have piled into this funding bill. But even more shocking was what occurred next, as legislation pertaining to the removal of the Confederate flag brought the Republicans' appropriations bill to a screeching halt. In an attempt to avoid voting on amendments that would outlaw the use of Confederate emblems, the House leadership shut down their own spending bill.

The Confederate flag issue was brought up by Republicans. They accepted it the day before this debacle took place on the House floor. But then they wanted more debate on the Confederate flag, and it didn't sell. What did they do? They figured out a way to drop this bill totally and take it off the floor.

Listen to a few of the headlines that were in the newspapers that follow.

From the Atlantic: ''Republican Defenders of the Confederate Flag Derail a Spending Bill.''

From Politico: ''GOP Leaders Yank Bill after Confederate Flag Fracas.''

From Roll Call: ''The Confederate Flag Imperils Republican Goal to Finish Spending Bills by August.''

Finally, from the Wall Street Journal: ''Confederate Flag Debate Prompts House to Pull Spending Bill.''

It is very disappointing that this is what the Republican Party of the 21st century stands for—protecting emblems of racism and our tragic past. The Congress should not be protecting the Confederate flag. Protecting the Confederate flag certainly is not worthy of bringing the entire U.S. Government to a standstill. But that is what the Republicans have been doing all along with their bogus appropriations bills—bringing our country to a standstill.

It has been clear for months that the only way Congress will arrive at a responsible budget is by Republicans and Democrats, Senate and House, sitting down together and finding a path forward. Now is the time to negotiate—not in September, not in October.

We know that the Republicans are experienced in shutting down the government. They did it before for several weeks. It was devastating to our economy, and it was a real shock to the worldwide community. Sequestration is another ingenious method of the Republicans to hurt the American middle class.

Republicans are experienced in shutting down the government. They did it 2 years ago. We know how the American economy suffered.

Senate Democrats aren't the only ones calling on Republican leaders to sit down for bipartisan funding talks. Listen to what was said by congressional Republicans. HAL ROGERS is dean of the Kentucky delegation and chairman of the House Appropriations Committee. Here is what he said:

> If we wait until the end of the fiscal year, then we're going to have to pass a C.R . . . then try to cobble together something in the meantime like we've been doing, but under pressure. And that's not the best way to legislate.

House Appropriations subcommittee chairman MIKE SIMPSON of Idaho said:

> Under sequestration, the way it currently exists, you can't pass appropriations bills. It ensures that what you've got is a C.R. for the rest of your life.

House Appropriations subcommittee chairman TOM COLE said:

> The reality is we still live in a divided government. It's not as if the Democrats can be shut out, but they can't dictate to us any more than we can dictate to them. It's time to sit down and see if we can make a deal.

CHARLIE DENT, Appropriations subcommittee chairman in the House, from Pennsylvania, said:

> We all know there's going to have to be a short-term C.R. to take us from September to December. And I would hope sometime between now and then, we'll have a negotiated budget agreement.

These are just a few of the quotes of the House Republic chairmen. The only way we are going to avoid another Republican Government shutdown is by both parties sitting down to construct a bipartisan agreement.

Let's skip all of the unnecessary drama by starting today to work together to avoid another government shutdown.

What is the business of the day, Mr. President?

RESERVATION OF LEADER TIME

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

EVERY CHILD ACHIEVES ACT OF 2015

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

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, the Democratic leader expressed the hope that we could have a path to the end on amendments, and I can assure him that Senator MURRAY and I agree with him wholeheartedly. We are working together to try to be able to do that. In the committee, we adopted 29 amendments. Most of those were Democratic amendments. We have adopted 22 on the floor, and the majority of those are Democratic amendments. The Democratic leader has been very helpful to allow us to come to the floor without delay, and I can assure him and the majority leader that Senator MURRAY and I intend to try to resolve the couple of issues we have right now and be able to recommend to the leadership a path forward. It would be my hope that we don't even have to have a cloture vote—that we didn't have to have one to get on the floor, and I hope we don't have to have one to get off the floor. I am not prepared to say we can do that yet, but we agree with him, and we will do our best to do that.

The PRESIDING OFFICER. The Democratic leader.

Mr. REID. Through the Chair to my friend, the senior Senator from Tennessee, the way the rules now exist, now after coming in tomorrow, there will be a cloture vote. I say to my friend that we need an agreement prior to that or we are not going to get cloture on the bill, on the substitute, which would be a shame. I hope that we can have adequate debate on these amendments. If we have 5 minutes per amendment, that won't work. I know that my friend is a fair man, but we are trying to understand why there was a rush on filing cloture on this bill.

I know there is a lot of work to do around here, but you can't shortchange one bill in an effort to get to something else that may not work either. We have two cloture votes on this bill. We can avoid the cloture vote, and that would be great. Maybe we can avoid the cloture vote on the bill itself. I hope so. But until my Senators are protected, we are not going to invoke cloture tomorrow morning.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, I understand what the Democratic leader is saying. I think the best thing for Senator MURRAY and me to do is to continue to work as we have with other Senators. I believe we know almost all of the amendments that are to be adopted. Not only have we adopted the ones in committee and the ones on the floor, but Senator MURRAY and I have several dozen other amendments that we are prepared to recommend to the full Senate be adopted in the substitute agreement. I would say to Senators that if there is any other amendment, I hope you will let us know about it. The filing deadline is 2:30 this afternoon. I hope we have all of the amendments that we need to have.

Occasionally, I am asked: Why do the Senators argue all the time? My answer usually is this: That is what we

are here to do. We are presented with the most contentious issues in the country—issues that can't be resolved in other places. So of course, we are going to argue a lot. We debate. We have rules about debate. We debate what to do about the Iran nuclear deal. We debate what to do about health care. We debate what kind of trade agreements we should have. But occasionally, we come to a consensus about what to do. A consensus is the way you govern a complex country.

I remember very well when I was a very young staff member here, I watched Senator Dirksen, the Republican leader—this was in 1968—and President Johnson, the Democratic President, work together to pass a civil rights bill. The bill was written in the Republican leader's office, even though it had been proposed by the Democratic President. It took 68 votes to pass it, in order to get cloture at that time. When they finally got 68—it took 67; they got 68—Senator Russell of Georgia, who led the opposition, flew to Atlanta and said: It is the law of the land; we need to support it. That is why we have the Senate. The Senate has been called the one authentic piece of genius in the American political system. It is the only place in our Government that encourages and actually forces consensus on important issues.

When you take a complex issue and try to resolve it and have it be the rule for a country as big and diverse as ours, consensus is the only way to do it. I cannot think of an issue about which there needs to be more consensus than one that involves the 100,000 public schools in our country, which have 50 million children and 3½ million teachers. Having a debate such as this about elementary and secondary education is like attending a football game at the University of Tennessee or Arkansas or Washington. Everybody in the stands is an expert. Everybody in the stands knows they can be the coach or the quarterback.

It is not that easy to get a consensus about what to do about elementary and secondary education in America. What is the proper role for the Federal Government? Once you have decided that, then what do you do about it? How much do you spend? What rules do you set?

The remarkable thing is that we have come to a consensus in two ways here about our elementary and secondary education legislation which is on floor today. The first is that we need to get something done. We are 7 years overdue. Newsweek magazine said this last week in the headline to its story: ''The Education Law Everyone Wants to Fix.'' We have tried twice in the last two Congresses. It was a well-intentioned bipartisan effort. Each failed. Each failed. We don't have to go into the reasons why, but they did fail.

In this Congress, we are off to a different start. We have heard from our teachers, our Governors, our superintendents, and our parents that you have to get this done. We want the bill to be as much like the one each one of us would write as possible. But in the end, let's get it done. Not only do we have a remarkable consensus about the need to fix No Child Left Behind, but we have a remarkable consensus about how to do it. I give a great deal of credit for that to the Senator from Washington, Mrs. MURRAY, who suggested to me that she and I write a draft bill together, which we did. We presented it to our committee, which includes many of the most liberal Members of the Senate and many of the most conservative Members of the Senate.

We worked through that draft. We considered 58 amendments. We adopted 29. A majority of those were Democratic amendments. In the end, every single member of the committee voted to report it to the floor. That did not mean every single member of the committee supported every provision in the bill, but I think what it meant—and I asked the members this before they voted: One, has it been a fair process? Have you had a chance to have your say? Is this bill good enough to present to the full Senate? The answer was yes for 22 Senators on both sides of the aisle.

Now, we have come to the Senate floor and we have been here about a week. We have adopted already 22 amendments, 14 of them are Democratic amendments. We have several dozen more amendments that Senator MURRAY and I have reviewed with our staffs and we agree with them. We are going to recommend to the full Senate that those be adopted by voice vote. They are important amendments, important contributions to the bill. We have about two dozen remaining to go which we need to vote on.

We need to do that today and we need to do that tomorrow. There is no need for us to go longer than that. We know what the amendments are. We have time to talk about those amendments on those 2 days. One or two of those are particularly contentious. We are trying to work those out.

So today what I would appeal to my colleagues for is cooperation. We have had excellent cooperation in the committee. We have had members of our committee who agreed not to offer amendments in the committee because they were told by me and Senator MURRAY that they have a chance to offer those amendments on the floor. We intend for them to have that opportunity before we finish this bill.

Senators on both sides of the aisle exercised restraint in that way in pursuit of a result. Most of the Members of the Senate on both sides of this aisle so far in this debate for the last week have done the same. I would simply ask all the Members of the Senate on both sides of the aisle in the next couple of days to show that same kind of restraint and help us get a result.

There is no need for us to go more than a couple of days. There is no need for us to have a cloture vote. We should be able to agree the amendments we know about can be scheduled and there can be an adequate time for debate on those and we can vote on them. We should be able to do that by unanimous consent. We want Senators to have a right to have their say on amendments that are related—related to elementary and secondary education.

So I thank the majority leader for placing this bill on the floor. I thank the Democratic leader for helping to create an environment in which we can succeed. I thank Senator MURRAY and her staff and our staff for working with the other Senators to get as far as we go. What I would ask our colleagues once again to do is to say: Our filing deadline is 2:30. We hope we already have all of the amendments. If everyone will cooperate with us, hopefully, the Senator from Washington and I can present to the leadership a list of amendments, a time agreement for how much debate there should be, and we should get started. We ought to be able to have one or two amendments voted on before lunch. When that is agreed to, we will let Senators know. Otherwise, I would expect there to be several votes in the afternoon, and a great many votes on Wednesday.

I yield the floor.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Mr. President, at Zillah High School in my home State of Washington, Jeff Charbonneau teaches science and engineering classes. Nearly half of the students in his school are struggling with poverty or come from low-income backgrounds. But despite the challenges poverty can present for students, Jeff and his colleagues engage their students and work tirelessly to help them succeed.

That dedication had paid off. Zillah High School graduates more than 95 percent of its seniors, and Jeff was named National Teacher of the Year a couple of years ago. But despite all of that success, today Jeff's school is labeled as ''failing.'' The reason: Last year, Washington State lost its waiver from No Child Left Behind requirements. That means most of the schools in my home State are listed as failing.

That is not fair to teachers like Jeff who pour their energy into making sure students can succeed. It is not fair to Washington State parents who are still facing a great deal of uncertainty about their child's school. It is not fair to students who deserve better than the current K-through-12 education law. It is time to finally fix No Child Left Behind. I am working hard to fix this broken law for teachers in my home State like Jeff.

I am working to restore certainty for parents in Washington State and across the country because they want to feel confident in the school where they send their child. I am working to make sure all students can get a quality education at our public schools no matter where they live or how they learn or how much money their parents

make. The Every Child Achieves Act is our chance to finally fix the current law.

It gives States more flexibility, while also including Federal guardrails to make sure all students have access to a quality public education. I look forward to making this good bill even better. It is why I am disappointed with the majority leader's decision last night to file cloture and move toward ending debate on the bill. We still have several important issues to address. Senator FRANKEN has an amendment to help protect LGBT students from bullying and discrimination at school.

I think it is an absolutely critical issue. When students do not feel safe at school, we have failed to provide them with the educational opportunities they deserve. I hope all of our Senate colleagues agree that we need to protect LGBT students from bullying and discrimination. We also have an amendment to expand access to high-quality early childhood education from Senator CASEY, making sure kids can start kindergarten ready to learn. It is one of the best investments we can make to help them succeed in school and later in life. I look forward to having that debate on the Senate floor.

We also need to improve accountability. Our bipartisan bill already includes some Federal guardrails to help students get access to a quality education, but there is more we can do to strengthen those measures and make sure all kids, especially our most vulnerable students, are able to learn and grow and thrive in the classroom.

So we have many issues yet to work through concluding debate on this bill. Getting this right cannot be more important for students across the country. Providing a quality education is not just good for students today, it is an investment in our future workforce, it is an investment in our future economy, and it will help our country grow stronger. Around the country, and in my home State of Washington, parents, students, teachers, and communities are looking to us to fix the No Child Left Behind law. We cannot let them down.

I yield the floor.

The PRESIDING OFFICER. The Senator from Montana.

Mr. TESTER. Mr. President, first of all, before I get into my prepared remarks, I want to say thanks to Senator ALEXANDER and Senator MURRAY for their great work on this bill. I very much appreciate where we are today, and hopefully when the amendments are all done, this bill will continue to be a step forward for this country's public education system and the students who are in it.

As everybody may know in this body, I am a third-generation farmer from North Central Montana. My wife Sharla and I have the incredible opportunity of farming the same land my grandfather and grandmother homesteaded and my folks worked for 35 years. I have been working on the farm since I was very young. From the age of 8, I knew I wanted to be a farmer, but my parents were insistent that I work hard in school and that I pursue a degree, even though agriculture was in my blood.

They knew a degree would give me greater opportunity both on and off the farm. My mother, in particular, had an unbreakable faith in the power of public education. So I went to college and after college—I graduated and got a degree—I started teaching in the same elementary school I attended as a child. While my calling as a farmer pulled me away from my time as a public school teacher in rural America—now, to be honest with you, the fact is, I could make more money in 1 day processing meat than I could in a week of teaching school. But that is another problem.

Nonetheless, I left the formal public education classroom. But it remained a key part of my life because I knew education was important. My parents instilled that in me. So I ran for the school board and got elected. I have been involved in public education my entire life, as a student, as a teacher, as a parent, as a school board member, as a State senator, as a grandfather, and now as a U.S. Senator. I have seen the positive impact that good education can have on folks' lives. I have seen how our system has failed too many kids.

Last year, Denise Juneau, Montana's Superintendent of Public Instruction, put out a report on why graduation matters. Nearly 80 percent of the male inmates in Montana's prison system are high school dropouts—80 percent of the male inmates in Montana's prison system are high school dropouts. Nearly three-quarters of the women in Montana jails are high school dropouts.

Superintendent Juneau estimated that Montana could combine crime reduction savings and additional revenue of over $19 million annually if we just graduated 5 percent more kids and incarcerated fewer of them. Nationally, these stakes are just as high. According to some figures, over 80 percent of the incarcerated population is high school dropouts. It is true that over 8,000 Americans drop out of high school each and every day. We can see how quickly the cost of incarceration will add up, even if many stay out of trouble and some go back and get their GED years later.

But it is not only the question of incarceration. The only jobs left within reach of a high school dropout are almost always going to be minimum wage or close to it. That perpetuates the cycle of poverty. So every American ought to know what we are up against. I know that what we do this week with the Every Child Achieves Act will affect millions of American families for years to come.

For the past few months, the Appropriations Committee has been working on bills that impact everything from our national defense to veterans, to agriculture, to access to public lands. I have been highly critical of where this majority thinks we should spend money and where it thinks we don't need to invest. My colleagues on the Appropriations Committee deserve a lot of credit for doing the best they can, but the end result is still unacceptable.

They have underfunded care for veterans by over $850 million compared to what the VA says it needs to keep up with the increased number of veterans accessing the VA. They have rejected efforts to make Head Start a full-day, full-year learning initiative. By freezing Head Start funding, they risk kicking more than 12,000 kids out of Head Start, despite the successes I have already told you about prison populations and education. It is a direct connection.

They have cut half a billion dollars out of clean water projects. Meanwhile, they have funneled $40 billion of borrowed money into an off-the-books account used for overseas military operations. This week, as we work to reform elementary and secondary education to ensure that our kids and our grandkids are prepared for the challenges of this worldwide economy in which we live, we simply cannot afford to shortchange their future.

That doesn't just mean providing the framework that will guide our Nation's 100,000 school districts as they work to improve education that our students receive, it also means letting them make decisions for themselves. If schools are not teaching well, they are accountable to school boards. If school boards are hiring bad teachers or misapplying resources, they are accountable to their voters. I can tell you as a former school board member, they are accountable to their voters.

But we also have to provide them with the resources they need to succeed. This is an investment we must make. Almost everyone in this body agrees that education is the single best investment we can make to ensure that folks are able to climb the economic ladder and get out of poverty. While I do not agree with everything in the Every Child Achieves Act, I can tell you it is certainly a step in the right direction.

Most importantly—most importantly—this bill eliminates adequate yearly progress known as AYP and moves us away from some of the failed high-stakes testing we have come to know. The chairman and ranking member need to be applauded for that. No Child Left Behind assumed that all students were the same and that success in the classroom meant passing a standardized test. We all know that is simply not the case. No Child Left Behind aimed to hold teachers and administrators solely responsible for the performance of their students, and punishment for low performance was rendered in the halls of the Department of Education here in Washington, DC.

Well, yes, I can tell you teachers and administrators must be held accountable, but much of that achievement gap is tied to things out of the hands of those teachers and administrators. It is tied to what happens outside the classroom.

Students' lives both inside the classroom and out are significantly different depending on their community and the home in which they live.

One of the single biggest factors that impact students' lives is poverty. If we do not address that issue, then this well-intentioned bill will not have the desired effects. If we do not recognize that urban poverty and rural poverty are very different, then we will fail to keep the promise that in America, any kid can grow up to be in the U.S. Senate or be successful in business or in the arts. Quite simply, if we are going to hold teachers and students accountable without addressing the root of some of the inequities in our public schools, then we are not addressing one of the most basic problems our Nation and our schools face.

Using a single formula to grade the Nation's 100,000 schools didn't work, especially when folks in Washington expected schools to change overnight. That expectation added so much pressure to perform that students and teachers alike dreaded going to school. We lost a lot of good teachers.

This bill, resulting from the hard work of Senator ALEXANDER and Senator MURRAY, acknowledges that Washington doesn't have all the answers when it comes to educating our kids. It puts more control in the hands of our States and local school boards.

For example, under No Child Left Behind, all 100,000 schools in this country were subjected to the same regulation for graduation rates. Under that regulation, schools can only count students who graduate with a diploma in 4 years. School districts don't get credit for students who graduate in 5 years or if they earned a GED.

Oftentimes, students who take more than 4 years to graduate have personal or family issues that prevent them from graduating on time. States would have to beg for permission from the Department of Education to count fifth-year graduates, and if the Department chose to accept those graduates, it would tell the States how much weight those students would count toward the schools' assessment. Under the Every Child Achieves Act, States will no longer have to apply to count fifth-year graduates and they can determine on their own how to weigh those students when assessing graduation rates.

This bill also builds on the Schools of Promise Initiative that has worked well in Montana to put some of our poorest performing schools on the right path. Under the leadership of Superintendent Juneau, the communities that are home to Montana's five lowest rated public schools have received support to attract and retain better teachers and to encourage community members to be more involved in the education of our children. That model, which empowers districts and schools to get better—and hire better—is being strengthened by the Every Child Achieves Act.

While this bill can and should go further to place more power at the local level, we have taken a good first step in its potential to do even better.

I recently paid a visit to Busby, MT, on the border of the Northern Cheyenne and Crow Indian Reservations. Beautiful country surrounded by rolling hills, Busby is so small that if you blink while driving, you could miss it. Busby is home to one of Montana's three Bureau of Indian Education schools. It is easy to see how broken America's promise to our tribal communities really is when one goes to Busby. The school has too few resources. The science teacher doesn't have any working microscopes. The teachers often cut pages out of their instruction manuals and make photocopies for each of their students. And the school needs maintenance.

While the scene at many BIE schools would drive you to tears, the public schools that educate over 90 percent of our Native American students are also in serious need of support. Over the last decade, Native American students are the only group—they are the only group—who has not seen improvements in reading and math. In fact, the achievement gap in math has actually widened during that time. Native American students are also the most likely to skip school or drop out and the least likely to go to college.

That is why last week the Senate passed my amendment to restore four grant programs that could help improve education in Indian Country, if they get funded. My amendment allows schools and colleges to train teachers to understand Native American culture so they are better equipped to help those Native American students succeed. It preserves fellowship programs for Native American students to get greater hands-on experience through their degree. It protects gifted and talented programs to better address the needs of bright young Native American students, and it maintains support for adult literacy and GED programs in Native American communities. Those title VII initiatives have never been funded, but they will have a major, positive impact on Native Americans across the country if we can find the money to fund them. Last week's bipartisan vote showed there is real support for these initiatives, and we should provide them with adequate resources.

Additionally, this bill includes strong steps toward improving native language instruction. It is a very good initiative because we know that when Indian kids learn in their native language, they do better in school and carry their history and tradition on to future generations, and they graduate at a higher rate.

Another important step we can take—one that I hear about often when meeting with parents, teachers, and administrators back home—is reducing the annual Federal testing requirement because right now, under No Child Left Behind, we are testing our kids to death. As my colleagues know, a student will take 17 federally mandated tests by the time they graduate high school—17.

I met with some fourth and sixth grade students, as well as their teachers and parents, about how much testing the Feds require. As my colleagues well know, fourth and sixth grade students usually tell it like it is. There is not a political agenda behind it when they ask a question or tell it the way they see it. So when I asked how much testing is the right amount, one bright young girl replied, ''I don't know, but I can tell you now it is too much.'' A fourth grade teacher there told me they are spending over 4 weeks a year testing. That is 4 weeks out of the year. That takes away from instruction time where kids could be learning. The level of testing that is currently required is choking out creativity, innovation, and taking away from our students' ability to learn.

I have offered an amendment to replace that current annual testing with fewer tests. Instead of taking federally mandated tests every year, students would be required to take one test in elementary school, one test in middle school, and one test in high school. If States want to test their students more, they can. If school boards want to test their students more, they can. But, as the young girl in Billings said, what we are doing right now is too much.

My goal and the goal of many in this body is to give a greater voice to the State and local community leaders to determine how best to educate the next generation. This bill as drafted puts us on that path. It is a chance to leave a better future for our country by making sure that every child—from the best school in the big city to the poorest Indian reservation in Montana—has a chance to succeed.

Our schools should not be designed as data warehouses where we can collect statistics on every student in America. Instead, we should be making sure our students love to learn so that they continue to learn even after they graduate and enter the workforce. We should make sure they have the same appreciation for education my mother did. That is what we should be investing in, and that is whom we should be investing for.

I once again thank Senator ALEXANDER and Senator MURRAY for their work on this bill. I look forward to making this bill better through the amendment process—not worse—so that hopefully we have a good bill to vote on at the end of this week.

I thank the Chair.

The PRESIDING OFFICER. The Senator from South Carolina.

AMENDMENT NO. 2132

Mr. SCOTT. Mr. President, I rise today regarding my amendment No. 2132, specifically targeting an opportunity to improve education for those kids attending title I schools. This is a portability amendment.

As we debate this Education bill, we must ensure our focus is in the right place. Education policy is not about protecting a bureaucracy, it should not be about empowering Washington, and it cannot be about an endless, fruitless push for some sort of one-size-fits-all type of system. This conversation must be about kids—5-year-olds and 15-year-olds—and their unlimited potential.

I believe without question that each and every child has within them a reservoir of potential. We should make sure that the access to experiencing the fullness of their potential is available to all Americans throughout this country. Too many of our Nation's children today do not have access to quality education. They don't have access to the education they deserve.

Now, more than half of the students in our Nation's public schools come from low-income households. This is an important point. As someone who grew up in poverty, as someone who grew up in a single-parent household, I know full well the challenges that come with poverty. Poor kids too often move a lot. By the time I was in the fifth grade, I had attended four different schools—four schools in my first 5 years of education. That is 4 different administrators, 4 different sets of teachers, 4 different funding streams—probably 40 different funding streams. So when we look at this through the eyes of a poor kid or if we look at this through the eyes of a single mother who is struggling simply to make ends meet, it seems very clear to me that providing more educational options is the right path forward for us to make sure every child everywhere experiences their full potential.

Giving States the ability to provide portability for the title I dollars—school choice for those most in need—is the kind of reform our kids deserve. It is the kind of reform they need. I don't care whether it is public, private, charter, virtual, home school; I don't really care what option as long as we have all the options so that the parents find the best for their kids.

Instead of forcing funds through red-tape and bureaucracy, let's have it directly follow our students. We are not talking about all the school funding this amazing Nation provides—somewhere around $700 billion of funding for schools. We are talking about a sliver—about 14 percent. Let that 14 percent of the Federal dollars—let those dollars be portable. Give the children in title I areas the greatest opportunity for success we know as a nation.

We all understand and appreciate the fact that to achieve the American dream today, it requires a quality education. By backpacking those funds, we will help kids who are like I used to be—growing up in difficult circumstances—to look into their own future with hope, understanding that opportunity lives and breathes everywhere in America.

We are seeing what happens when the majority of parents simply do not have those basic options, and we are seeing it in some challenging and stunning statistics. In 2010, there were 2.8 million high school dropouts between the ages of 16 and 24. The unemployment rate in America today is around 5.2 percent, but for those kids who dropped out, the unemployment rate is 29 percent, and nearly 36 percent—more than a third of those students—were not participating at all in the workforce. Taken as a whole, nearly two-thirds of all high school dropouts are simply not working. These are devastating numbers for our Nation as a whole. No matter where one lives in America, one is impacted by these statistics, and they should cause us to stand up and take notice.

These are students who deserve better, students who just need a little confidence in their abilities, and we can provide that through school choice. These kids, trapped in failing schools and underperforming schools, deserve an opportunity. It is simply not fair to our children, it is not fair to their parents, and it is not fair to America to allow the status quo to remain.

I know there is no silver bullet, but school choice is a large step—a leap—in the right direction. That is one of the reasons why I launched my Opportunity Agenda with school choice, the CHOICE Act, as a part of the foundation. That is why I am standing here today discussing—pleading with my colleagues to take a serious look at the educational opportunities available in some of the poorest ZIP Codes in America.

I think it is important to note that my amendment complements a growing body of evidence where we see 57 school choice programs in 29 States—57 school choice programs in 29 States—not in the South primarily, but in the South, yes; the Southwest, yes; the Northeast, absolutely; and the Midwest, yes. Local and State leaders are figuring out that when parents have a choice, kids have a chance.

Let me be crystal clear. It is absolutely paramount that we act and that we act now. I know opponents of school choice want to use ''voucher'' as a dirty word. I understand the tactics of those who do not support giving every child a quality opportunity. I understand. But they forget that the Federal Government already authorizes vouchers for education. We just call them Pell grants. Too often too many of our poor kids and our kids of color never receive a Pell grant because their high schools did not prepare them for college.

Now we know there are quality public schools all over this country, and we should celebrate the success of our quality public schools. I am a big fan of our public schools when they work, but I am a bigger fan of removing the potential traps to our kids in underperforming schools.

We can make a difference, we should make a difference, and this amendment provides us the opportunity to make that difference today. We don't have to wait until tomorrow. We don't have to wait until next year. We can do it today. You see, this Senator took a Pell grant to Charleston Southern University, probably the greatest university in the history of the country. Charleston Southern University, a private university, is where I took my Pell grant and experienced a wonderful education.

Faith and hope are two of the most powerful and necessary emotions. They oftentimes serve as the glue to better opportunity. We can restore those two powerful emotions in areas where kids too often are losing hope. This Senator knows that personally. This Senator has seen it happen personally in his own life. That is the power of school choice.

All of our kids—yes, all of our kids—have amazing potential. I believe there are good people on the other side of this argument. I know the other side believes school choice, as I am describing it, is wrong. I believe they have good intentions. This Senator is speaking from personal experience. This Senator is speaking from the statistical realities that we see across this country. This Senator is speaking on behalf of those kids who have been trapped too long, locked out too often, and said no to too many times. It is up to us as policymakers to create an environment where we unlock their potential.

I hope we will continue to have a robust debate, leaving politics behind and figuring out how to improve educational opportunities for all of our children.

Thank you, Mr. President.

The PRESIDING OFFICER. The Senator from Massachusetts.

AMERICAN WORKERS AND OVERTIME PAY

Ms. WARREN. Mr. President, American workers have fought long and hard to improve their lot—banning child labor, better safety on the job, minimum wage, and an 8-hour workday. Unions often led these fights, but their efforts also helped tens of millions of workers who often had no union representation.

In 1868, Congress passed its first 8-hour workday law, and by 1975 rules protecting the 8-hour workday covered about 65 percent of all workers. Of course, those workers might work longer—might be required to work longer—but if they did, they got time and a half for their extra hours. Managers were exempt from those rules, but they were paid more to offset the lost overtime.

To be sure, American workers did their part too. Year over year, decade over decade, workers increased output so that today American workers are among the most productive in the

world. The basic 8-hour day, with overtime for extra hours, was a godsend to families, and, in a larger sense, it was a core part of the deal that American workers could count on. From the 1930s through the 1970s, as American workers' productivity increased, GDP went up and so did wages for the average worker. In other words, as companies got richer, their workers got richer too. This was the America that built the great middle class, the America that created opportunity and protected that opportunity for nearly two-thirds of all workers.

But over time, that basic deal quietly vanished because we haven't meaningfully updated these rules since the 1970s. Instead of two-thirds of the workforce being protected, today only 8 percent of all salaried workers are covered. That means that only the lowest paid workers, workers whose salaries are so low that they are below the poverty line for a family of four, are legally entitled to be paid anything for their overtime. Today, a fast-food worker or a janitor or a grocery store clerk making a little over $23,000 can be classified as a manager and be required to work 10, 12, 14 hours a day, 5, 6 or 7 days a week, with no overtime pay of any kind.

Today, the productivity of American workers continues to rise, but the gains go to Wall Street and to CEOs and are no longer shared with the people doing much of the back-breaking work to make it all happen. That is a broken system.

Two weeks ago, the President announced he is going to fix these broken overtime rules. The administration's new proposal would raise the salary threshold under which a worker is guaranteed overtime pay to just over $50,000, more than double the current threshold and roughly back to the 1975 level, when both corporations and workers benefited from a growing economy.

This matters. According to the White House, nearly 5 million Americans—including over 100,000 people in Massachusetts alone—will get a raise. They estimate that workers will see an additional $1.4 billion in wages in just the first year alone.

But make no mistake, it will be a fight. Some businesses are used to getting an extra 5, 10, 20 hours for free from their employees—and they are just fine keeping the rules just the way they are. They will claim that fixing overtime will hurt businesses. Well, don't believe it. History shows that increases in overtime pay are actually good for the economy.

Employers usually respond to increases in the overtime threshold in one of three ways. Some will actually pay existing employees overtime for the extra work. Others will avoid overtime costs by hiring more workers to get the job done, and some will increase the hours of part-time workers. That is what we are likely to get: higher wages, more jobs or more hours for part-time workers. Even the National Retail Federation, which has lobbied hard against fixing the overtime rules, admits this proposal will add tens of thousands of jobs to this economy. We need those jobs.

But this issue is about more than jobs. This issue is also about fairness. If a worker puts in more time and produces more for the company, the worker should get a chance to share in its benefit. No more free work. Economic growth over the past three decades has been built on the backs of hard-working people, and it is time those hard-working people get a little bit more of all they have produced.

Fixing our outdated overtime rules will not end inequality. It is time to raise the minimum wage. Women should get equal pay for equal work. Workers deserve paid sick leave and paid family leave. Social Security should be expanded. But this is an important step forward, a vital piece of the puzzle that will increase wages, increase hours, and increase employment for millions of Americans, and it is a step that will show that the government can be made to help working people. There are plenty of examples of Washington writing rules that favor the rich and the powerful, but this time we have an overtime rule that will give working families a fighting chance to build some security for themselves. The President has proposed a new rule to benefit working families, and the rest of us are here today ready to fight for that rule.

Thank you, Mr. President.

I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, we are continuing our discussion of legislation to fix No Child Left Behind. We are still hopeful that we may have an agreement that we will have one or two votes before lunch.

I remind Senators that because of their cooperation we have done pretty well. We have adopted 29 amendments in committee, 22 already on the floor. Senator MURRAY and I have a large number of other amendments that we are prepared to recommend to the full Senate be adopted by consent. We have about two dozen amendments which we would like to have a vote on today and tomorrow. So the sooner we can move to those, the better, which will take some cooperation from all Senators.

Senator TESTER, the Senator from Montana, was here earlier. I thank him for his comments. He is a former school board member. He recognizes that the idea that we want to restore responsibility for student achievement to local school boards, to classroom teachers, to States, to chief State school officers is not just a Republican idea, it is a bipartisan consensus. We agree. We want to know whether the children are learning, but we want to restore to the States the decisions about what to do about the results of the tests the students take.

As the New York Principal of the Year wrote to us, wrote to our committee: We cherish our children, too. What she was saying was just because we fly to Washington once a week doesn't make us any more caring or any wiser about how to deal with 50 million children in 100,000 public schools from Native villages in Alaska to the mountains of Tennessee. In fact, we are less able to deal with that because we are further removed from those students.

The Senator from South Carolina, Mr. SCOTT, made that point eloquently. He said school choice is not a political slogan, school choice is an option, and we should look at it from the point of view of someone who is low-income or someone who is growing up in a home with a single parent, which he did. He talked from his own perspective. We shouldn't look down, we should be looking up. Look up at opportunity. Look up to the point of view of a single parent with less income and one or more children who is thinking: How can I help my children rise? How can they look up? Probably the one thing that almost all of us would agree on is, the better the educational opportunity is, the more chance that child has to climb the ladder.

If you have money in your family, you have those choices. You may move to a different part of town or you may choose a private school if you have the money. If you don't have the money, you don't have the choices. So what Senator SCOTT proposes to do is to take $14 billion of Federal funding and allow States—this is not a mandate on the State; this will be up to the State—to say that money can follow the low-income child to the school the child's parent wants that child to attend, public or private.

There is often a lot of talk about what is the proper Federal role for education. Some people don't think there is any. I was in that camp and probably still would be if I were the king. I remember going to see President Reagan in the early 1980s and suggesting that the Federal Government get completely out of elementary and secondary education and let the States do it all. In exchange, the Federal Government would take all of Medicaid. That would have been a good swap for the States, and it would have been good for education. But that is not where we are as a country today.

But if someone were to say what is the single reason why the Federal Government ought to have something to do with education, one answer would be to prevent discrimination, and another answer would be to help low-income children.

What is the best way to help the low-income child? This is what the Senator from South Carolina is saying: Why don't we take the money we have available, and let it follow that child to the school that the child's parent thinks is best? That is what we allow the wealthier parent to do. Why don't we

do it for the child? Why do we send it through bureaucracies and let other people make that decision? Why do we look down when, instead, we should be looking up?

As he also pointed out, it is not such an alien thought—this idea of letting money follow a student to a school. He pointed out that since 1944, with the GI bill for veterans, we have had great success in this country with allowing Federal dollars to follow students to the college of their choice.

In fact, the GI bill for veterans is often described as the most successful social piece of legislation in our country's history. It helped to create the ''greatest generation.'' It said you could take your Pell grant or your student loan to Notre Dame, to the University of Arizona, to Maryville College in Tennessee or you can go to Yeshiva, you can go to Howard University. That is your choice. Public, for-profit or nonprofit, you go. If it is accredited, that is your choice.

We also have vouchers, and that is a voucher at the other end of the scale. We have something called the child care and development block grant. It is a very big Federal program, maybe $8 billion. It says to low-income mothers—mainly mothers—that here is a voucher that you could spend at a daycare center while you work or while you go to school so that you can earn enough money so that you won't have to have a government voucher anymore.

So we have vouchers for parents with 3-, 4-, 5-, and 6-year olds. We have vouchers for students who are 18, 19, and 21 years olds, and somehow we think there is something wrong with having vouchers for elementary and high school students. That line is changing all the time.

I was in Jackson, TN, recently, and the president of Jackson State Community College told me that 30 percent of the students at Jackson State Community College are also in high school. We call that dual enrollment. That means that while you are a junior or a senior in high school, you might be taking physics, mathematics or some program at the community college or some apprenticeship there that might better prepare you for a job.

At Walters State Community College in Morristown, TN, I spoke at the graduation this year. A student there was graduating from Jefferson County High School and Walters State Community College in the same week. That student was going on to Purdue University, but he was going to enter Purdue at the second semester of his sophomore year. In other words, because he had been in both community college and in high school, he was able to save, he said, $65,000 by enrolling in the second semester of the sophomore year.

So we have a voucher to help him pay, if he is low income, to go to Walters State Community College, but somehow there is something wrong with a voucher to allow him to choose among the public high schools he attends. That doesn't make a lot of sense based on our history. It would be rare that we have a social experiment or a social legislation offered in our country where we have these two good pilot programs: the GI bill for veterans, operating since 1944, and the child care and development block grant, operating since the first President Bush was in office and which was reauthorized just last year by Congress.

We all vote for Pell grant vouchers. We all vote for child care and development block grant vouchers, and then we have a big argument when it comes time to talk about vouchers for elementary and secondary education. I think a way to resolve that is to take Senator SCOTT's advice. Instead of looking down on the students, let's look up. Let's look up from the perspective of Senator SCOTT—the Senator from South Carolina—when he was a child, when he was growing up in a home without much money, with a single parent, with limited educational options.

He knows the value and option that a Pell grant gave him for college. He would like to extend that option to elementary and secondary education for students who grow up as he grew up, and I would like to do that as well. We have an opportunity to do that by voting for his amendment when it comes time for a vote on this bill. I intend to vote yes, and I hope my colleagues will too.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. FLAKE). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. CASEY. Mr. President, I ask unanimous consent to set aside the pending amendment and call up Casey amendment No. 2152, the Strong Start for America's Children Act, an amendment to the Every Child Achieves Act, which will establish a Federal-State partnership to provide access to high-quality public prekindergarten education for low- and moderate-income families.

Mr. President, I ask unanimous consent, as well, to add Senators TESTER, REED of Rhode Island, KLOBUCHAR, and MERKLEY as cosponsors.

The PRESIDING OFFICER. Is there objection to adding the cosponsors?

Mr. ALEXANDER. No objection.

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

The PRESIDING OFFICER. Is there objection to setting aside the pending amendment?

Mr. ALEXANDER. Mr. President, reserving the right to object, this is a very important amendment that was thoroughly discussed in the education committee when we considered this legislation.

Both Senator MURRAY and I believe it should be offered on the floor and that Senators should have a chance to vote on it.

The trouble is that the Finance Committee objects to the way it is paid for. And in a moment, on behalf of the chairman, Senator HATCH, the Senator from Utah, I will have to object.

But my hope would be that the Senator from Pennsylvania, who is a member of that committee, could work with the chairman and the ranking member to come up with a different way of paying for the bill so that Senators would have a chance to vote on this important amendment today or tomorrow.

So I object.

The PRESIDING OFFICER. Objection is heard.

Mr. CASEY. Mr. President, by way of response, I understand what my colleague from Tennessee just mentioned as it relates to the objection to the so-called pay-for. I don't agree, obviously, for a couple of reasons.

No. 1 is I would hope that corporations that get the benefit of retaining a lot of operations in the United States and then seek to avoid taxes by so-called inversion would understand, I believe, the duty they have to this country. They benefit from our workers, our infrastructure. They benefit in so many ways. I would hope those companies would understand and Senators here would agree with the notion that they should undertake the duty to pay their fair share. I understand there is a debate about that. I understand there is an objection, but I would hope at some point we can get to the resolution of this basic question: Are we going to require companies to do more if they seek to engage in a tax-avoidance scheme by a so-called inversion?

But I respect what my colleague said, and we will try to move forward constructively.

Mr. ALEXANDER. Mr. President, I have nothing more.

Mr. CASEY. I yield to my colleague from New York.

The PRESIDING OFFICER. The Senator from New York.

Mr. SCHUMER. Thank you.

Mr. President, first I commend my friend and colleague from Pennsylvania, Senator CASEY, for his amendment, and I appreciate the discussion between him and the chair of the committee.

I think that getting rid of these inversions is very important. I am surprised people on the other side don't want to do it, but so be it. Funding this program is the most important way, and if we could come up with a bipartisan way to get the funding, that will help educate millions of America's young children, and that is why I support this amendment so strongly.

Educating our children is not a sprint, it is a marathon. No one just gets up one day and decides to run a marathon. They plan, they train, and they eat right. We can avoid the most common problems if we start our kids

out early with the right training, not just for some but for every student.

The research has shown that children who attend high-quality preschool programs are more likely to be prepared for school and graduate on time. They get better jobs. They are less likely to wind up in the criminal justice system or to rely on our social safety net. All too often in this body we do what many groups, corporations, and others in America do, we are unwilling to think of the long term. We may be spending a dollar today on this program, but we are going to save tens of dollars for each dollar we spend over the long run. All the studies show it. So having quality pre-K programs for kids who need it is a great investment in America. Yet millions of middle-class and low-income children don't have access to these programs that would provide an immense benefit to them and our country.

In short, pre-K should not be a luxury for the wealthy. Every child, no matter where they live or how much money their parents make, should be able to start their education in pre-K. It is not only for the good of them and their families but for the good of America. Senator CASEY's amendment helps us get there by helping States fund high-quality prekindergarten for 4-year-olds from low- and moderate-income families. It specifies that all preschools be inclusive of children with disabilities and addresses the need for increased funding to support their needs.

As I said, there is nothing wrong with doing inversions. Getting rid of them is the right thing to do, but if there is another way to go, I am certainly open to it, and I know Senator CASEY, our leader on this amendment, is too.

By the way, we will see where the pay-for is. It is the kind of win-win that everyone can get behind, and so I hope my colleagues will come together and fully pay for this. If we can't do it with inversions, which I think is right—and I believe most Americans would think closing the inversion loophole is right—let's find something else.

In New York, there are cities and communities that are already making the investment to ensure access to pre-K for their children. It is working. But at a time when budgets are tight, they shouldn't have to do it alone. Under this amendment, New York will receive the support it needs to serve an additional 137,000 kids over 5 years. States across the country would be able to help a similar number of their schoolchildren, all without costing the Federal Government a single plug nickel.

As we debate how to best ensure students graduate ready for college or careers, we are doing a disservice if we ignore the need to invest in early education.

I thank my friend Senator CASEY for offering this amendment. I urge my colleagues to vote on it in the original form. Stand up against these inversions, but if that vote fails, to have a different proposal would be a good thing to do, although I think we should have a vote on this particular amendment first.

Mr. President, I would like to speak for a moment, with the indulgence of my colleagues, on the title I cuts and the amendment Senator BURR has offered with respect to title I funding, which of course provides assistance to low-income districts and schools that educate a high number of low-income children.

We cannot forget that title I is the largest source of Federal education funding and applies to a wide swath of school districts and includes many suburban and middle-class communities as well as school districts in our cities where poverty is concentrated. You might say: Well, this only affects the poor. It doesn't. If a school is going to lose its title I funding, they may have to do it and spend the money on their own and take away from science or afterschool programs or sports or something else. It affects everybody. Even though title I, since the days of Lyndon Johnson, was aimed at poor kids, it is going to hurt everybody if we make the kind of drastic cuts in so many school districts that the Senator from North Carolina has proposed.

What Senator BURR's amendment would do would not increase funding, which is what we usually do around here when we want to try to change formulas, as we should. He simply robs Peter to pay Paul. He takes away money from a needy school in one State to give to a needy school in another State.

According to the Congressional Research Service, over 9,600 school districts across the country will lose title I funding under this amendment. These schools count on title I funds year in, year out. They budget for it, and without the funding, they could be forced to lay off teachers, cut afterschool programs, and make other dramatic cuts. So it is no answer. Redistributing a limited pie is no way to make Federal policy.

One of my disappointments with this bill is that every American supports increased funding in education, particularly in things like title I. The bill doesn't do it.

At a time when America is competing against China, Japan, Europe, and the world, we are saying we shouldn't help with education, which is the ladder up for so many millions of American families, but we are not. But then to say, while keeping the funding flat, we should take huge amounts of money—$300 million from my State—and give it to other States to help the poor, when in fact it doesn't even require that that money goes to the needy, that doesn't make much sense, in my opinion, and that is not the way to legislate.

We should have a real conversation about our Federal investment in education, one that recognizes that all of our school districts with low-income student populations would benefit from additional resources, one in which my colleagues across the aisle are fond of saying, in a different context, we are not picking winners and losers. I think we would agree that all of our low-income school districts need and deserve extra help.

In conclusion, education is the cornerstone of the American dream. We have to keep that American dream alive, and there is no better way than in funding education. I know my colleagues believe that.

I hope everyone will join us across the aisle in opposing Senator BURR's amendment to change the title I formula without increased Federal support for our schools.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, I thank the Senator from New York for his remarks. I know how passionately he feels about the amendment by the Senator from North Carolina. He has made that clear to me on more than one occasion, and my hope is that the Senator from New York and the Senator from North Carolina will have a successful resolution of that difference of opinion in the next day or two. I know Senator MURRAY and I will be glad to work with them to try to do that, but I hear him loud and clear, and I appreciate him coming to the floor and making those statements.

Mr. SCHUMER. If the Senator will yield.

The PRESIDING OFFICER. The Senator from New York.

Mr. SCHUMER. Mr. President, I thank my colleague from Tennessee, and I know how much he cares about both this bill and education. I look forward to making this bill as good a bill as we possibly can make it, and so I am always open to any suggestion he might make.

The PRESIDING OFFICER. The Senator from New York.

Mr. ALEXANDER. Mr. President, I thank the Senator from New York. He has not been on the floor in the past at the beginning of the day when I thanked both the majority leader and Democratic leader for their attitude toward this bill. While it is probably not noticed by people around the country, it is noticed here.

The Democratic leader and the Democratic leadership, which the Senator from New York is a part of, allowed this bill to come to the floor without any delay. We have had a chance to offer and consider a lot of amendments. We have already considered and adopted 22 on the floor.

Senator MURRAY and I have several dozen or more that we will recommend to the full Senate to be adopted, and we have about two dozen other amendments that we would like to begin voting on soon. We seem to be moving along. Senators are cooperating.

There have been some developments this morning that are encouraging, and I hope to be able, within the next few

minutes, to announce that we will have a few votes—one to four votes—before lunch and that we will have more votes at 4 p.m., but I am not able to make that agreement yet. For the information of Senators, that is our hope. Then, tomorrow, if we continue on this path, we will have a large number of votes.

I thank the Senators for their cooperation.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. CASEY. Mr. President, I have just a point of clarification. I may have said amendment No. 215-something, it is amendment No. 2152.

I yield the floor.

The PRESIDING OFFICER. The Senator from Louisiana.

Mr. VITTER. Mr. President, I rise again in support of my sanctuary cities amendment and to urge us to come together around sensible legislation that will stop jurisdictions around the country from opposing and not following what is already Federal law.

As the Presiding Officer knows, Federal law is very clear. It says deportation and immigration enforcement is a Federal responsibility, but local law enforcement authorities need to properly cooperate with Federal authorities regarding that. It doesn't mean they need to take it over or take on huge burdens or unfunded mandates. It does mean they need to properly cooperate with Federal authorities.

Well, for several years, as the Presiding Officer knows, there have been hundreds, if not thousands, of so-called sanctuary cities in other jurisdictions around the country that have a formal policy that is completely at odds with that. These policies in various jurisdictions, such as the city of San Francisco, say straight out: We are not going to cooperate in any meaningful way with Federal immigration enforcement. I think that is flatout ridiculous, and tragically it leads to dangerous situations and horrible results. We saw one of those dangerous situations and horrible results just in the last few weeks with the murder of a completely innocent woman in San Francisco by an illegal alien who had been convicted of felonies seven times, deported five times, and released onto the streets of San Francisco, in part, because of San Francisco's sanctuary city policy.

This absurdness—political correctness gone haywire—is to the detriment and danger of American citizens, and it has to end. That is why several years ago I brought legislation to the Senate, beginning in 2009, to put teeth in what is already Federal law. My legislation will ensure that there are consequences when jurisdictions, such as San Francisco, don't properly cooperate with Federal authorities over immigration enforcement. Unfortunately, that has been blocked and blocked and blocked in the Senate.

I brought the same proposal as an amendment to the education bill that is on the floor now to revisit this issue and to urge us to come together around sound, sensible policy that ends sanctuary cities flaunting Federal law and creating very dangerous situations. I urge my colleagues to come around to a commonsense solution to that.

I have fully cooperated with Senator ALEXANDER, who has been the floor leader on this important education bill. As part of that, I agreed not to demand a vote on that amendment on the floor this week if our Judiciary Committee, the appropriate committee of jurisdiction, takes up the issue in a timely way—we reached that agreement yesterday with Senator GRASSLEY, the chair of the Judiciary Committee—and that a Vitter bill on this topic would be taken up appropriately at a markup of the Judiciary Committee this work period.

Well, that is certainly progress, and so let's use this opportunity to make real progress and end sanctuary cities flaunting Federal law and not properly cooperating with immigration enforcement. Let's come together around a strong, meaningful bill that doesn't allow that, that puts consequences and teeth in present Federal law that says local law enforcement has to properly cooperate with Federal immigration enforcement.

I very much look forward to doing that in the Judiciary Committee—the committee of jurisdiction—thanks to the work of Senator ALEXANDER and the agreement of Senator GRASSLEY to take up this measure to work with me and have a markup this work period.

I very much look forward to that being a very constructive path forward. If for any reason it is not, I will certainly be back. I will certainly be back directly on the floor in the context of the highway bill or some other significant piece of legislation because we can't allow this ridiculous political correctness to continue to create truly dangerous situations in communities all over the country.

Federal law requires local law enforcement to properly cooperate with Federal immigration enforcement. The problem is there are no teeth in that law, and that law is ignored and flaunted all the time by many jurisdictions which advertise and brag about their so-called sanctuary city policy and they will not cooperate with Federal immigration enforcement in any way. Really? A seven-time convicted felon, five times deported from the country. And once he was back in, still released onto the streets of San Francisco to commit murder? Really? That is really going to be your policy? If it is, is it really going to be our response that we do absolutely nothing about it?

I urge appropriate action. I urge us to come together around commonsense change and reform to end this all-too-pervasive practice. I look forward to starting that very constructive path forward in the Judiciary Committee with the markup of the Vitter bill, and I am already working with Senator GRASSLEY and his staff in this work period.

I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, I wish to say to the Senator of Louisiana two things:

First, I understand his passion on this issue. I have heard him speak about it. He talked to us last week about how best to express that on the Senate floor. There are a number of Senators who share his view on that. He is a member of the Judiciary Committee. We will have an opportunity to deal with it when the committee does work next week.

Second, I would like to say to him through the Chair that I greatly appreciate the way he has handled this. He not only gave us advance notice of his interest in this amendment last week, he has worked in the Judiciary Committee to find a way to move ahead on his interest without interfering with the progress of our bill to fix No Child Left Behind. I am not surprised by that because he has made a major contribution to the bill to fix No Child Left Behind. Specifically, we have adopted his language or some of his language that would end the common core mandate and stop Washington, DC, from telling Louisiana, Arizona, Tennessee, and Washington State what their academic standards have to be. If a State wants to have an academic standard, it can have it; if it doesn't want it, it doesn't have to have that particular standard.

The fact that the Senator has been willing to say that this is a very important issue and that he will work with Senator GRASSLEY in the Judiciary Committee and pursue it there leaves us free to move ahead on fixing No Child Left Behind, which is important to his State as well as to all other States. I greatly appreciate the way he has handled that and thank him for doing that.

We are still hoping to consider three or four amendments and perhaps have one rollcall vote before lunch, but we will know more about that in the next few minutes.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

Mrs. MURRAY. Mr. President, as we continue to debate this bipartisan bill to fix the badly broken No Child Left Behind law, I want to take a step back to lay out why this is so important.

First of all, the idea of a strong public education for all children is part of who we are as a nation. It is sewn into the fabric of America.

Providing quality education is also an economic imperative. When all of

our students have the chance to learn, we strengthen our future workforce, and that helps our country grow stronger. And we empower the next generation of Americans to lead the world. Education is like insurance for our Nation's future economic competitiveness in the years to come. It opens more opportunities for more students, and it helps our economy grow from the middle out, not the top down.

One of the best ways I believe we can strengthen our education system is by making sure more students start kindergarten ready to learn. As we work to fix No Child Left Behind, we also have the opportunity to expand access to high-quality early childhood education and set students on a path toward success.

I am very proud of the bipartisan early learning grants we secured in the base of this bill. I think we should continue to build on that bipartisan progress to make sure more students have access to high-quality early learning programs. That is exactly what Senator CASEY's amendment would do. I urge my colleagues to support it.

First of all, it is important to understand why early learning is essential. Learning begins at birth. Research suggests that before children set foot in kindergarten, they have already developed a foundation that will determine all of the learning, health, and behavior that follows. Early learning programs can strengthen that foundation so more students can start their K–12 education on strong footing.

Preschool programs can be especially important for students from low-income backgrounds. A child growing up in poverty will hear 30 million fewer words by her third birthday compared to a child from a more affluent family. That is a serious disadvantage. By the time she starts kindergarten, the deck will already be stacked against her and her future success.

Studies have confirmed both the short-term and long-term benefits of quality early learning. Children who attend preschool are less likely to repeat a grade. They are less likely to be placed in special education. They are less likely to drop out of school, depend on social safety net programs, or commit a crime. And they are more likely to go to college and earn higher wages. Research suggests we get back between $7 and $8 for every dollar we invest in high-quality preschool programs.

Simply put, early learning is one of the smartest investments we can make for our families, our children, and our country. But today just 14 percent of our 3-year-olds in America are enrolled in Federal- or State-funded preschool programs and 41 percent of 4-year-olds are enrolled.

If we are serious about closing education gaps in grades K through 12 and if we are truly committed to making sure all students have the chance to succeed, we have to invest in quality early education.

I was pleased that during the committee debate on this bill, we were able to pass a bipartisan amendment for early childhood education. I thank my colleague Senator ISAKSON for working with me to include that in the committee markup. Throughout this process, I have appreciated the way he has worked with me on a bipartisan basis to improve the legislation before us.

Our amendment, which is now part of the base bill we are considering, would create a grant program for States that want to improve early childhood education coordination, quality, and access. The program would target resources to low- and moderate-income families. States that want to serve children from birth to the time they enter kindergarten will be eligible. It will help support the work that States like my home State of Washington are already doing to make sure more of our youngest learners have access to preschool. These grants will help States improve the quality of their early childhood system and also expand access to high-quality early learning opportunities for more children.

While I am very proud of what we have achieved in this base bill on our early childhood education, this is not the last step we need to take to improve and expand access to high-quality preschool. The grants are a step in the right direction, but we need to significantly increase investments to ensure that every child in this country starts kindergarten ready to succeed.

My colleague, the senior Senator from Pennsylvania, offered an amendment that would expand access to high-quality preschool programs. It would provide Federal funding to every State that commits to improve access to high-quality learning opportunities for all of our low- and moderate-income 4-year-olds. For the States that already meet that goal, it will help them offer preschool to 3-year-olds. This amendment would support States that don't yet have the infrastructure needed to provide preschool to all low- and moderate-income kids. With preschool development grants, these States will be able to build up their early learning systems. This amendment also provides funding for early Head Start and childcare partnerships to improve the quality of childcare for infants and toddlers through age 3 and provide funding for early learning services for young children with disabilities. Finally, his amendment recognizes the importance of the Maternal, Infant, and Early Childhood Home Visiting Program, which I helped to create to deliver voluntary parent education and family support services to parents with young children.

I am glad to say this amendment will be fully paid for by closing a wasteful corporate tax loophole. Our Tax Code is riddled with a lot of wasteful loopholes and special interest carve-outs. Far too many of these tax breaks are skewed to benefit the wealthiest Americans and biggest corporations.

Today some of my Republican colleagues objected to bringing up his amendment solely because it would close one of those corporate tax loopholes. It is disappointing that they are choosing the biggest corporations over our youngest learners.

I urge our Senate to consider this amendment. I support it because I believe investing in our youngest learners is so important for our children and their families, and it is one of the smartest investments we can make so students can start kindergarten ready to learn and succeed later in life.

I don't believe this is a partisan issue. When I talk to sheriffs in my State, they tell me the young people they bring into the police station might have chosen a better path in life had they had a stronger start in school. That is why law enforcement officials across the country want Congress to expand early learning.

Military leaders have stressed the importance of early learning investments. In fact, at a Senate hearing last year, Air Force Brig. Gen. Douglas Pierce, Retired, said: ''How we prepare our youngest kids to learn and succeed has a profound impact on our military readiness.''

Business leaders have called on Congress to support preschool programs. Why? Because they need the students of today to be able to create and take on the jobs of the 21st-century global economy.

Lawmakers from red States and blue States alike see early learning as a wise investment. Alabama, Kansas, Michigan—States with Republican Governors and Republican-controlled legislatures—have recently made stronger investments in early learning.

It is now time that the U.S. Senate catch up with what State lawmakers, business leaders, law enforcement officials, and military leaders recognize. We need to invest in early childhood education so all of our students can start school ready to learn.

The importance of early childhood education is something I have witnessed firsthand. Before I ever thought about running for office, I taught preschool in a small community in my home State of Washington. I remember that the first day with new students would always start the same way: Some kids would not even know how to hold a pencil or turn a page in a book. But over the first few months, they catch up; they learn how. They learned how to listen at story time. They learned how to line up for recess. By the time they left for kindergarten, they had basic skills so they could tackle a full curriculum in school. I have seen the kind of transformation early learning can inspire in a child.

If we are serious about strengthening our education system, we have to make sure more children have the chance to get a strong start in preschool. In reauthorizing this Education bill, we have the chance to help more students start kindergarten ready to learn.

With the amendment Senator CASEY offers, we have the opportunity to set

kids on the path toward success not just in grade school but into adulthood. We have the chance to fortify our economic competitiveness for years to come.

I urge my colleagues to support his amendment, to support this bill that already contains bipartisan early learning grants, and then take a step further and support the Casey amendment.

I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, I would say to the Senator that we are hoping to be able to lock in some amendments, but we are not quite ready yet. So what I might do is ask him to yield during his speech so that we can do that. I would say to the Senator through the Chair that we look forward to his remarks.

The PRESIDING OFFICER. The Senator from Hawaii.

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

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

AMERICAN WORKERS AND OVERTIME PAY

Mr. SCHATZ. Mr. President, I want to join my colleagues in voicing my support for President Obama's proposal to extend overtime benefits to nearly 5 million people across the country. These new rules will significantly enhance family budgets and add over $1.2 billion nationwide to workers' pockets. Once implemented, the proposal would more than double the salary threshold for overtime eligibility from the current level of $455 per week to $970 a week next year. That means employees earning an annual salary of around $50,000 or less will automatically become eligible for overtime pay. Today, the annual salary threshold for earning overtime pay is around $24,000. That is well below the poverty level for a family of four, particularly so for families in Hawaii.

The overtime salary threshold is long overdue for an update. Since 1975, it has been updated only once. Forty years ago, nearly two in three employees benefited from overtime pay—two in three. Today, it is one in nine.

I appreciate the priority this administration and especially Secretary Perez have placed on work and family issues, policies that directly impact the lives of average Americans.

According to the Department of Labor, approximately 20,000 workers in Hawaii would become eligible for overtime pay with this rule change.

By increasing the overtime salary threshold, current employees would be able to earn more money and employers could hire more workers, creating more jobs for our economy.

Housing, transportation, and food costs in Hawaii have made Hawaii one of the most expensive places to live in the country. The high cost of living requires a large percentage of people in Hawaii to work more than one job. The new overtime rules could allow workers to make a liveable wage with one job. If a worker is able to live without a need for a second or third job, it creates more employment opportunities for individuals struggling with unemployment or underemployment to find work.

The potential change in overtime rules can offer more than financial benefit to Americans. If a business does not want to pay overtime, the employees' hours would be limited to 40 hours a week. Since they are salaried and not paid by the hour, they would have more time off with no loss of pay. This would allow individuals to better balance their work and family obligations and give them the opportunity to spend more time with their family, a chance to volunteer in their community, or perhaps further their education.

The new rules will be subject to a 60-day public comment period. I encourage my constituents from Hawaii to let their voice be heard.

This change in overtime rules is appropriate and will help to lift our national and state economy, offer families more choices, and foster greater fairness in the workplace.

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

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

Mr. ALEXANDER. For the information of Senators, I am about to ask for unanimous consent—which I expect to receive—to have two rollcall votes and two voice votes before lunch. So I now will do that.

I ask unanimous consent that at 12:10 p.m. the Senate vote in relation to the following amendments: Scott No. 2132, Booker No. 2169, Portman No. 2137, Bennet No. 2159; further, that at 4 p.m. today the Senate vote in relation to the following amendments: Isakson No. 2194, Bennet No. 2210, Lee No. 2162, and Franken No. 2093; with no second-degree amendments in order to any of the amendments prior to the votes; that there be 2 minutes equally divided prior to each vote, with 4 minutes prior to the vote on the Franken amendment, and that all after the first vote be 10-minute votes; that the Scott and Franken amendments be subject to a 60-affirmative-vote threshold for adoption and that it be in order to call up any amendments in the list not currently pending.

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

AMENDMENTS NOS. 2169, 2159, AND 2210 TO AMENDMENT NO. 2089

Mr. BENNET. Mr. President, I ask to set aside the pending amendment and call up the following amendments en bloc: on behalf of Senator BOOKER, amendment No. 2169; Bennet amendment No. 2159; and Bennet amendment No. 2210.

The PRESIDING OFFICER. The clerk will report the amendments by number.

The senior assistant legislative clerk read as follows:

The Senator from Colorado [Mr. BENNET] proposes amendments numbered 2169, 2159, and 2210 to amendment No. 2089.

The amendments are as follows:

AMENDMENT NO. 2169

(Purpose: To require a State's report card to include information on the graduation rates of homeless children and children in foster care)

On page 76, line 13, insert ''and for purposes of subclause (II), homeless status and status as a child in foster care,'' after ''(b)(3)(A),''.

AMENDMENT NO. 2159

(Purpose: To amend title IV regarding family engagement in education programs)

(The amendment is printed in the RECORD of July 8, 2015, under ''Text of Amendments.'')

AMENDMENT NO. 2210

(Purpose: To require States to establish a limit on the aggregate amount of time spent on assessments)

On page 52, between lines 9 and 10, insert the following:

''(L) LIMITATION ON ASSESSMENT TIME.—

''(i) IN GENERAL.—As a condition of receiving an allocation under this part for any fiscal year, each State shall—

''(I) set a limit on the aggregate amount of time devoted to the administration of assessments (including assessments adopted pursuant to this subsection, other assessments required by the State, and assessments required districtwide by the local educational agency) for each grade, expressed as a percentage of annual instructional hours; and

''(II) ensure that each local educational agency in the State will notify the parents of each student attending any school in the local educational agency, on an annual basis, whenever the limitation described in subclause (I) is exceeded.

''(ii) CHILDREN WITH DISABILITIES AND ENGLISH LEARNERS.—Nothing in clause (i) shall be construed to supersede the requirements of Federal law relating to assessments that apply specifically to children with disabilities or English learners.

AMENDMENT NO. 2137 TO AMENDMENT NO. 2089

Mr. ALEXANDER. Mr. President, I call up amendment No. 2137.

The PRESIDING OFFICER. The clerk will report.

The senior assistant legislative clerk read as follows:

The Senator from Tennessee [Mr. ALEXANDER], for Mr. PORTMAN, proposes an amendment numbered 2137 to amendment No. 2089.

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

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

The amendment is as follows:

(Purpose: To provide for early college high school and dual or concurrent enrollment opportunities)

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

''(N) how the State educational agency will demonstrate a coordinated plan to

seamlessly transition students from secondary school into postsecondary education or careers without remediation, including a description of the specific transition activities that the State educational agency will carry out, such as providing students with access to early college high school or dual or concurrent enrollment opportunities;

On page 106, line 3, insert ''early college high school or'' after ''access to''.

On page 314, between lines 21 and 22, insert the following:

''(C) providing teachers, principals, and other school leaders with professional development activities that enhance or enable the provision of postsecondary coursework through dual or concurrent enrollment and early college high school settings across a local educational agency.

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

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

VOTE ON AMENDMENT NO. 2132

Mr. ALEXANDER. Mr. President, I yield back time on the first amendment.

The PRESIDING OFFICER. All time is yielded back.

The question is on agreeing to the Scott amendment No. 2132.

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

The PRESIDING OFFICER (Mr. CRUZ). Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from South Carolina (Mr. GRAHAM) and the Senator from Florida (Mr. RUBIO).

Mr. DURBIN. I announce that the Senator from Delaware (Mr. CARPER) and the Senator from Florida (Mr. NELSON) are necessarily absent.

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

The result was announced—yeas 45, nays 51, as follows:

[Rollcall Vote No. 232 Leg.]

YEAS—45

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

NAYS—51

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

NOT VOTING—4

Carper	Nelson
Graham	Rubio

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

AMENDMENT NO. 2169

The PRESIDING OFFICER. There is now 2 minutes of debate prior to a vote on the Booker amendment No. 2169.

Mr. BOOKER. Mr. President, I rise today in support of my amendment, which I am offering with Senator INHOFE, Senator GRASSLEY, Senator AYOTTE, and Senator WYDEN.

The homeless population is at an all-time high in our country, with 1 in 45 children—or 1.6 million—homeless in the United States every year. Homeless students experience a significant educational disruption, and only about 11.4 percent are proficient in math and 14.6 percent proficient in reading compared to their peers. Homeless students are almost twice as likely as other students to have to repeat a grade, be expelled, get suspended, or drop out of high school.

There are more than half a million foster children in the United States, and foster children also have challenges and are not likely to be on grade level, more likely to change schools during the academic year, and more likely to drop out of high school.

Sixty-seven percent of inmates in our State prisons are high school dropouts, and this disproportionate share comes from these backgrounds.

The amendment is simple. It adds a simple reporting of the graduation rates for homeless and foster youth to the State and school district report cards so we can begin to focus in on this important population we should not leave behind. It provides——

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

Mr. BOOKER. Mr. President, I ask unanimous consent to speak for an additional 18 seconds.

The PRESIDING OFFICER. Without objection.

Mr. BOOKER. This amendment provides essential information to educators, policymakers, and the public toward improving the educational outcomes for these students.

I thank the Presiding Officer and yield back.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, I commend the Senator from New Jersey for his passion for education but suggest that I am going to vote no because this amendment is premature. It is another burden on States. It adds reporting requirements instead of reducing reporting requirements. It adds 2 new subgroups for every school in the country, and there are 100,000 of those. These populations are difficult to track due to the transient nature of the populations. For foster youth, school districts are poorly equipped to do it. Child welfare agencies would probably do better.

Now what we should be doing is recognizing that we do not need a national school board. This is a good argument, but it should be made to the local school board or to the State school board. We do not need another Federal mandate on 100,000 local schools. That is exactly the wrong direction for us to go.

I urge a ''no'' vote.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

Mrs. MURRAY. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from South Carolina (Mr. GRAHAM) and the Senator from Florida (Mr. RUBIO).

Mr. DURBIN. I announce that the Senator from Delaware (Mr. CARPER) and the Senator from Florida (Mr. NELSON) are necessarily absent.

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

The result was announced—yeas 56, nays 40, as follows:

[Rollcall Vote No. 233 Leg.]

YEAS—56

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

NAYS—40

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

NOT VOTING—4

Carper	Nelson
Graham	Rubio

The amendment (No. 2169) was agreed to.

AMENDMENT NO. 2137

The PRESIDING OFFICER. There is now 2 minutes of debate prior to a vote on the Portman amendment No. 2137.

The Senator from Ohio.

Mr. PORTMAN. Mr. President, amendment No. 2137 is about early college high school. This is a program that is working incredibly well around the country, both to get young people through high school and to increase graduation rates, which is part of the objective of this legislation, and also to get them not just into college but to stay in college. All of the experience from this program indicates it is working.

I had a recent opportunity to visit the Dayton Early College High School, the academy, and 100 percent of their graduates are from a low-income area. Almost every single one of the students were either the first generation to go to college or into the military. Their retention rate in college is incredibly impressive. This amendment encourages more of that.

Early college high schools are working. It is part of the reform effort that is being undertaken in my State and others, and I strongly encourage a ''yes'' vote.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. COONS. Mr. President, I am honored to join with the Senator from Ohio in cosponsoring this amendment. I, too, have recently visited an early college high school in my home State, which Delaware State College, our historically Black college, has established. It has shown real promise in terms of the possibilities for college access, college affordability, and college completion.

I urge an ''aye'' vote from my colleagues.

The PRESIDING OFFICER. Under the previous order, the question is on agreeing to amendment No. 2137.

The amendment (No. 2137) was agreed to.

VOTE ON AMENDMENT NO. 2159

The PRESIDING OFFICER. There is now 2 minutes of debate prior to a vote on Bennet amendment No. 2159.

Mrs. MURRAY. Mr. President, I yield back our time.

Mr. ALEXANDER. Mr. President, I yield back.

The PRESIDING OFFICER. All time is yielded back.

Under the previous order, the question is on agreeing to amendment No. 2159.

The amendment (No. 2159) was agreed to.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, that concludes the votes for now. We are moving along very well. We expect to have votes at 4 p.m. today on amendments by Senators ISAKSON, BENNET, LEE, and FRANKEN. We may have other votes.

Senator MURRAY and I have a number of amendments that Senators have suggested to us. We would like to move through them today and tomorrow.

RECESS

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

Thereupon, the Senate, at 1:05 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. PORTMAN).

EVERY CHILD ACHIEVES ACT OF 2015—Continued

The PRESIDING OFFICER. The Senator from Maryland.

Ms. MIKULSKI. Mr. President, I am here today to stand up for Maryland and for all the students who could lose resources under an amendment offered by the Senator from North Carolina, Mr. BURR.

There is much I admire about Senator BURR, but his current amendment would cause Maryland tremendous problems. The Burr amendment would punish States that make significant investments in those students who need extra help. This amendment would not do one thing to lift kids out of poverty or to close the achievement gap. In fact, it makes it worse.

The so-called hold-harmless provision that is in the amendment does not hold Maryland harmless. It does not prevent any of the Maryland school districts from losing money. Under the Burr amendment, Maryland would lose $40 million. Let me repeat. Under the Burr amendment, Maryland would lose $40 million.

Marylanders know that I have always been on the side of students, teachers, those who run programs, and the taxpayers who pay for them. We in America believe in public education, where one generation is willing to pay taxes to fund the education of the next generation.

Title I in the Elementary and Secondary Education Act was created to lift children up and to close the education gap.

Let me tell you what the Burr amendment would do. Right now, every county and Baltimore City would lose money. There are 24 school districts in Maryland, with 400,000 public school students. Mr. President, 170,000 students—or 45 percent of that population—are eligible for something called title I funding. If the Burr amendment passes, every single one of those boys and girls would lose academic resources they currently get. Let me give you the numbers: Baltimore City, 12 percent; Baltimore County, 23 percent; Garrett County in western Maryland, 20 percent; Somerset County on the Eastern Shore, 15 percent.

From my students in urban schools in the Baltimore/Washington corridor to my rural schools in western Maryland and the Eastern Shore, every single one loses resources, and if you lose resources, you lose opportunity. If we believe in an opportunity ladder, then do not cut off the rungs. It is not the schools that lose, it is the kids who lose. They lose resources and they lose opportunities.

I have heard from school superintendents across Maryland. They tell me the same thing over and over: Do not cut the money for title I.

Dr. Henry Wagner, the superintendent in Dorchester County over on the Eastern Shore, says that the rural schools on the Eastern Shore would be impacted and that he would have to eliminate teaching positions, reduce reading and math services. And the very services to bring in parents would go by the wayside.

Over in Washington County, the gateway to the Eastern Shore, Dr. Clayton Wilcox, the superintendent of Washington County schools, describes how a rural school would be harmed. In his letter in which he describes title I, he said: Senator MIKULSKI, title I resources ''have allowed us to create hope.'' He said: ''They have enabled us to provide extra instructional support in literacy and math—subjects that open up windows and doors often shut to [these boys and girls].'' Without title I dollars, Washington County would have to cut this instructional support in literacy and math. He writes: ''Senator BURR's amendment is bad for the children and young people of Maryland.'' It is bad for all of the children in Maryland.

Baltimore City, where we certainly have had our share of problems lately, would be deeply cut. Right now, Baltimore City receives $50 million. It will lose 10 percent of that funding. Mr. President, $5 million in Baltimore right now sure means a lot. If we cut that money, we are going to shrink pre-K access. The afterschool and summer learning programs will go by the wayside. If they go by the wayside, you will not only have kids with time on their hands, but they will fall behind in reading, in the very things they had gained over the school year. And the professional development for teachers, especially those new teachers we were bringing in, will be eliminated.

I am so proud that Maryland allocates more of its title I dollars to schools that need it the most. For example, 85 percent of students in Baltimore—those kids live in poverty. It has the lowest wealth per pupil in Maryland. So the State allocates more of its resources in this area.

Maryland actually gets penalized under the Burr amendment for putting money where it will do the most good, and, in fact, Maryland gets penalized for making education a priority. Well, I thought we believed in State determination. If a State determines it is going to make a significant investment