effort per student and aggregate expenditures (using the measure most favorable to the State), if such State has also failed to meet such requirement (as determined using the measure most favorable to the State) for 1 or more of the 5 immediately preceding fiscal years.

''(B) SPECIAL RULE.—No such lesser amount shall be used for computing the effort required under paragraph (1) for subsequent years.

''(3) WAIVER.—The Secretary may waive the requirements of this subsection if the Secretary determines that a waiver would be equitable due to—

''(A) exceptional or uncontrollable circumstances, such as a natural disaster or a change in the organizational structure of the State; or

''(B) a precipitous decline in the financial resources of the State.

''(f) ADJUSTMENTS WHERE NECESSITATED BY APPROPRIATIONS.—

''(1) IN GENERAL.—If the sums available under this section for any fiscal year are insufficient to pay the full amounts that all local educational agencies in States are eligible to receive under this section for such year, the Secretary shall ratably reduce the allocations to such local educational agencies, subject to paragraphs (2) and (3).

''(2) ADDITIONAL FUNDS.—If additional funds become available for making payments under this section for such fiscal year, allocations that were reduced under paragraph (1) shall be increased on the same basis as they were reduced.

''(3) HOLD HARMLESS AMOUNTS.—

''(A) IN GENERAL.—For each fiscal year, if sufficient funds are available, the amount made available to each local educational agency under this section shall be—

''(i) not less than 95 percent of the amount made available for the preceding fiscal year if the number of children counted under section 1121(b) is equal to or more than 30 percent of the total number of children aged 5 to 17 years, inclusive, in the local educational agency;

''(ii) not less than 90 percent of the amount made available for the preceding fiscal year if the percentage described in clause (i) is less than 30 percent and equal to or more than 15 percent; and

''(iii) not less than 85 percent of the amount made available for the preceding fiscal year if the percentage described in clause (i) is less than 15 percent.

''(B) SPECIAL TRANSITION RULE.—Notwithstanding any other provision of this subsection, for the first fiscal year after the date of enactment of the Every Child Achieves Act of 2015, subparagraph (A) shall apply based on the amounts received under sections 1124, 1124A, 1125, and 1125A, as in effect on the day before the date of enactment of the Every Child Achieves Act of 2015.

''(C) ADDITIONAL FLEXIBILITY.—Notwithstanding subparagraph (A) or subsection (d), for each fiscal year, a State may elect to make allocations for all local educational agencies in the State in accordance with 1 of the following:

''(i) ALLOCATIONS BASED ON 2015 FUNDING.—If, for a fiscal year, the State receives an allotment under this section in an amount that exceeds the sum of the allocations for all local educational agencies in the State under this subpart for fiscal year 2015, as such subpart was in effect on the day before the date of enactment of the Every Child Achieves Act of 2015, the State may elect to make an allocation to each local educational agency in the State that would otherwise receive an allocation that is less than the allocation received under this subpart by the local educational agency for 2015 (including each local educational agency not otherwise eligible for such allocation under subsection (c) or (d)) in an amount that—

''(I) exceeds the allocation the local educational agency would receive under subsection (d); and

''(II) is not more than the amount of the allocation for the local educational agency under this subpart for fiscal year 2015.

''(ii) ALLOCATIONS BASED ON FUNDS FOR SECTIONS 1122, 1124, 1124A, 1125, AND 1125A.—If, for a fiscal year, a State receives an allotment under this section in an amount that exceeds the sum of the allocations that all local educational agencies in the State would have received for such fiscal year under sections 1122, 1124, 1124A, 1125, and 1125A, as such sections were in effect on the day before the date of enactment of the Every Child Achieves Act of 2015, the State may elect to make allocations to each local educational agency in the State (including any local educational agency not otherwise eligible for such allocation under subsection (c) or (d)), in an amount that equals the amount of the allocation that the local educational agency would have received for such year in accordance with sections 1122, 1124, 1124A, 1125, and 1125A, as in effect on the day before the date of enactment of the Every Child Achieves Act of 2015.

''(D) DISTRIBUTION OF ADDITIONAL FUNDS.—In any case where a State elects to allocate funds under this subpart for a fiscal year in accordance with clause (i) or (ii) of subparagraph (C), the State shall allocate, in accordance with subsection (d), all funds in excess of the amounts necessary to carry out such clause to the local educational agencies in the State that would receive a greater amount of such funds under subsection (d) than received under such clause.

''(4) APPLICABILITY.—Notwithstanding any other provision of law, the Secretary shall not take into consideration the hold-harmless provisions of this subsection for any fiscal year for purposes of calculating State or local allocations for the fiscal year under any program administered by the Secretary other than a program authorized under this part.'';

(7) by redesignating sections 1126 and 1127 as sections 1124 and 1125, respectively;

(8) in section 1124, as redesignated by paragraph (7)—

(A) by striking ''sections 1124, 1124A, 1125, and 1125A'' each place the term appears and inserting ''section 1123''; and

(B) in subsection (a)(1), by striking ''section 1124(c)(1)(B)'' and inserting ''section 1121(b)(1)(B)''.

SA 2220. Ms. HIRONO 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 616 strike line 6 and all that follows through line 24.

SA 2221. Ms. HIRONO 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 628, strike line 24 and all that follows through page 629, line 24.

SA 2222. Mr. MANCHIN (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 69, between lines 16 and 17, insert the following:

''(N) if applicable, how the State educational agency will provide support to local educational agencies for the education of children facing substance abuse in the home, which may include how such agency will provide professional development, training, and technical assistance to local educational agencies, elementary schools, and secondary schools in communities with high rates of substance abuse; and''.

SA 2223. Mr. DONNELLY (for himself and Mr. REED) 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 343, line 17, by inserting ''economics,'' before ''and geography''.

On page 344, line 5, by inserting ''economics,'' before ''and geography''.

On page 344, line 18, by inserting ''economics,'' before ''and geography''.

On page 345, line 23, by striking ''geography, and civics'' and inserting ''civics, economics, and geography''.

SA 2224. Mr. BOOKER (for himself and 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:

On page 306, after line 23, add the following:

''(V) regularly conducting, and publicly reporting the results of, an assessment and a plan to address such results, 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 safety and climate;

''(II) availability and use of common planning time and opportunities to collaborate; and

''(III) community engagement; and

''(iii) is developed with teachers, leaders, other school personnel, parents, students, and the community; and

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SA 2225. 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:

On page 111, between lines 24 and 25, insert the following:

''(2) TESTING TRANSPARENCY.—

''(A) IN GENERAL.—Subject to subparagraph (B), each local educational agency that receives funds under this part shall make widely available through public means (including by posting in a clear and easily accessible manner on the local educational agency's website and, where practicable, on the website of each school served by the local educational agency) for each grade served by the local educational agency, information on each assessment required by the State to comply with section 1111, other assessments required by the State, and where such information is available and feasible to report, assessments required districtwide by the local educational agency, including—

''(i) the subject matter assessed;

''(ii) the purpose for which the assessment is designed and used;

''(iii) the source of the requirement for the assessment; and

''(iv) where such information is available—

''(I) the amount of time students will spend taking the assessment, and the schedule and calendar for the assessment; and

''(II) the time and format for disseminating results.

''(B) LOCAL EDUCATIONAL AGENCY THAT DOES NOT OPERATE A WEBSITE.—In the case of a local educational agency that does not operate a website, such local educational agency shall determine how to make the information described in subparagraph (A) widely available, such as through distribution of that information to the media, through public agencies, or directly to parents.

SA 2226. 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 title IV, add the following:

SEC. 4006. INCREASING THE NUMBER OF SCHOOL NURSES.

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—SCHOOL NURSES

''SEC. 4501. INCREASING THE NUMBER OF SCHOOL NURSES.

''(a) DEFINITIONS.—In this section:

''(1) ACUITY.—The term 'acuity', when used with respect to a level, means the level of a patient's sickness, such as a chronic condition, which influences the need for nursing care.

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

''(A) a local educational agency in which not less than 20 percent of the children are eligible to participate in the school lunch program established under the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.); or

''(B) a consortium of local educational agencies described in subparagraph (A).

''(3) HIGH-NEED LOCAL EDUCATIONAL AGENCY.—The term 'high-need local educational agency' has the meaning given such term in section 2002(b)(2).

''(4) NURSE.—The term 'nurse' means a registered nurse, as defined under State law.

''(5) WORKLOAD.—The term 'workload', when used with respect to a nurse, means the amount of time the nurse takes to provide care and complete the other tasks for which the nurse is responsible.

''(b) DEMONSTRATION GRANT PROGRAM AUTHORIZED.—From amounts appropriated to carry out this section, the Secretary of Education, in consultation with the Secretary of Health and Human Services and the Director of the Centers for Disease Control and Prevention, shall award demonstration grants, on a competitive basis, to eligible entities to pay the Federal share of the costs of increasing the number of school nurses in the public elementary schools and secondary schools served by the eligible entity, which may include hiring a school nurse to serve schools in multiple school districts.

''(c) APPLICATIONS.—

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

''(2) CONTENTS.—Each application submitted under paragraph (1) shall include information with respect to the current (as of the date of application) number of school nurses, student health acuity levels, and workload of school nurses in each of the public elementary schools and secondary schools served by the eligible entity.

''(d) PRIORITY.—In awarding grants under this section, the Secretary shall give priority to each application submitted by an eligible entity that—

''(1) is a high-need local educational agency or a consortium composed of high-need local educational agencies; and

''(2) demonstrates—

''(A) the greatest need for new or additional nursing services among students in the public elementary schools and secondary schools served by the agency or consortium; or

''(B) that the eligible entity does not have a school nurse in any of the public elementary schools and secondary schools served by the eligible entity.

''(e) FEDERAL SHARE; NON-FEDERAL SHARE.—

''(1) FEDERAL SHARE.—The Federal share of a grant under this section—

''(A) shall not exceed 75 percent for each year of the grant; and

''(B) in the case of a multi-year grant, shall decrease for each succeeding year of the grant, in order to ensure the continuity of the increased hiring level of school nurses using State or local sources of funding following the conclusion of the grant.

''(2) NON-FEDERAL SHARE.—The non-Federal share of a grant under this section may be in cash or in-kind, and may be provided from State resources, local resources, contributions from private organizations, or a combination thereof.

''(3) WAIVER.—The Secretary may waive or reduce the non-Federal share of an eligible entity receiving a grant under this section if the eligible entity demonstrates an economic hardship.

''(f) REPORT.—Not later than 2 years after the date on which a grant is first made to a local educational agency under this section, the Secretary shall submit to Congress a report on the results of the demonstration grant program carried out under this section, including an evaluation of—

''(1) the effectiveness of the program in increasing the number of school nurses; and

''(2) the impact of any resulting enhanced health of students on learning, such as academic achievement, attendance, and classroom time.

''(g) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section such sums as may be necessary for each of fiscal years 2016 through 2020.''.

SA 2227. Mr. CORNYN 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:

SEC. 10202. EDUCATION FLEXIBILITY PARTNERSHIP ACT OF 1999 REAUTHORIZATION.

(a) DEFINITIONS.—Section 3 of the Education Flexibility Partnership Act of 1999 (20 U.S.C. 5891a) is amended—

(1) in paragraph (1)—

(A) in the paragraph heading, by striking ''LOCAL'' and inserting ''EDUCATIONAL SERVICE AGENCY; LOCAL''; and

(B) by striking ''The terms'' and inserting ''The terms 'educational service agency',''; and

(2) in paragraph (2), by striking ''section 1113(a)(2)'' and inserting ''section 1113(a)(1)(B)''.

(b) GENERAL PROVISIONS.—Section 4 of the Education Flexibility Partnership Act of 1999 (20 U.S.C. 5891b) is amended to read as follows:

''SEC. 4. EDUCATION FLEXIBILITY PROGRAM.

''(a) EDUCATIONAL FLEXIBILITY PROGRAM.—

''(1) PROGRAM AUTHORIZED.—

''(A) IN GENERAL.—The Secretary may carry out an educational flexibility program under which the Secretary authorizes a State educational agency that serves an eligible State to waive statutory or regulatory requirements applicable to one or more programs described in subsection (b), other than requirements described in subsection (c), for any local educational agency, educational service agency, or school within the State.

''(B) DESIGNATION.—Each eligible State participating in the program described in subparagraph (A) shall be known as an 'Ed-Flex Partnership State'.

''(2) ELIGIBLE STATE.—For the purpose of this section, the term 'eligible State' means a State that—

''(A) has—

''(i) developed and implemented the challenging State academic standards, and aligned assessments, described in paragraphs (1) and (2) of section 1111(b) of the Elementary and Secondary Education Act of 1965, and is producing the report cards required by section 1111(d)(2) of such Act; or

''(ii) if the State has adopted new challenging State academic standards under section 1111(b)(1) of the Elementary and Secondary Education Act of 1965, as a result of the amendments made to such Act by the Every Child Achieves Act of 2015, and has made substantial progress (as determined by the Secretary) toward developing and implementing such standards and toward producing the report cards required under section 1111(d)(2) of such Act;

''(B) will hold local educational agencies, educational service agencies, and schools accountable for meeting the educational goals described in the local applications submitted under paragraph (4) and for engaging in technical assistance and, as applicable and appropriate, intervention and support strategies consistent with section 1114 of the Elementary and Secondary Education Act of 1965, for the schools that are identified as in need of intervention and support as described in section 1111(b)(3) of such Act; and

''(C) waives State statutory or regulatory requirements relating to education while holding local educational agencies, educational service agencies, or schools within the State that are affected by such waivers accountable for the performance of the students who are affected by such waivers.

''(3) STATE APPLICATION.—

''(A) IN GENERAL.—Each State educational agency desiring to participate in the educational flexibility program under this section shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may reasonably require. Each such application shall demonstrate that the eligible State has adopted an educational flexibility plan for the State that includes—

''(i) a description of the process the State educational agency will use to evaluate applications from local educational agencies, educational service agencies, or schools requesting waivers of—

''(I) Federal statutory or regulatory requirements as described in paragraph (1)(A); and

''(II) State statutory or regulatory requirements relating to education;

''(ii) a detailed description of the State statutory and regulatory requirements relating to education that the State educational agency will waive;

''(iii) a description of clear educational objectives the State intends to meet under the educational flexibility plan, which may include innovative methods to leverage resources to improve program efficiencies that benefit students;

''(iv) a description of how the educational flexibility plan is coordinated with activities described in section 1111(b) of the Elementary and Secondary Education Act of 1965 and section 1114 of such Act;

''(v) a description of how the State educational agency will evaluate (consistent with the requirements of title I of the Elementary and Secondary Education Act of 1965), the performance of students in the schools, educational service agencies, and local educational agencies affected by the waivers; and

''(vi) a description of how the State educational agency will meet the requirements of paragraph (7).

''(B) APPROVAL AND CONSIDERATIONS.—

''(i) IN GENERAL.—By not later than 90 days after the date on which a State has submitted an application described in subparagraph (A), the Secretary shall issue a written decision that explains why such application has been approved or disapproved, and the process for revising and resubmitting the application for reconsideration.

''(ii) APPROVAL.—The Secretary may approve an application described in subparagraph (A) only if the Secretary determines

that such application demonstrates substantial promise of assisting the State educational agency and affected local educational agencies, educational service agencies, and schools within the State in carrying out comprehensive educational reform, after considering—

''(I) the eligibility of the State as described in paragraph (2);

''(II) the comprehensiveness and quality of the educational flexibility plan described in subparagraph (A);

''(III) the ability of the educational flexibility plan to ensure accountability for the activities and goals described in such plan;

''(IV) the degree to which the State's objectives described in subparagraph (A)(iii)—

''(aa) are clear and have the ability to be assessed; and

''(bb) take into account the performance of local educational agencies, educational service agencies, or schools, and students, particularly those affected by waivers;

''(V) the significance of the State statutory or regulatory requirements relating to education that will be waived; and

''(VI) the quality of the State educational agency's process for approving applications for waivers of Federal statutory or regulatory requirements as described in paragraph (1)(A) and for monitoring and evaluating the results of such waivers.

''(4) LOCAL APPLICATION.—

''(A) IN GENERAL.—Each local educational agency, educational service agency, or school requesting a waiver of a Federal statutory or regulatory requirement as described in paragraph (1)(A) and any relevant State statutory or regulatory requirement from a State educational agency shall submit an application to the State educational agency at such time, in such manner, and containing such information as the State educational agency may reasonably require. Each such application shall—

''(i) indicate each Federal program affected and each statutory or regulatory requirement that will be waived;

''(ii) describe the purposes and overall expected results of waiving each such requirement, which may include innovative methods to leverage resources to improve program efficiencies that benefit students;

''(iii) describe, for each school year, specific, measurable, educational goals for each local educational agency, educational service agency, or school affected by the proposed waiver, and for the students served by the local educational agency, educational service agency, or school who are affected by the waiver;

''(iv) explain why the waiver will assist the local educational agency, educational service agency, or school in reaching such goals; and

''(v) in the case of an application from a local educational agency or educational service agency, describe how the agency will meet the requirements of paragraph (7).

''(B) EVALUATION OF APPLICATIONS.—A State educational agency shall evaluate an application submitted under subparagraph (A) in accordance with the State's educational flexibility plan described in paragraph (3)(A).

''(C) APPROVAL.—A State educational agency shall not approve an application for a waiver under this paragraph unless—

''(i) the local educational agency, educational service agency, or school requesting such waiver has developed a local reform plan that—

''(I) is applicable to such agency or school, respectively; and

''(II) may include innovative methods to leverage resources to improve program efficiencies that benefit students;

''(ii) the waiver of Federal statutory or regulatory requirements as described in paragraph (1)(A) will assist the local educational agency, educational service agency, or school in reaching its educational goals, particularly goals with respect to school and student performance; and

''(iii) the State educational agency is satisfied that the underlying purposes of the statutory requirements of each program for which a waiver is granted will continue to be met.

''(D) TERMINATION.—The State educational agency shall annually review the performance of any local educational agency, educational service agency, or school granted a waiver of Federal statutory or regulatory requirements as described in paragraph (1)(A) in accordance with the evaluation requirement described in paragraph (3)(A)(v), and shall terminate or temporarily suspend any waiver granted to the local educational agency, educational service agency, or school if the State educational agency determines, after notice and an opportunity for a hearing, that—

''(i) there is compelling evidence of systematic waste, fraud, or abuse;

''(ii) the performance of the local educational agency, educational service agency, or school with respect to meeting the accountability requirement described in paragraph (2)(C) and the goals described in paragraph (4)(A)(iii) has been inadequate to justify continuation of such waiver;

''(iii) student achievement in the local educational agency, educational service agency, or school has decreased; or

''(iv) goals established by the State under section 1111(b)(3) of the Elementary and Secondary Education Act of 1965 have not been met.

''(5) OVERSIGHT AND REPORTING.—

''(A) OVERSIGHT.—Each State educational agency participating in the educational flexibility program under this section shall annually monitor the activities of local educational agencies, educational service agencies, and schools receiving waivers under this section.

''(B) STATE REPORTS.—

''(i) ANNUAL REPORTS.—The State educational agency shall submit to the Secretary an annual report on the results of such oversight and the impact of the waivers on school and student performance.

''(ii) PERFORMANCE DATA.—Not later than 2 years after the date a State is designated an Ed-Flex Partnership State, each such State shall include, as part of the State's annual report submitted under clause (i), data demonstrating the degree to which progress has been made toward meeting the State's educational objectives. The data, when applicable, shall include—

''(I) information on the total number of waivers granted for Federal and State statutory and regulatory requirements under this section, including the number of waivers granted for each type of waiver;

''(II) information describing the effect of the waivers on the implementation of State and local educational reforms pertaining to school and student performance;

''(III) information describing the relationship of the waivers to the performance of schools and students affected by the waivers; and

''(IV) an assurance from State program managers that the data reported under this section are reliable, complete, and accurate, as defined by the State, or a description of a plan for improving the reliability, completeness, and accuracy of such data as defined by the State.

''(C) SECRETARY'S REPORTS.—The Secretary shall annually—

''(i) make each State report submitted under subparagraph (B) available to Congress and the public; and

''(ii) submit to Congress a report that summarizes the State reports and describes the effects that the educational flexibility program under this section had on the implementation of State and local educational reforms and on the performance of students affected by the waivers.

''(6) DURATION OF FEDERAL WAIVERS.—

''(A) IN GENERAL.—

''(i) DURATION.—The Secretary shall approve the application of a State educational agency under paragraph (3) for a period of not more than 5 years.

''(ii) AUTOMATIC EXTENSION DURING REVIEW.—The Secretary shall automatically extend the authority of a State to continue as an Ed-Flex Partnership State until the Secretary has—

''(I) completed the performance review of the State educational agency's education flexibility plan as described in subparagraph (B); and

''(II) issued a final decision of any pending request for renewal that was submitted by the State educational agency.

''(iii) EXTENSION OF APPROVAL.—The Secretary may extend the authority of a State to continue as an Ed-Flex Partnership State if the Secretary determines that the authority of the State educational agency to grant waivers—

''(I) has been effective in enabling such State or affected local educational agencies, educational service agencies, or schools to carry out their State or local reform plans and to continue to meet the accountability requirement described in paragraph (2)(C); and

''(II) has improved student performance.

''(B) PERFORMANCE REVIEW.—

''(i) IN GENERAL.—Following the expiration of an approved educational flexibility program for a State that is designated an Ed-Flex Partnership State, the Secretary shall have not more than 180 days to complete a review of the performance of the State educational agency in granting waivers of Federal statutory or regulatory requirements as described in paragraph (1)(A) to determine if the State educational agency—

''(I) has achieved, or is making substantial progress towards achieving, the objectives described in the application submitted pursuant to paragraph (3)(A)(iii) and the specific goals established in section 1111(b)(3) of the Elementary and Secondary Education Act of 1965; and

''(II) demonstrates that local educational agencies, educational service agencies, or schools affected by the waiver authority or waivers have achieved, or are making progress toward achieving, the desired results described in the application submitted pursuant to paragraph (4)(A)(iii).

''(ii) TERMINATION OF AUTHORITY.—The Secretary shall terminate the authority of a State educational agency to grant waivers of Federal statutory or regulatory requirements as described in paragraph (1)(A) if the Secretary determines, after providing the State educational agency with notice and an opportunity for a hearing, that such agency's performance has been inadequate to justify continuation of such authority based on agency's performance against specific goals in section 1111(b)(3) of the Elementary and Secondary Education Act of 1965.

''(C) RENEWAL.—

''(i) IN GENERAL.—Each State educational agency desiring to renew an approved educational flexibility program under this section shall submit a request for renewal to the Secretary not later than the date of expiration of the approved educational flexibility program.

''(ii) TIMING FOR RENEWAL.—The Secretary shall either approve or deny the request for renewal by not later than 90 days after completing the performance review of the State described in paragraph (6)(B).

''(iii) DETERMINATION.—In deciding whether to extend a request of a State educational agency for the authority to issue waivers under this section, the Secretary shall review the progress of the State educational agency to determine if the State educational agency—

''(I) has made progress toward achieving the objectives described in the State application submitted pursuant to paragraph (3)(A)(iii); and

''(II) demonstrates in the request that local educational agencies, educational service agencies, or schools affected by the waiver authority or waivers have made progress toward achieving the desired results described in the local application submitted pursuant to paragraph (4)(A)(iii).

''(D) TERMINATION.—

''(i) IN GENERAL.—The Secretary shall terminate or temporarily suspend the authority of a State educational agency to grant waivers under this section if the Secretary determines that—

''(I) there is compelling evidence of systematic waste, fraud or abuse; or

''(II) after notice and an opportunity for a hearing, such agency's performance (including performance with respect to meeting the objectives described in paragraph (3)(A)(iii)) has been inadequate to justify continuation of such authority.

''(ii) LIMITED COMPLIANCE PERIOD.—A State whose authority to grant such waivers has been terminated shall have not more than 1 additional fiscal year to come into compliance in order to seek renewal of the authority to grant waivers under this section.

''(7) PUBLIC NOTICE AND COMMENT.—Each State educational agency seeking waiver authority under this section and each local educational agency, educational service agency, or school seeking a waiver under this section—

''(A) shall provide the public with adequate and efficient notice of the proposed waiver authority or waiver, consisting of a description of the agency's application for the proposed waiver authority or waiver on each agency's website, including a description of any improved student performance that is expected to result from the waiver authority or waiver;

''(B) shall provide the opportunity for parents, educators, school administrators, and all other interested members of the community to comment regarding the proposed waiver authority or waiver;

''(C) shall provide the opportunity described in subparagraph (B) in accordance with any applicable State law specifying how the comments may be received, and how the comments may be reviewed by any member of the public; and

''(D) shall submit the comments received with the application of the agency or school to the Secretary or the State educational agency, as appropriate.

''(b) INCLUDED PROGRAMS.—The statutory or regulatory requirements referred to in subsection (a)(1)(A) are any such requirements for programs that are authorized under the following provisions and under which the Secretary provides funds to State educational agencies on the basis of a formula:

''(1) The following provisions of the Elementary and Secondary Education Act of 1965:

''(A) Part A of title I (other than sections 1111 and 1114).

''(B) Part C of title I.

''(C) Part D of title I.

''(D) Part A of title II.

''(E) Part G of title V.

''(2) Title VII of the McKinney-Vento Homeless Assistance Act. (42 U.S.C. 11301 et seq.).

''(3) The Carl D. Perkins Career and Technical Education Act of 2006 (20 U.S.C. 2301 et seq.).

''(c) WAIVERS NOT AUTHORIZED.—The Secretary and the State educational agency may not waive under subsection (a)(1)(A) any statutory or regulatory requirement—

''(1) relating to—

''(A) maintenance of effort;

''(B) comparability of services;

''(C) equitable participation of students and professional staff in private schools;

''(D) parental participation and involvement;

''(E) distribution of funds to States or to local educational agencies;

''(F) serving eligible school attendance areas in rank order under section 1113(a)(1)(C) of the Elementary and Secondary Education Act of 1965;

''(G) the selection of a school attendance area or school under paragraphs (1) and (2) of section 1113(a) of the Elementary and Secondary Education Act of 1965, except that a State educational agency may grant a waiver to allow a school attendance area or school to participate in activities under part A of title I of such Act if the percentage of children from low-income families in the school attendance area of such school or who attend such school is not less than 10 percentage points below the lowest percentage of such children for any school attendance area or school of the local educational agency that meets the requirements of such paragraphs (1) and (2);

''(H) use of Federal funds to supplement, not supplant, non-Federal funds; and

''(I) applicable civil rights requirements; and

''(2) unless the State educational agency can demonstrate that the underlying purposes of the statutory requirements of the program for which a waiver is granted continue to be met to the satisfaction of the Secretary.

''(d) TREATMENT OF EXISTING ED-FLEX PARTNERSHIP STATES.—

''(1) IN GENERAL.—Any designation of a State as an Ed-Flex Partnership State that was in effect on the date of enactment of this Act shall be immediately extended for a period of not more than 5 years, if the Secretary makes the determination described in paragraph (2).

''(2) DETERMINATION.—The determination referred to in paragraph (1) is a determination that the performance of the State educational agency, in carrying out the programs for which the State has received a waiver under the educational flexibility program, justifies the extension of the designation.

''(e) PUBLICATION.—A notice of the Secretary's decision to authorize State educational agencies to issue waivers under this section, including a description of the rationale the Secretary used to approve applications under subsection (a)(3)(B), shall be published in the Federal Register and the Secretary shall provide for the dissemination of such notice to State educational agencies, interested parties (including educators, parents, students, and advocacy and civil rights organizations), and the public.''.

SA 2228. Mr. THUNE (for himself, Mr. BARRASSO, Ms. HEITKAMP, and Mr. HEINRICH) 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 of the amendment, add the following:

SEC. 7_____. ACCESS TO FEDERAL INSURANCE.

Section 409 of the Indian Health Care Improvement Act (25 U.S.C. 1647b) is amended by inserting ''or the Tribally Controlled Schools Act of 1988 (25 U.S.C. 2501 et seq.)'' after ''(25 U.S.C. 450 et seq.)''.

PRIVILEGES OF THE FLOOR

Mr. ALEXANDER. Mr. President, I ask unanimous consent that Devon Brenner, an education fellow in Senator COCHRAN's office, be granted floor privileges through May 31, 2016.

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

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that Andrew Bronstein, an education fellow in my office, and Ethan Arenson, a Judiciary Committee detailee from the Department of Justice, be granted floor privileges for the remainder of this Congress.

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

ORDERS FOR TUESDAY, JULY 14, 2015

Mr. MCCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m., Tuesday, July 14; 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; that following leader remarks, the Senate resume consideration of S. 1177; and finally, that the Senate recess from 12:30 p.m. until 2:15 p.m. to allow for the weekly caucus meetings and that the filing deadline for first-degree amendments be at 2:30 p.m.

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

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 REID.

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

The Senator from Tennessee.

EVERY CHILD ACHIEVES ACT

Mr. ALEXANDER. Mr. President, I see that the majority leader has filed cloture on the bill, which I understand. We have had a chance to have a good discussion and a good debate.

We are getting toward the end of the consideration of our bill to fix No Child

Left Behind. We have a couple of issues that we need to resolve, but there are only a couple, and for a bill this complicated, that is pretty good. So it would be my hope that we could continue on through the process, and the majority leader might even get to the point later in the week where he would be able to vitiate the cloture, and we could finish without a cloture vote.

So far, so good. We have considered 58 amendments in committee and adopted 29. We have considered 25 on the floor, adopted 8 by rollcall, 11 by voice, and we have dozens more that have been agreed to by Senator MURRAY and me and that we would recommend to the Senate that we complete.

So it is my hope that Senators will allow us to have a consensus about this bill. As was said by Newsweek magazine last week, this is the Education bill that everybody wants fixed, and we are the ones who are supposed to fix it. So while there are some issues toward the end that are a little more difficult to resolve than others, I hope Senators will agree that people have had a chance to have their say on education issues and that we can go on to the other important issues facing the country.

I thank the Republican leader for giving us an opportunity to put this on the floor. I thank the Democratic leader for allowing us to move to the floor without delay. I hope we can continue over the next couple of days and finish the bill this week and get on to other important issues.

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

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

FILING CLOTURE

Mr. REID. Mr. President, it is obvious that the Republican leader has certainly changed his view on filing cloture.

There was a time on several occasions when the Republican leader bemoaned what he called ''a quick trigger on the cloture motion.'' That is a quote. There was a time—that was in 2012, 2013—when the Republican leader called filing cloture ''heavy-handed behavior.''

Now, keep in mind the backdrop of all of this. For 4 years, the Republicans simply wouldn't let us move to anything. We couldn't offer—they refused to allow bills to come up. We never even got on the bills. We would file a motion to get on a bill; they would object to that.

We have a different world now in the 7 months that we have been under the direction of the Republican leader, the senior Senator from Kentucky. We have been working in good faith to try to get things to move along—specifically this bill, the elementary and secondary education bill. There is no sign of a filibuster that I am aware of, at least on our side.

There are still a number of major amendments that need to be addressed. Senators MURPHY, BOOKER, WARNER, and others have an amendment on accountability for the lowest performing schools. They have worked hard on this. We have Senator FRANKEN, who is very passionate, on an amendment to protect LGBT students from discrimination. Senator MARKEY has an amendment that provides grants to allow schools to teach climate science. Senator CASEY has an amendment to expand and improve early education, particularly for 3- and 4-year-olds. These are important amendments dealing with education. There are others, but these are a few that I mentioned.

So to have the Republican leader come to the floor and file cloture when we have just had a few amendments—he can come out and talk about all the votes we have had, but they have been on nothing amendments. They could have been accepted really. We didn't even need votes on them. We have had virtually no serious amendments, and now, all of a sudden, the Republican leader has changed totally, I guess, his philosophy on how to legislate by filing cloture very early. I am very disappointed in this, but it speaks volumes about how this Senate is being run by this Republican majority.

It is appropriate to file cloture when the shoe is on the other foot, I guess, except the difference is that we never had a chance to get on the legislation. This is a perfect example of this. We didn't need to have a vote on a motion to get on a bill. We just said: OK, go ahead and move to it.

So I am really surprised, quite frankly, but that is what has happened. But it is not the first time I have been surprised about how things have been going on around here the last 6 or 7 months.

I have nothing further.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

The PRESIDING OFFICER. Under the previous order, the Senate stands adjourned until 10 a.m. tomorrow.

Thereupon, the Senate, at 7:08 p.m., adjourned until Tuesday, July 14, 2015, at 10 a.m.

NOMINATIONS

Executive nominations received by the Senate:

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

JOHN MAEDA, OF MASSACHUSETTS, TO BE A MEMBER OF THE NATIONAL COUNCIL ON THE ARTS FOR A TERM EXPIRING SEPTEMBER 3, 2016. (NEW POSITION)

DEPARTMENT OF THE TREASURY

MATTHEW RHETT JEPPSON, OF FLORIDA, TO BE DIRECTOR OF THE MINT FOR A TERM OF FIVE YEARS, VICE EDMUND C. MOY, RESIGNED.

AMTRAK BOARD OF DIRECTORS

ANTHONY ROSARIO COSCIA, OF NEW JERSEY, TO BE A DIRECTOR OF THE AMTRAK BOARD OF DIRECTORS FOR A TERM OF FIVE YEARS. (REAPPOINTMENT)

DEREK TAI-CHING KAN, OF CALIFORNIA, TO BE A DIRECTOR OF THE AMTRAK BOARD OF DIRECTORS FOR A TERM OF FIVE YEARS, VICE JEFFREY R. MORELAND, TERM EXPIRED.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

ANDREW MILLER SLAVITT, OF MINNESOTA, TO BE ADMINISTRATOR OF THE CENTERS FOR MEDICARE AND MEDICAID SERVICES, VICE MARILYN B. TAVENNER, RESIGNED.

MARY KATHERINE WAKEFIELD, OF NORTH DAKOTA, TO BE DEPUTY SECRETARY OF HEALTH AND HUMAN SERVICES, VICE WILLIAM V. CORR, RESIGNED.