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## Senate

The Senate met at 9:30 a.m. and was called to order by the President pro tempore (Mr. HATCH).

### PRAYER

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

Let us pray.

Righteous God, lead us not into temptation but deliver us from evil. Set our lawmakers on safe paths, protecting them from dangers seen and unseen. Preserve them and their loved ones, doing for them more than they can ask or imagine. Provide our Senators with counsel even in the night seasons, that they may prevail against the evil forces that seek to destroy our Nation and world. As they trust Your loving kindness, may their hearts rejoice in Your salvation. Lord, deal bountifully with them and the members of their staffs.

We pray in Your marvelous Name. Amen.

### PLEDGE OF ALLEGIANCE

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

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

### RECOGNITION OF THE MAJORITY LEADER

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

### EVERY CHILD ACHIEVES ACT

Mr. MCCONNELL. Mr. President, the pundits told us it would never happen. Republicans and Democrats will never agree on a way to replace No Child Left Behind, they said. But a new Senate that is back to work is proving them wrong. We are poised to pass bipartisan

legislation that will replace an education law that no longer works with significant education reforms that will work.

It is a bipartisan bill that would take decisionmaking power away from distant Federal bureaucrats and empower parents, teachers, States, and school boards instead. It is a bipartisan bill that would end the practice of States being coerced into adopting measures such as Common Core. It is a bipartisan bill that would substitute one-size-fits-all Washington mandates for greater State and local flexibility.

Because the needs of a student in Kentucky aren't likely to be the same as the needs of a student in Montana or California, this is a bill that would clear the way for educational standards and programs to be designed with the needs of local students in mind. In short, the Every Child Achieves Act is aimed at helping students succeed instead of helping Washington grow.

I urge colleagues to join me in passing it soon. That would be a big achievement for our kids, and it would be another reminder of what is possible in a Senate that is back to work for the American people.

After all, what did our constituents see in this debate? They saw Senators they sent to Washington, regardless of party, having their voices heard. They saw Senators working across the aisle. They saw Senators of both parties offering amendment after amendment and then voting to adopt many of them.

On this bill alone, the new Senate has already taken rollcall votes on 17 amendments. We expect to take up to 6 more today. Just to put that in perspective, the new Senate will have taken more amendment rollcall votes on this single bill alone than the old Senate took all of last year on all bills combined. That is something we should all want to celebrate because it means the voices of the American people are being heard again here in the Senate.

So I want to thank the senior Senators from Tennessee and Washington for all of their hard work on this bill. Their continued dedication helped to lead us to the point where we are today.

I also want to acknowledge the efforts of the House of Representatives on this issue. The Republican-led House passed legislation to address this issue the past few years, but the old Senate did not act. This year the Senate, under new management, is poised to finally do its job. We look forward to going to conference with the House on this issue.

But first, we must pass the bill before us. So let's keep the productive momentum going. Let's pass this bill, and let's replace No Child Left Behind once and for all.

After all, we have already seen how States such as Kentucky have been able to achieve more success by obtaining just a limited amount of flexibility from the current law via conditional waivers. Just imagine what Kentucky and other States can achieve when fully empowered to do what is right for their students.

### ORDER OF PROCEDURE

Mr. MCCONNELL. Now, Mr. President, I ask unanimous consent that notwithstanding the provisions of rule XXII, the vote on the motion to invoke cloture on the motion to proceed to H.R. 22 occur at 2:15 p.m. on Tuesday, July 21.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

### THE HIGHWAY BILL

Mr. MCCONNELL. Mr. President, let me just say to all Senators that we are making progress on the highway bill, and we are setting the vote for next Tuesday to allow the bipartisan supporters of a longer term bill a couple of days to complete the draft substitute.

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



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Chairman INHOFE, Senator BOXER, and a bipartisan group of Senators are working out the final language. I want to thank them for their efforts, and I hope we will find a way to go forward on a multiyear, paid-for highway bill.

#### RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

#### A COOPERATIVE MINORITY

Mr. REID. Mr. President, I commend Senators MURRAY and ALEXANDER for their good work on this education bill. But I want the record to be spread with this. The bill is passing this Congress because we have had a constructive minority during this Congress.

Senator Harkin, who was chair of that committee, had indicated—and I said this on the Record last week—that on two separate occasions they reported the bill out of the education committee, but it was filibustered and never got to the floor.

So I understand why my friend the Republican leader is beating his chest about how great the Senate works, because it does work if you have a cooperative minority, and that is what we have done. We have worked very hard to try to get this done, and as a result of our work together, we have been able to get it done. But please save everyone the lack of history. My friend keeps bringing up: Boy, the Senate is working so well. It is very cynical what my friends did in stopping everything for the last 4 years. They stopped everything. Hundreds of times they stopped bills from moving to the floor. So my friend comes to the floor and says: Oh man, things are working so great now. Isn't it great the Senate is working?

Cynical as it was, the Republicans had a plan, and that was to oppose everything. We had a Democratic President, we had a Democratic Senate, and if they opposed everything, it would work out great for them, and it did. It wasn't good for the country, but they are now in the majority. Now, how long they stay there remains to be seen.

If you look at the poll numbers about how well my friend is doing, the Republican leader is not doing very well, with the lowest numbers since they started doing polling on leaders—Democratic or Republican leaders.

So we will continue to cooperate when we can. The highway bill is coming up, and I hope we can work together to get something done on that. It is something that is long overdue. We have tried to get that done in the past, but we had Republican objections on everything we tried.

We have had 33 short-term extensions on the highway bill—33. We used to do them as a matter of routine every 5 years. But that isn't the way it is any longer. But we are going to cooperate as much as we can on the highway bill and everything else.

#### EXPORT-IMPORT BANK

Mr. REID. Mr. President, prior to leaving the floor, I want to talk about another subject that is extremely important.

One of the sad things that has happened the last few months is that Republicans have brought to a standstill—and that is even an understatement to say that—the Export-Import Bank. It is now gone. Legislation was not passed. So something we have always done in the past routinely—reauthorized this bill—we have not done so this time. The Republicans have stopped it. It is gone. The Export-Import Bank is gone.

Our ability to sell to other countries our products has been seriously overwhelmed. It is so sad. And it really is sad. Other countries have these export-import banks. There is some mindset from my Republican friends that we can't do anything that government is involved in. But if we are going to be competitive in the world, we have to have a program such as the Export-Import Bank. It has been around for a long time and has been very successful. If we don't do this, for example, the airplanes we build in the State of Washington will actually come to a screeching halt. They can sell to America but not to other countries.

Now, am I making all this up? No. In fact, other countries have these banks. Is it one or two countries? No, it is scores of countries—scores of countries. I will take a minute or two to read the names of the countries that have working export-import banks to help their businesses and workers compete globally: Argentina, Australia, Austria, Bangladesh, Barbados, Belgium, Brazil, Canada, China, Hong Kong, Colombia, Croatia, Czech Republic, Denmark, Ecuador, Estonia, Finland, France, Germany, Greece, Hungary, India, Indonesia, Israel, Italy, Japan, Jordan, Luxembourg, Malaysia, Mexico, Netherlands, New Zealand, Norway, Oman, Poland, Portugal, Russia, Singapore, Slovakia, Slovenia, South Africa, South Korea, Spain, Sweden, Switzerland, Thailand, Turkey, United Kingdom, Uzbekistan.

Every one of these countries has a working export-import bank. Why do they have them? Because they want to be competitive. Whatever they are able to sell to a foreign country—whether a bag of wheat or some kind of product they manufacture—they want to be able to help their local businesses sell to foreign countries—but not the United States. And we are really hurting.

I can't imagine—I can't imagine—how the Republicans, whose support for business-oriented operations—we thought over the years their interest was in helping business—has just turned a blind eye. They are not interested in helping business any more. Why? Because these working Export-Import Banks are government operations. Does it cost the Federal Government of the United States money?

Of course not. We have received \$7 billion back in rewards that goes to our Treasury. We make money on the deal.

So I would say to my friend who believes the Senate is working well, I wish somebody would say to my Republican friends, you know, every small business organization supports the Export-Import Bank. The chamber of commerce is not an organization that is out beating the drums for Democrats, but they are running ads all over America saying: Republicans, do something about this. Huge companies like Boeing—there are hundreds of thousands of jobs at Boeing—are dependent on being able to export those big airplanes.

As a result of Republicans' nonaction and not reauthorizing this important piece of legislation—before this collapse of the Bank took place, there were 165,000 Americans working in jobs related to the Export-Import Bank. I don't know how many there are today, but I guarantee there are not 165,000. Each day that goes by, others lose their jobs. Little companies from the State of Nevada are calling me and saying: We have to have this. We are going to go out of business.

The bad feeling my Republican friends have for anything dealing with the government so that they do stuff like this—it is hard to explain to anybody why they would do something like this.

Every one of these countries has programs. I have read their names into the RECORD. I think it is just a shame what has happened with this wonderful institution that is so good for creating jobs for America.

If the Presiding Officer would announce the business of the day.

#### 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 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 Coons/Rubio) amendment No. 2243 (to amendment No. 2089), to authorize the establishment of American Dream Accounts.

Alexander (for Cruz/Lee) amendment No. 2180 (to amendment No. 2089), to provide for State-determined assessment and accountability systems.

Alexander (for Hatch/Bennet) amendment No. 2082 (to amendment No. 2089), to amend the Elementary and Secondary Education Act of 1965 relating to early learning.

Murray (for Warren) amendment No. 2106 (to amendment No. 2089), to amend title II of the Elementary and Secondary Education Act of 1965 to include specialized instructional support personnel in the literacy development of children.

Alexander (for Burr/Bennet) modified amendment No. 2247 (to amendment No. 2089), to amend the allocation of funds under subpart 2 of part A of title I of the Elementary and Secondary Education Act of 1965.

Murray (for Murphy) amendment No. 2186 (to amendment No. 2089), to establish the Promise Neighborhoods program.

Murray (for Brown/Manchin) amendment No. 2100 (to amendment No. 2089), to amend title V of the Elementary and Secondary Education Act of 1965 to establish a full-service community schools grant program.

Murray (for Sanders) amendment No. 2177 (to amendment No. 2089), to provide for youth jobs.

Murray (for Casey) amendment No. 2242 (to amendment No. 2089), to establish a Federal-State partnership to provide access to high-quality public prekindergarten programs from low-income and moderate-income families to ensure that they enter kindergarten prepared for success.

Murray (for Schatz) amendment No. 2130 (to amendment No. 2089), to amend title I to support assessments of school facilities.

Murray (for Nelson) modified amendment No. 2215 (to amendment No. 2089), to include partnering with current and recently retired STEM professionals and tailoring educational resources to engage students and teachers in STEM.

Murray (for Manchin/Ayotte) amendment No. 2222 (to amendment No. 2089), to amend the State plan requirements of section 1111 of the Elementary and Secondary Education Act of 1965 in order to support children facing substance abuse in the home.

Alexander (for Boozman/Gillibrand) amendment No. 2231 (to amendment No. 2089), to support professional development to help students prepare for postsecondary education and the workforce.

Murray (for Baldwin/Whitehouse) amendment No. 2188 (to amendment No. 2089), to ensure States will ensure the unique needs of students at all levels of schooling.

Alexander (for Capito/Durbin) amendment No. 2156 (to amendment No. 2089), to amend the State report card under section 1111 of the Elementary and Secondary Education Act of 1965 to include the rates of enrollment in postsecondary education, and remediation rates, for high schools.

Alexander (for Thune) amendment No. 2232 (to amendment No. 2089), to allow extended services Project SERV grants under part A of title IV of the Elementary and Secondary Education Act of 1965 to be available for violence prevention activities.

Murray (for King/Capito) amendment No. 2256 (to amendment No. 2089), to amend the definitions of eligible technology and technology readiness survey and to provide a restriction on funds.

Murray (for Schatz) amendment No. 2240 (to amendment No. 2089), to provide resources needed to study and review Native American language medium schools and programs.

Murray (for Warren/Gardner) amendment No. 2249 (to amendment No. 2089), to amend section 1111(c) of the ESEA to require States to provide an assurance regarding cross-tabulation of student data.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Ms. AYOTTE. Mr. President, I come to the floor this morning to speak about the bill that we have pending on the floor, a law that is long past due for reexamination and reauthorization, the Elementary and Secondary Education Act.

This law was last updated in 2001 as the No Child Left Behind Act. Fourteen years is far too long to go without updating the primary law focused on an issue that is so important to the future of our country, ensuring that children in New Hampshire and across this country receive a high-quality education.

I am the mother of a 7-year-old and 10-year-old, and this could not be a more important issue to me and to, I know, other mothers across the country. Many parents, teachers, and school leaders in New Hampshire have expressed to me their concerns about No Child Left Behind, and so it is past time for us to update and improve this law.

I believe education decisions are best made locally, including decisions about school curriculum and how education dollars are spent. While its goals of accountability were very important and laudable, No Child Left Behind, unfortunately, imposed a one-size-fits-all regime on every school in every State in this country.

No Child Left Behind imposed unworkable mandates and unreasonable goals that led many schools in America to be labeled as failing, with no reasonable way to get off the failing list. Congress's inaction, up to this point has led to a system where the Federal Secretary of Education can dictate to States what priorities they must set in order to receive a conditional waiver from parts of this law.

This Senate's bipartisan education reform bill, the Every Child Achieves Act that is on the floor right now, would return decisionmaking on education to where it belongs, back to States, local schools, teachers, and parents.

I wish to thank Chairman ALEXANDER and Ranking Member MURRAY of the HELP Committee for conducting an open debate on this critically important legislation and working together. I am encouraged that Republicans and Democrats worked together and overcame disagreements to move this important legislation forward. That is how the Senate should work and that is what the American people deserve from their elected representatives.

Like all Granite Staters, I want children in our State and across our country to have even better opportunities

than our generation has had, and the foundation for future success starts with a quality education. Every parent knows that, and that is why this is such an important topic that we have been debating on this floor.

Granite Staters have shared with me some of the biggest challenges facing our students because of No Child Left Behind, and the Every Child Achieves Act seeks to address them. For example, as I mentioned, No Child Left Behind created a one-size-fits-all system that ignored differences between different parts of the country and primarily used tests as the measure of accountability at the expense of other important measures of success, such as student progress, attendance and graduation rates, parent and teacher engagement, among others.

We have seen what happened under this law over the last decade. Schools are overtesting and educators are teaching for the test as opposed to making sure our children really learn the topic matter. That is not how we should be educating our young people. We want to make sure they have a firm understanding of the concepts they are learning in school.

The Every Child Achieves Act restores these powers to the States. It makes sure States have the flexibility they need to develop their own ways to test and measure accountability. I know from our local communities and our local school boards that they are focused every single day in their own communities on making sure their communities are delivering the best quality education and understand the geography and the different challenges facing their communities, and it is important we restore that decision-making to them.

This bill will let States decide how to measure student achievement and school success within their own borders. What might be right and work for North Dakota may not be the right approach for a State like New Hampshire, and so this allows each State and locality to engage on what is best for the State.

The Every Child Achieves Act also prohibits Washington from mandating or incentivizing any States to adopt any particular curriculum standards, such as common core. This is an issue many of my constituents have raised with me, and so this bill will, again, restore this decisionmaking to the States and the parents and teachers. In doing so, this bill reaffirms that it should be the State, not the Federal Government, that determines education standards. Each State is different and uniquely situated to determine the curriculum and accountability measures that best fit the needs of their students without interference from Washington. We don't need the Washington-knows-best attitude. We know the best decisions are made locally.

This bill includes additional reforms that will help strengthen our education system and better prepare our young

people to join the rapidly changing and competitive global 21st century workforce. It ensures parents can still have access to data about their State, district, and school's education performance so they can make informed decisions about their child's education. It increases support for high-quality charter schools, giving parents greater choice to determine the best learning environment for their children. It creates State-based need assessments to help identify low-performing schools and allows States, not the Federal Government, to determine how to best help low-performing schools.

All of these reforms are much needed, commonsense steps toward reforming and improving our education system, and I believe more can be done to specifically help students in New Hampshire. That is why I appreciate the willingness of Senators ALEXANDER and MURRAY to work with me to allow votes on several bipartisan amendments that I have included in this bill, and I know this has been a very open process. This is how the Senate should operate.

I was able to work across the aisle on a number of amendments that addressed New Hampshire's priorities. The first of those is strengthening our mental health first aid training to ensure that school personnel have the critical mental health first aid training they need to improve the safety and well-being of students in schools in New Hampshire and across the country. This is something I have heard so much about from our local communities. That is why I was pleased to see the Senate adopted my amendment on mental health awareness training programs yesterday.

I wish to thank Senator BLUMENTHAL for working with me to include this important amendment that will help school personnel safely address mental health issues earlier, before they reach a crisis stage.

I know an issue I have heard so much about in New Hampshire about that 21st century workforce is STEM education. When it comes to developing the high-skilled workers we need to compete, we must ensure that we have better STEM education in our schools for that next generation of American innovators. Promoting education initiatives and job training in the areas of science, technology, engineering, and mathematics is critical to ensuring that we stay on the cutting edge and that we ensure that our children have the skills they need to get those good-paying jobs when they leave high school, postsecondary education, and beyond with their college education.

Over the last few years, an effort to increase students' proficiency and close the education gap between the United States and other countries has seen a renewed focus on STEM, and we have seen it in New Hampshire as well. One of the issues I have seen a focus on which I think is very important is including more women and girls in STEM education.

At the college level, women are currently studying in the STEM fields at a lower rate than men, and many women who do earn STEM degrees actually end up working in other fields. Despite that fact, we are expected to see a 20-percent increase in STEM jobs we are going to need to build that workforce. Yet women only make up 25 percent of the STEM workforce. So we have a long way to go, and that is one of the reasons I worked with Senator GILLIBRAND on a measure to broaden student access to mentorship, tutoring, and afterschool activities to encourage interest in and develop STEM skills. Our amendment was focused on encouraging States to explore ways to increase participation in STEM programs by underrepresented groups, including girls, minority students, English learners, students with disabilities, and low-income students, so we can have a broad array of our students ready to take on those jobs and the workforce we need to grow our economy.

Another area where we need to grow the economy in our country is in manufacturing. We are seeing the beginnings of a manufacturing renaissance. Last week, I was visiting a company in New Hampshire called Rapid Manufacturing in Nashua, NH. They have a partnership with a local community college to train their workforce and to bring them right from the community college into Rapid Manufacturing. They have more positions than they can fill right now. In fact, they are going into the middle schools and high schools to get kids excited about career and technical education. We really need this, and the jobs are there. I hear this from so many of our employers.

I was glad to work across the aisle on an important amendment that did not get included but got quite a bit of support from Senator KAINE and gained support from Senators PORTMAN, CAPITO, GRAHAM, BOXER, WHITEHOUSE, CASEY, and WARNER, and I wish to thank them.

This would create a pilot program in our middle schools to get our children excited about career and technical education for those advanced manufacturing jobs where we need to grow our workforce. While I am disappointed this amendment was not included on this bill, I am encouraged that Senator ALEXANDER said he would be open to working with us on this effort as a potential when we reauthorize the Perkins Act in the future, which will deal with higher education.

In addition to the issues we see with workforce, STEM, and manufacturing, unfortunately, an issue too many of our States are dealing with—and New Hampshire has been hit hard—is substance abuse. As part of my ongoing efforts to combat the heroin and prescription addiction crisis in New Hampshire, I worked with Senator MANCHIN to put forth two measures to better assist students dealing with substance abuse issues at home. Our amendment would encourage local education deci-

sionmakers to provide professional development, training, and technical assistance to schools and communities that are affected by the crisis of addiction, and this is something I know we are also going to address in an amendment I am supporting later today.

New Hampshire has been a leader in what is called competency-based education. What that means is actually assessing students on measures other than tests. That is actually measuring students on innovative assessments and measures of accountability; for example, when students actually go out into their community and have real hands-on experience based on the career they are focusing on. New Hampshire has been the first State in the Nation to actually receive a grant on competency-based education.

I was very glad to work with Senator KING to improve a section of this bill that would allow a greater ability for States to participate in alternative assessment pilot programs like we have seen in New Hampshire. This is, again, about transferring control from Washington of how we assess how our students are doing and how we ensure accountability in our schools to innovative local ideas like what we have seen in New Hampshire when it comes to competency-based education. So I want to thank Senator KING for working with me on that.

There are a number of other amendments for which I thank my colleagues on both sides of the aisle and which I think are very important in this bill. I was very glad to work on them with my colleagues. They include working with Senator BOOKER on assisting homeless and foster youth; working with Senator WARNER on including language ensuring better transitions from school to the workplace; and working with Senator BENNET on supporting the use of shared service alliances for early childhood education programs. For example, in New Hampshire we have the Seacoast Early Learning Alliance. I was very glad to work with Senator BENNET on that amendment. Also, improving oversight of the Early Learning Alignment and Improvement Grants Program—oversight of our programs is critical. I was glad to work with Senator WARNER on oversight of these programs and, finally, work with Senator ISAKSON again on the local control piece, and that is putting the decisionmaking back with the parents. This amendment will better inform parents about their rights when it comes to mandatory assessments and the qualifications of their classroom teachers. I think we need to inform parents so that they can make the best decisions for their children.

I am confident that the bipartisan, commonsense reforms in the Every Child Achieves Act will improve our education system and certainly make sure that the decisionmaking rests where it should—with parents, teachers, local school boards, and our States, rather than the Washington

one-size-fits-all approach we have seen too often. In turn, it will help prepare students in New Hampshire and across our country for good careers and a brighter future. All of us here want to ensure that our children will have better opportunities than we have had in this great country, and we certainly owe that to our children. I am very glad we had this important debate on the floor.

Again, I thank Senator ALEXANDER and Senator MURRAY for working across the aisle on this important bill.

Thank you, Mr. President.

I yield the floor.

The PRESIDING OFFICER (Mr. ROUNDS). The Senator from Wyoming.

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

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

#### EPA RULE

Mr. BARRASSO. Mr. President, late last month, the Supreme Court issued a severe rebuke to the Obama administration and to his Environmental Protection Agency. It was a strong stand against Washington overreach.

The Environmental Protection Agency had written what it called the mercury and air toxics standards rule. The rule was a key part of the Obama administration's war on coal. The Supreme Court said that when Washington bureaucrats were writing this rule, they failed—the EPA failed—to consider the overwhelming costs they were imposing on hard-working American families. The Court said: “One would not say that it is even rational, never mind appropriate, to impose billions of dollars in economic costs in return for a few dollars in health and environmental benefits.” It wasn't even rational, never mind appropriate. The Court's decision was exactly right, and many of us saw it as a big step forward in reining in this out-of-control Environmental Protection Agency.

Here is the problem. The rule came out in 2012, and the Supreme Court didn't make its ruling until 2015. That is 3 years. It is far too late for many Americans who work at coal plants and who have already been hurt by the EPA's ruling in 2012. That is because power companies were already having to comply with that rule while it made its way through the court process. They have already closed plants because of the rule, even though the Supreme Court now says that the rule was inappropriate, it was wrong. Now, unemployed workers won't get their jobs back now that the Court has ruled against the Obama administration. Because of these regulations, people are already paying higher electricity rates than they would have been paying otherwise. Consumers don't get their money back, either, now that the Supreme Court says the Environmental Protection Agency overstepped its authority.

This isn't the first time this Agency has gone beyond the law and beyond

what it is allowed to do. That is what it did when it put out its so-called waters of the United States rule. It is a recent rule—waters of the United States. It is a new regulation. The Agency wants to use it to greatly expand government control over the Nation's land and water. Farmers, ranchers, hard-working families would no longer be able to decide what to do with their own land. States, counties, and towns would no longer be able to decide what regulations will be best to protect the streams and the waters and the lakes within their borders. That is the problem. These decisions would now be made by Washington bureaucrats no matter what the cost, no matter how small the benefits or how large the cost.

Not only did the Agency increase its authority dramatically, it appears that it abused the rulemaking process to get the results the EPA wanted. What do I mean by that? Well, when Washington writes big, expensive regulations, it is supposed to have a public comment period so that people who might be harmed by the rules can have their say. According to news reports, when the EPA was writing the waters of the United States rule, the EPA twisted the public comment process into its own private, government-funded spin machine. This government agency ignored the negative comments by Americans who were actually concerned about the law and who were hurt by the law.

That is not what I am saying; that is what the New York Times said when it reported on the scandal back in May. The New York Times said that the EPA used taxpayer dollars to lobby liberal groups to flood the Agency with positive comments. These were the same phony, ginned-up comments that it used to justify the dramatic overreach of its new regulations. It is incredible, it is unbelievable, and I believe it is also illegal.

If my colleagues want another example of overreach by the Environmental Protection Agency, look at the regulations it wrote to restrict the amount of carbon dioxide produced by powerplants. It is called the Clean Power Plan. When the EPA was writing this rule, it did the exact same thing the Supreme Court just said was not even rational. The EPA counted up what it said would be the benefits of the regulation without caring at all about the true costs.

So what are the true costs? Well, according to one estimate, the new regulations would add up to \$366 billion in additional costs over the next 15 years. That cost will be passed on to consumers and will force more powerplants to close and more Americans to lose their jobs. For all of that expense, all of that damage to hard-working families, the benefits would be minimal.

The Obama administration makes wild claims about environmental benefits of this regulation. They are the

same kinds of claims that it made for the rule the Supreme Court just called unreasonable. The Agency exaggerates the benefits, the Agency ignores the costs, and it puts its thumb on the scale to come up with the policy that it wants.

One of the big costs the Environmental Protection Agency has been ignoring is the damaging health effects of the unemployment caused by the regulations. When a powerplant closes, people in those communities lose their jobs and their health suffers. High unemployment increases the likelihood of hospital visits, of illnesses, of premature death. High unemployment raises health care costs, and it hurts children's health and family well-being. Those are real costs to families, to society, and the EPA continues to intentionally ignore them.

The Environmental Protection Agency was wrong when it wrote its mercury and air toxics rule, it was wrong when it wrote its waters of the United States rule, and it was wrong when it wrote its powerplant rule.

The Supreme Court has said the Environmental Protection Agency needs to take a more honest approach—the Supreme Court telling President Obama's EPA to take an honest approach—and it needs to take the true costs into consideration. That is what States across the country are already doing. Governors in Oklahoma, Wisconsin, Indiana, and Texas are refusing to be bullied by the Obama administration. They are refusing to give up their right to decide what is best for their own citizens. I believe these States are taking the right approach. They are waiting to get a true idea of the costs as well as the benefits before they rush to allow rules that would shut down powerplants and put thousands of people out of work. The Supreme Court says that is what Washington should be doing as well.

Maybe now the Obama administration will finally listen and start basing its regulations on what the science says is true, not just on what the bureaucrats of the administration wish were true.

Thank you, Mr. President.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mrs. MURRAY. 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, in my home State of Washington and across the country, students and parents and teachers and communities are counting on us to finally fix No Child Left Behind. I have been very glad to work with Chairman ALEXANDER on our bipartisan bill called the Every Child Achieves Act. Our bipartisan bill gives States more flexibility while also including Federal guardrails to make

sure all students have access to a quality public education.

I am very proud of the bipartisan work we have done on the Senate floor—debating amendments, taking votes, and making this good bill even better. It is not the bill I would have written on my own, and I am sure it is not the bill Chairman ALEXANDER would have written on his own, but it is a good, strong step in the right direction. And it is not the last opportunity, of course, we will have to work on this bill before it is signed into law. In fact, after the Senate passes the bill today, we will go to conference, and then I will be looking forward to working closely with their ranking member, BOBBY SCOTT, with the administration, and with Democrats and Republicans in the House and Senate who are interested in building on the Senate's bipartisan work and getting this done. I hope Chairman KLINE and House Republicans will be willing to join us at the table to reach an agreement on the final product that works for our kids and our parents and our schools and our communities across the country.

Strengthening accountability is extremely important to me and to Ranking Member SCOTT. Democrats, including 42 of our Senate Democrats, voted for Senator MURPHY's accountability amendment yesterday. It is also important to the administration. We will continue to push for that in conference.

We still have more work to do today before we wrap up and vote on final passage. The senior Senator from Pennsylvania has offered an amendment to expand access to high-quality early education. That is being offered by Senator CASEY. Making sure kids can start kindergarten ready to learn is one of the best investments I believe we can make to help our kids succeed in school and later in life. I urge my colleagues to vote for that amendment when it comes up for a vote shortly. Then, of course, we will have a number of other amendments and finally passage, and hopefully we will be able to reach that in a positive way today.

Mr. President, I said this many times on the Senate floor, but it bears repeating to emphasize how important education is for the future of this country. Providing a quality education isn't just good for students today, it is an investment in our future workforce, it is an investment in our future economy, and it is an investment in a growing strong middle class that will help our country grow stronger. As we all know, across the country today, parents, students, and teachers in our communities are looking to us to fix No Child Left Behind.

So, again, I commend Senator ALEXANDER for his strong work on this, for his willingness to work on a bipartisan basis and get us to where we are today, to be able to look very soon to passing the bill out of the Senate and continuing our work to fix this broken law.

Thank you, Mr. President.

I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, I thank the Senator from Washington for her comments. At 10:45 a.m., we will begin voting. We have six amendments—five or six that we expect to vote on, and then at 1:45 p.m. we will have passage of the bill or cloture and final passage of the bill. So we will finish our bill fixing No Child Left Behind today. Of course, in the U.S. Senate nothing is done until it is done, so I don't want to anticipate that—but I think it is fair to make a few comments about the bill at this point, anticipating we will have a successful conclusion this afternoon.

If we are able to pass a bill fixing No Child Left Behind this afternoon, it will be a remarkable accomplishment for a U.S. Senate filled with 100 experts on education. I said earlier this week that dealing with a piece of legislation about elementary and secondary education is a little bit like going to a football game at the University of Tennessee, where there are 100,000 people in the stands and every one of them is an expert on football, and they know exactly what the next play is to call. Consensus among experts is not easy, but consensus is necessary in the U.S. Senate if we are going to deal even with such a complex problem as this, and that is exactly what we have achieved.

As Senator MURRAY said, we found a consensus first about the urgent need to fix No Child Left Behind, 7 years overdue. That is our collective thought in the U.S. Congress. We tried twice the last two Congresses, but we fell apart over partisan differences. I will give Senator MURRAY credit for coming up with the idea of how we began this process earlier this year, and that was for the two of us, consulting with our committee members and other Senators, to produce a draft that would be a starting point for our committee, and that worked well. We considered nearly 60 amendments in committee, adopted 27, I believe, and the committee reported unanimously to this body a bill to fix No Child Left Behind. That gave us a very good head start because members of our committee represent some of our most liberal Members and some of our most conservative Members. The fact that we could agree on how to take that step made a big difference, and that is one reason we will succeed this afternoon in passing the bill.

So we found a consensus not only on the urgent need to fix No Child Left Behind but on how to fix No Child Left Behind, and the consensus is this: continue the law's important measurements of academic progress of students but restore to States, school districts, classrooms, teachers, and parents the responsibility for deciding what to do about improving student achievement. That theme runs through this bill.

This change, in my opinion, should produce fewer tests and more appropriate ways to measure students' achievement. It is the most effective way to advance higher State standards, better teaching, and real accountability. We have had a lot of talk about accountability during this debate, as we should have, and the Presiding Officer, as I was, having been a Governor, watched over the last 15 years how States have become better prepared in dealing with student achievement, how they worked together to create higher standards State by State, worked together to create better assessments, tests State by State, and now work together to create better accountability State by State.

This bill is a recognition of that preparation by the States and recognition also as the New York Principal of the Year said in a letter to us, that people closest to the children cherish their children, and we should not assume that just because we have flown to Washington, DC, for the week that suddenly we are so much wiser about what to do about children in 100,000 public schools and cherish the children more than the classroom teachers and the parents and the school board members and the community and the legislators and the Governors who are closer to them than we are.

The next step, if we are successful this afternoon, is to go to a conference with the House. I have had numerous discussions with Chairman KLINE at the House of Representatives. We have been on parallel paths. We know better than to try to make our institutions do exactly the same thing—that defies human nature—but we can communicate and stay in touch with each other, and our bills are not that different. The committee members are familiar with the bill. There are some important differences, and we will have to work those out, but our goal, if we succeed today, is to take the bill passed by the House, put it together with the Senate bill, produce a conference report, and send it to the desk of President Obama in a form he will be comfortable signing.

I believe the President also sees the need to fix No Child Left Behind. He knows there is confusion and anxiety in most of our 100,000 public schools that need to be settled, and we hope we have come up with a version of the bill that while it wouldn't be the bill he would write if only he were writing it—and as Senator MURRAY said, it is not the bill she would write if only she were writing it, and it certainly would not be the bill I would write if only I were writing it, but we had a consensus we needed to come to. Why do we need a consensus? Because that is how to govern in a complex society.

I first came to the Senate at a young age in the late sixties, and I watched Everett Dirksen, the Republican leader, and President Johnson, the Democratic President, work together to produce the civil rights legislation.

That was more difficult than this—although this has been pretty difficult. It took 68 votes to get cloture at that time, and they did that. It was only because they had a consensus. Senator Russell from Georgia, who had opposed the civil rights bill, went home to Georgia the next day and said: It is the law of the land. We need to support it. The way to govern a complex country is through consensus, and the agency of our government that is the only agent for encouraging and achieving consensus is the U.S. Senate. I thank my colleagues on both sides of the aisle for creating an environment where we could do that.

Senator MCCONNELL has done that by putting the bill on the floor, giving us enough time to have amendments, and having a policy of encouraging amendments so Senators on both sides can have their say, both on the committee and on the floor. There have been more Democratic amendments considered and adopted than Republican amendments, and that is appropriate. Senator CORNYN, Senator THUNE, Senator BARRASSO on this side of the aisle have been very helpful.

I have several times thanked the Democratic leader Senator REID. He has helped to create an environment that permitted this to move in an orderly fashion. We basically conducted the end of the consideration of this bill by unanimous consent. Enough Senators had a chance to have their say that they agreed by unanimous consent that we can consider these amendments and only these amendments in a certain way, with a certain amount of time, and go all the way through to the end. That is a very good way to operate the Senate, and the Democratic leader made that possible, first by allowing the bill to come to the floor without a cloture vote and by working with us as we went through it, and Senator SCHUMER and Senator DURBIN, who along with Senator MURRAY are part of the Democratic leadership, have done the same.

Senator VITTER, Senator LEE, Senator TOOMEY, and Senator BURR have all stepped back a little bit on things they would like to do—so did Senator FRANKEN and so did Senator CASEY on that side of the aisle. In other words, a number of Senators exercised restraint to permit us to work toward a result. In a body that operates by unanimous consent, that is absolutely essential. So this has been a good process.

We have six more amendments this morning, and we look forward to debating those and acting on them. At 1:45, hopefully, we will have a big vote in favor of fixing No Child Left Behind, reflecting the consensus that will keep the important measurements of student achievement, but we will turn back and restore to the State and local governments the responsibility for what to do about the results of those tests. That is the consensus in this bill that survived very well through the committee process and through the

amendments so far, and I expect it to survive through the rest of the day.

Thank you, Mr. President.

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

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

AMENDMENT NO. 2180

The PRESIDING OFFICER. Under the previous order, there will now be 2 minutes of debate equally divided prior to a vote on the Cruz amendment No. 2180.

The Senator from Texas.

Mr. CRUZ. Mr. President, there are a number of Members of this body who in good faith are moving forward to reduce the Federal burdens on States, on teachers, on education. Yet at the end of the day, this bill still mandates specific testing requirements. This amendment is a straightforward amendment to remove the testing mandates and to leave the substance of any testing that occurs to the States.

This leaves power over choices in education in the hands of teachers, in the hands of school boards, in the hands of States, in the hands of government that is closest to the people. We have seen with the bipartisan objection to Common Core that the last thing we need in education is unelected bureaucrats in Washington dictating what is being taught to kids at home. This amendment simply takes out the Federal mandates and empowers teachers, school boards, and parents to control the education of their own children.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, I would urge a “no” vote on this amendment. This is the report card. The Federal Government is saying: We will give you \$23 billion, and all we are asking in return is that you, State, write a test; that you, State, figure out what the accountability system is and you report it to the parents and the public.

That would mean a third grader, for example, would take two tests a year. Each test would be about 2 hours. So it is a State test, a State assessment. In our Alexander-Murray bipartisan bill, we keep what works in No Child Left Behind, which is the report card, but we get rid of what does not work, and we give back to States responsibility for determining student achievement. This is the consensus that supports this bill.

Keeping the important measure of student achievement is essential to maintaining that consensus. So if you want to get rid of the Common Core mandate, get rid of the waivers for 42 States, reverse the trend to a national school board, vote no and keep the requirement for important measures of student achievement, which are State tests.

The PRESIDING OFFICER. The question is on agreeing to amendment No. 2180.

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

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from South Carolina (Mr. GRAHAM).

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

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

The result was announced—yeas 40, nays 58, as follows:

[Rollcall Vote No. 242 Leg.]

YEAS—40

Barrasso	Grassley	Risch
Blunt	Hatch	Roberts
Boozman	Heller	Rubio
Burr	Hoeven	Sasse
Cassidy	Inhofe	Scott
Coats	Isakson	Sessions
Cornyn	Johnson	Shelby
Cotton	Lankford	Sullivan
Crapo	Lee	Tillis
Cruz	McCain	Toomey
Daines	McConnell	Vitter
Enzi	Moran	Wicker
Ernst	Paul	
Fischer	Perdue	

NAYS—58

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

NOT VOTING—2

Graham	Nelson
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The amendment (No. 2180) was rejected.

AMENDMENT NO. 2177

The PRESIDING OFFICER. Under the previous order there will be 2 minutes of debate equally divided prior to a vote on the Sanders amendment No. 2177.

The Senator from Vermont.

Mr. SANDERS. Madam President, I applaud President Obama for visiting a Federal penitentiary today to highlight the fact that, tragically, the United States has more people in jail than any other country on Earth. One of the reasons we have so many people in jail is that we have an obscenely high level of youth unemployment: for young White kids, 33 percent; for Hispanic kids, 36 percent; for African-American kids, 51 percent.

The time has come for us to begin investing in jobs and education for our kids, not jails and incarceration. This bill, over a 2-year period, would create 2 million jobs for our young people. It is paid for by closing the carried-interest loophole that allows billionaires to pay a lower tax rate than working class Americans.

It is high time we addressed this issue of high youth unemployment. I ask for bipartisan support.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Madam President, the five remaining votes will be 10-minute votes.

I urge a "no" vote, No. 1, because this proposal is unconstitutional. You cannot start a tax increase in the Senate. It has to start in the House. No. 2, we already have three workforce programs that we created just last year: Jobs Corps, the youth bill, and dislocated workers. No. 3, it is a big tax increase. So because it is a big tax increase, because it is duplicative of existing programs, and because it is unconstitutional, I urge a "no" vote.

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

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

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from South Carolina (Mr. GRAHAM).

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

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

The result was announced—yeas 43, nays 55, as follows:

[Rollcall Vote No. 243 Leg.]

YEAS—43

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

NAYS—55

Alexander	Cotton	Inhofe
Ayotte	Crapo	Isakson
Barrasso	Cruz	Johnson
Blunt	Daines	King
Boozman	Enzi	Kirk
Burr	Ernst	Lankford
Capito	Fischer	Lee
Cassidy	Flake	Manchin
Coats	Gardner	McCain
Cochran	Grassley	McConnell
Collins	Hatch	Moran
Corker	Heller	Murkowski
Cornyn	Hoeven	Paul

Perdue	Sasse	Tillis
Portman	Scott	Toomey
Risch	Sessions	Vitter
Roberts	Shelby	Wicker
Rounds	Sullivan	
Rubio	Thune	

NOT VOTING—2

Graham Nelson

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

AMENDMENT NO. 2243

The PRESIDING OFFICER. Under the previous order, there will be 2 minutes of debate equally divided prior to a vote on the Coons amendment No. 2243.

The Senator from Delaware.

Mr. COONS. Madam President, the bipartisan amendment I am offering today with Senator RUBIO—and I am grateful to Senator GILLIBRAND for cosponsoring—this American dream accounts amendment is about one thing: giving every child the chance to go to college if they are willing to work hard for it. Time and again, we have seen in this country what kids can achieve when they know their dreams are possible. That is what this amendment and the American dream accounts help solve, ensuring that every child knows a college education is possible.

The American dream accounts encourage partnerships in 10 demonstration sites to develop secure, Web-based student accounts that develop information about each student's literacy and academic preparedness and then ties it to high-impact mentoring and a college savings account.

I myself have seen over the years of working with the national "I Have a Dream" Foundation how sending the message to our kids that college is a real possibility for them can make a powerful impact, from elementary school, to middle school, to high school, to college, and it has an impact that changes their behavior and their outcomes in school.

American dream accounts are a bipartisan idea whose time has come. I urge my colleagues to support it with a "yes" vote.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Madam President, if I could have the attention of Senators, we have four more votes before lunch. It is 11:40 a.m. What we would like to do is to have 10-minute votes. So if Senators will stay on the floor, we will have 10-minute votes or come as close to that as we can.

Madam President, this is an interesting idea, but it belongs in the Higher Education Act, which we are about to take up in our committee, and here is why: It duplicates two existing Federal programs called Gear Up and TRIO.

No. 2, we already have \$30 billion of tax credits that we spend. This involves more tax credits. We already spend \$30 billion. We should calculate the advantages of this program, along

with the \$100 billion of loans we make, the \$35 billion of Pell grants we make, the \$30 billion of tax credits we have, and see where it fits into that. The time to do that is in the next big bill we have from our committee, which is the reauthorization of the Higher Education Act.

I urge a "no" vote.

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

Mr. COONS. Madam President, how much time do I have remaining?

The PRESIDING OFFICER. There is no time remaining.

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

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from South Carolina (Mr. GRAHAM).

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

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

The result was announced—yeas 68, nays 30, as follows:

[Rollcall Vote No. 244 Leg.]

YEAS—68

Ayotte	Gardner	Murray
Baldwin	Gillibrand	Peters
Bennet	Heinrich	Reed
Blumenthal	Heitkamp	Reid
Blunt	Hirono	Risch
Booker	Hoeven	Rubio
Boozman	Inhofe	Sanders
Boxer	Johnson	Sasse
Brown	Kaine	Schatz
Cantwell	King	Schumer
Capito	Kirk	Scott
Cardin	Klobuchar	Shaheen
Carper	Leahy	Stabenow
Casey	Manchin	Sullivan
Coons	Markey	Tester
Cotton	McCain	Toomey
Crapo	McCaskill	Udall
Cruz	McConnell	Vitter
Daines	Menendez	Warner
Donnelly	Merkley	Warren
Durbin	Mikulski	Whitehouse
Feinstein	Moran	Wyden
Franken	Murphy	

NAYS—30

Alexander	Ernst	Paul
Barrasso	Fischer	Perdue
Burr	Flake	Portman
Cassidy	Grassley	Roberts
Coats	Hatch	Rounds
Cochran	Heller	Sessions
Collins	Isakson	Shelby
Corker	Lankford	Thune
Cornyn	Lee	Tillis
Enzi	Murkowski	Wicker

NOT VOTING—2

Graham Nelson

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

AMENDMENT NO. 2247, AS MODIFIED

The PRESIDING OFFICER. Under the previous order, there will be 2 minutes of debate equally divided prior to a vote on the Burr amendment No. 2247, as modified.

The Senator from North Carolina.  
 Mr. BURR. Madam President, in 1965, President Lyndon Johnson, when the ESEA was passed, said this: Financial assistance to school districts serving areas with concentrations of children of low income should be the target of it. We have never successfully targeted all of those kids in poverty.

Let me say to my colleagues, if your State is in red, your poor students lose under the current formula.

Now, we have come to a compromise, and though I don't think it reflects the best policy, compromise is at the heart of this institution. Therefore, with \$14 billion worth of appropriations in title I-A today, this new formula would not take place until we have reached \$17 billion, meaning for the next years—probably 10 based upon historical numbers—there would be no change in the distribution in any States. But after that point, this body, for once—for the first time in 50 years—would have the money follow kids in poverty, represented by the red States we see on this map.

I urge my colleagues to support this amendment. It is the right thing to do. I yield the floor.

The PRESIDING OFFICER. The Senator from New York.

Mr. SCHUMER. Madam President, I ask that 30 seconds of my time be yielded to the Senator from Ohio.

I oppose this amendment. I thank the Senators from Tennessee, Washington, and North Carolina for making it less onerous. We did come to a compromise. As he said, it starts at \$17 billion, but there is still a major fallacy here.

When we change formulas, we have always held harmless the States that would lose money, but we have been able to increase money. In this bill, we don't. We keep it flat. So we are robbing Peter to pay Paul, which will be an awful precedent which will bite every one of us.

Second, my good friend said the money should go to people from poverty, but they also voted against the Merkley amendment, which required the money to go to people in poverty, and now it can go anywhere.

So I respectfully urge my colleagues to oppose this amendment, although it is improved from the original.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. PORTMAN. Madam President, I appreciate the fact that we have delayed the impact of this, but the impact is still severe. In my State and many other States, we will see a significant cut.

Do my colleagues know what it is? It is telling States that if you invest in children, you are going to be penalized.

This legislation, the underlying bill, is about helping our children succeed. Yet, in this amendment, we are actually telling States that if you help your kids succeed, you are going to be penalized under a new formula. It is not part of the bill that came out of committee. It is not part of the underlying bill.

So I urge my colleagues to vote no on this amendment and ensure that the States that are helping our kids continue to be able to do so.

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

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

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.  
 The legislative clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from South Carolina (Mr. GRAHAM).

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

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

The result was announced—yeas 59, nays 39, as follows:

[Rollcall Vote No. 245 Leg.]

YEAS—59

Alexander	Ernst	Murkowski
Ayotte	Feinstein	Murray
Barrasso	Flake	Paul
Bennet	Franken	Perdue
Blunt	Gardner	Risch
Boozman	Grassley	Roberts
Boxer	Hatch	Rounds
Burr	Heitkamp	Rubio
Cantwell	Heller	Scott
Coats	Hoeven	Sessions
Cochran	Inhofe	Shaheen
Collins	Isakson	Shelby
Corker	King	Sullivan
Cornyn	Klobuchar	Tester
Cotton	Lankford	Thune
Crapo	McCain	Tillis
Cruz	McCaskill	Udall
Daines	McConnell	Wicker
Donnelly	Merkley	Wyden
Enzi	Moran	

NAYS—39

Baldwin	Heinrich	Portman
Blumenthal	Hirono	Reed
Booker	Johnson	Reid
Brown	Kaine	Sanders
Capito	Kirk	Sasse
Cardin	Leahy	Schatz
Carper	Lee	Schumer
Casey	Manchin	Stabenow
Cassidy	Markey	Toomey
Coons	Menendez	Vitter
Durbin	Mikulski	Warner
Fischer	Murphy	Warren
Gillibrand	Peters	Whitehouse

NOT VOTING—2

Graham	Nelson
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The amendment (No. 2247), as modified, was agreed to.

The PRESIDING OFFICER. The Senator from New York.

Mr. SCHUMER. Madam President, I ask unanimous consent to engage in a brief colloquy with my colleagues from the State of Tennessee and the State of Washington for no more than 2 minutes.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. SCHUMER. Thank you, Madam President.

As we stated, some of us had serious objections to changing the formula, but thankfully the modified amendment follows in a tradition of com-

promise. And I appreciate my colleagues from Tennessee, Washington, and North Carolina working on it. As a result, we will continue to abide by the "do no harm" principle. New York's funding will not be cut, and neither will the funding in any of the other 13 States that would have been cut by the original amendment. We will not punish schools unfairly by using a formula that creates winners and losers. This takes the idea of losing school districts off the table. So, again, I would like to thank my colleagues for working with me to ensure that our students in New York and the 13 other States do not start the next school year at a disadvantage with fewer school resources.

The title I changes we have agreed to reflect our commitment to increasing funding and supporting funding for low- and moderate-income students. I appreciate the commitment my colleagues from Tennessee and Washington have made, and I would like to confirm those here on the floor.

I would ask my dear friend Senator ALEXANDER—I would like you to confirm your commitment to maintain this title I funding proposal which we just passed which is contained in amendment No. 2247, as modified—when the Senate and House convene a conference, that we will not go any lower than this.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Madam President, I would say through the Chair to the distinguished Senator from New York and the Senator from Illinois and the Republican Senators who are interested in this that the answer to Senator SCHUMER's question is yes, that my commitment is to work—to keep the Senate decision in conference.

Mr. SCHUMER. Madam President, reclaiming the floor, I would just ask my dear friend from the State of Washington whether she concurs in that statement.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Madam President, through the Chair to the Senator from New York, I will work in conference to keep the commitment of this amendment.

Mr. DURBIN addressed the Chair.  
 Mr. SCHUMER. Madam President, I yield to my friend from Illinois.

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

Mr. SCHUMER. Madam President, I ask unanimous consent that I be given 1 more minute.

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

Mr. SCHUMER. I yield that minute to the Senator from Illinois.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. I thank my friend and colleague from New York.

Madam President, the original core amendment would have cost Illinois \$180 million in title I funds—\$68 million cut to Chicago Public Schools. It was

unconscionable. It would have been devastating. They have so many low-income students. I am glad there is a better approach now.

I hope the title I funding will reach \$17 billion soon. It is currently at \$14.4 billion, and it has been at that level roughly for the last 5 years.

I thank my colleagues from Tennessee and Washington for affirming that they are going to stand behind this protection during the course of the conference committee.

I would like to commend the leaders of the HELP Committee for working with Senators to reach an agreement on Senator BURR's proposal to rewrite the formula for distributing title I education dollars to the States.

Title I is the single largest source of Federal funding for elementary and secondary education. It helps States and districts offer the kind of teachers and extra services that help low-income students learn and succeed in school.

The Burr amendment we just voted on would change the way those dollars are distributed and would hurt low-income students in Illinois—based in part on the fact that Illinois spends more per pupil on elementary and secondary education than the national average. That is neither fair nor good policy.

The original Burr amendment would have cut Illinois' title I funding by \$180 million next year. Every district in the State receiving title I funds would have seen a cut. With the modifications we were able to work out, Illinois' students won't be hurt until title I funding at the Federal level reaches \$17 billion a year.

While I hope Federal title I spending would reach \$17 billion soon, is currently at \$14.4 billion and has remained around that level for the last 5 years. Looking at history and understanding the fiscal challenges in Congress, it is unlikely that Illinois' title I allocation would be impacted by the new formula during the 5-year lifespan of this authorization bill.

I am concerned, however, that the agreement we reached in the Senate could be undermined during conference negotiations with the House. I ask the leaders of the committee, through the Chair, for their assurance that the title I formula will not be further altered in conference.

Mr. SCHUMER. I yield the floor.

AMENDMENT NO. 2100

The PRESIDING OFFICER. Under the previous order, there will be 2 minutes of debate equally divided prior to a vote on the Brown amendment No. 2100.

The Senator from Ohio.

Mr. BROWN. Madam President, the Brown-Manchin amendment expands the full-service community schools model to schools across the country. Community schools are different from Promised Neighborhoods—two different approaches to what is a complex set of challenges. Community schools start with a focus on the school, engage

partners in joint efforts to improve student achievement and development, and in the process work to strengthen family and community.

Madam President, I yield the remainder of my time to Senator MANCHIN.

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. MANCHIN. Madam President, all of us have challenged areas in our States. I have a county—one of the poorest counties in the country is McDowell County. These children have no chance whatsoever. It has the absolute worst statistics any child could be living in. And it is because of these programs that are bringing the compassion of public-private partnerships that we are able to work through to re-establish the services these children won't get. The areas are so sparsely populated, and there is high unemployment.

I would encourage all of you to support this amendment. It continues the program. It is worthwhile. We have McDowell County now with 125 public-private partnerships that we would not have, and these children will not have a chance without them. I encourage your support.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Madam President, I urge a "no" vote because States may already do what the amendment says they can do in this new program. There is money in titles I, II, and IV to do that. All this does is take money away from existing programs and give it to a new program which States, if they choose, can already do.

Second, we are approving today an almost identical program called Promised Neighborhoods which the Center for American Progress recommended Congress consolidate with the program this amendment would authorize and create. So we are creating two programs that do the same thing in the same day. In addition, the Education Department Secretary for the Obama administration said Promised Neighborhood in full-service community schools are much more similar than different.

So we need to stop this business of doing well-intentioned programs. One well-intentioned program is enough. We don't need to create two that do the same thing.

I urge a "no" vote.

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

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

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. CORNYN. The following 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 Florida (Mr. NELSON) is necessarily absent.

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

The result was announced—yeas 53, nays 44, as follows:

[Rollcall Vote No. 246 Leg.]

YEAS—53

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

NAYS—44

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

NOT VOTING—3

Graham	Nelson	Rubio
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The amendment (No. 2100) was agreed to.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Madam President, for the information of Senators, this is the last vote before lunch. We will have two votes beginning at 1:45 p.m., a cloture vote and the vote on final passage.

AMENDMENT NO. 2242

The PRESIDING OFFICER. Under the previous order, there will be 2 minutes of debate equally divided prior to a vote on the Casey amendment No. 2242.

The Senator from Pennsylvania.

Mr. CASEY. Madam President, this amendment focuses on the link between learning and earning. We know that if we invest in our children in pre-kindergarten education, they will learn more now and earn more later. It is a State-Federal partnership. It is paid for. It focuses on 4-year-olds. Three million 4-year-olds in the country will benefit from high-quality early learning.

The best testimony about this issue comes from parents. Beth in southwestern Pennsylvania said—talking about an early learning program in Pennsylvania: Her daughter couldn't write any of her letters or even recognize them. Now she's improved so much since the first day of class.

And then Megan in southeastern Pennsylvania said: When her son came into this program, he was shy and had very little verbal communication. He now talks nonstop and loves hearing.

That is why we need this amendment to pass. I urge a “yes” vote on the Casey amendment.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Madam President, I urge a “no” vote.

The amendment is unnecessary because the Federal Government already spends \$22 billion on early childhood education through 45 programs. States spend money through the title I program on early childhood education. Our underlying bill has an important amendment on early childhood, fashioned by Senator MURRAY and Senator ISAKSON, to spend that money more effectively.

This proposal has a familiar ring. It is like a Medicaid mandate, States would pay 40 percent. It is like a national school board, the Federal Government would define teacher salaries, class size, staff-child ratios, and professional development. It is a national school board for 4-year-olds. That is the reverse of what we want to do in this bill.

Another familiar ring is it would be Common Core for kindergarten, so I urge a “no” vote.

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

Mr. WICKER. Madam President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The 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 Florida (Mr. NELSON) is necessarily absent.

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

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

[Rollcall Vote No. 247 Leg.]

YEAS—45

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

NAYS—52

Alexander	Coats	Daines
Ayotte	Cochran	Enzi
Barrasso	Collins	Ernst
Blunt	Corker	Fischer
Boozman	Cornyn	Flake
Burr	Cotton	Gardner
Capito	Crapo	Grassley
Cassidy	Cruz	Hatch

Heller	Moran	Sessions
Hoeven	Murkowski	Shelby
Inhofe	Paul	Sullivan
Isakson	Perdue	Thune
Johnson	Portman	Tillis
Kirk	Risch	Toomey
Lankford	Roberts	Vitter
Lee	Rounds	Wicker
McCain	Sasse	
McConnell	Scott	

NOT VOTING—3

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

The Senator from South Dakota.

AMENDMENT NO. 2232

Mr. THUNE. Mr. President, I wish to make just a quick couple of comments on an amendment that I appreciate the floor managers, Senators ALEXANDER and MURRAY, agreeing to accept by voice vote. It deals with an issue that is really important to my home State.

This amendment would expand the authorized use of Project School Emergency Response to Violence—what we call Project SERV—grants to include violence prevention.

Currently, Project SERV funds are used to restore the learning environment by addressing the disruptive effects of a traumatic crisis or event. However, these funds cannot be used to fund violence prevention activities, such as afterschool programs, mentoring, anger management or skills-building programs.

My amendment would permit a limited and focused expansion of Project SERV to permit prevention activities as part of the efforts to restore the learning environment in cases where there is a continued risk of disruption. This would better tie prevention to a crisis or trauma that has already occurred and better restore and preserve the learning environment in cases such as the tragic suicide crisis in Indian Country or gang violence.

For example, on South Dakota’s Pine Ridge Indian Reservation alone, two high school and two middle school age students have committed suicide just since December. My amendment would help give these areas of crisis additional flexibility in restoring our schools to safe and positive environments.

I have worked closely with Chairman ALEXANDER and Ranking Member MURRAY to keep this expansion limited so as not to detract from Project SERV’s current scope, and I appreciate very much their help and the Senate’s support.

Mr. President, I now ask unanimous consent that following the disposition of the Warren amendment No. 2249, all postcloture time on the substitute amendment be yielded back; further, that the cloture vote on S. 1177 be at 1:45 p.m. today, and that if cloture is invoked, all postcloture time, except for 4 minutes equally divided between Senators ALEXANDER and MURRAY, be yielded back; and following the use or yielding back of time, the Senate vote

on passage of S. 1177, as amended, if amended.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

AMENDMENT NO. 2082

Mr. HATCH. Mr. President, the Hatch-Bennet amendment amends the early learning grant program to allow States to use Pay for Success Initiatives to improve the quality and coordination of the State’s system of early learning and care services. My home State of Utah has the first-ever pay for success program designed to expand access to early childhood education for at-risk children. The Utah High Quality Preschool Program delivers a high-impact, targeted curriculum that increases school readiness and academic performance among 3- and 4-year-olds. As children enter kindergarten better prepared, fewer students will need to use special education and remedial services in kindergarten through 12th grade, allowing schools and States to save money. We should build on this success and empower other States to do the same.

I should reiterate that this amendment only allows government funds to be used if the program is successful, encouraging effective use of taxpayer dollars. We should be allowing States to use their funding to encourage ground-up, evidence-based practices. I look forward to seeing meaningful results.

The PRESIDING OFFICER. The question is on agreeing to the Hatch amendment No. 2082.

The amendment (No. 2082) was agreed to.

VOTE ON AMENDMENT NO. 2106

The PRESIDING OFFICER. The question is on agreeing to the Warren amendment No. 2106.

The amendment (No. 2106) was agreed to.

VOTE ON AMENDMENT NO. 2130

The PRESIDING OFFICER. The question is on agreeing to the Schatz amendment No. 2130.

The amendment (No. 2130) was agreed to.

VOTE ON AMENDMENT NO. 2186

The PRESIDING OFFICER. The question is on agreeing to the Murphy amendment No. 2186.

The amendment (No. 2186) was agreed to.

VOTE ON AMENDMENT NO. 2215, AS MODIFIED

The PRESIDING OFFICER. The question is on agreeing to the Nelson amendment No. 2215, as modified.

The amendment (No. 2215), as modified, was agreed to.

VOTE ON AMENDMENT NO. 2222

The PRESIDING OFFICER. The question is on agreeing to the Manchin amendment No. 2222.

The amendment (No. 2222) was agreed to.

VOTE ON AMENDMENT NO. 2231

The PRESIDING OFFICER. The question is on agreeing to the Boozman amendment No. 2231.

The amendment (No. 2231) was agreed to.

VOTE ON AMENDMENT NO. 2188

The PRESIDING OFFICER. The question is on agreeing to the Baldwin amendment No. 2188.

The amendment (No. 2188) was agreed to.

VOTE ON AMENDMENT NO. 2156

The PRESIDING OFFICER. The question is on agreeing to the Capito amendment No. 2156.

The amendment (No. 2156) was agreed to.

VOTE ON AMENDMENT NO. 2232

The PRESIDING OFFICER. The question is on agreeing to the Thune amendment No. 2232.

The amendment (No. 2232) was agreed to.

VOTE ON AMENDMENT NO. 2256

The PRESIDING OFFICER. The question is on agreeing to the King amendment No. 2256.

The amendment (No. 2256) was agreed to.

VOTE ON AMENDMENT NO. 2240

The PRESIDING OFFICER. The question is on agreeing to the Schatz amendment No. 2240.

The amendment (No. 2240) was agreed to.

VOTE ON AMENDMENT NO. 2249

The PRESIDING OFFICER. The question is on agreeing to the Warren amendment No. 2249.

The amendment (No. 2249) was agreed to.

The PRESIDING OFFICER. Under the previous order, all postcloture time on the substitute amendment is yielded back.

VOTE ON AMENDMENT NO. 2095

The question is on agreeing to the Peters amendment No. 2095.

The amendment (No. 2095) was agreed to.

VOTE ON AMENDMENT NO. 2089, AS AMENDED

The PRESIDING OFFICER. The question is on agreeing to the substitute amendment, as amended.

The amendment (No. 2089), as amended, was agreed to.

The PRESIDING OFFICER. The Senator from Colorado.

AMENDMENT NO. 2249

Mr. GARDNER Mr. President, I thank the Senator from Washington and the Senator from Tennessee for their leadership over the past several days—last week and this week—as we talk about the future of education in this country. I commend them for creating a bill that takes away the Federal Government's mandates on curriculum and direction and makes sure we provide local control to school districts and teachers.

As a father myself of a student who is going into the sixth grade, I have heard a lot about tests over the past several years, and I want to commend the leadership for making sure we are actually getting Congress out of the classroom. So I appreciate my colleagues' leadership.

Today I want to talk about an amendment accepted in the education bill we are dealing with here today that deals with the use of title I funds for concurrent and dual enrollment programs at eligible schools throughout the country.

According to the Georgetown Public Policy Institute, by 2020, 65 percent of the jobs available in the country today will require secondary education. In Colorado, that number is even higher. Again, by 2020, 65 percent of our jobs will require secondary education. In Colorado, that number is going to be greater. The Colorado Department of Education estimates it is not just 65 percent of the jobs that require a secondary education in Colorado by 2020. It will actually be 74 percent of the jobs in our State that are going to require some form of postsecondary education.

Ensuring that our students have the skills necessary to excel in college and in the workforce is absolutely and by far and away the best way to address this concern so we can make sure that we are providing our students with successful futures. Concurrent enrollment and dual enrollment programs have a proven record of success in this arena.

I was in the State legislature in Colorado when we embarked on the first concurrent enrollment ideas that came out of the legislature and that have been greatly successful. But we know it is not just the anecdotes from Colorado, but it is the American Institutes for Research that finds that participation in concurrent and dual enrollment programs reduces the number of students dropping out of high school, increasing a student's likelihood of entering college, making sure they complete college, and getting through to a career.

But our challenge today is that an astounding number of students need to take remedial courses when they enter college. Sitting down with junior college leaders and community college presidents and talking to our universities, they all tell stories about how many students come from high schools to their college or to their campus requiring remedial work in English or mathematics.

According to a report by testing organization ETS, nearly one-half of U.S. millennials scored below the threshold that indicates proficiency in literacy, and two-thirds of U.S. millennials missed the cutoff mark in math proficiency.

Students are discouraged from continuing college when they are required to take courses—nobody wants to go on to college and take the same course—that you thought you had completed in high school. But concurrent and dual enrollment will help solve this problem by allowing students to participate in college-level courses, which, upon completion, will ensure that these students are indeed proficient.

Not only does concurrent and dual enrollment allow proficiency, but it al-

lows students to get ahead of the curve and doing so while in high school.

A study by the National Education Longitudinal Study found that concurrent and dual enrollment participants were 16 to 20 percent more likely to complete a bachelor's degree than their counterparts. Research shows that students who participate in concurrent and dual enrollment programs complete their degrees earlier than their counterparts as well.

A study in 2010 by Kristen Klopfenstein, a Colorado native and graduate of the University of Texas, found that “the results of taking one or more concurrent or dual credit class tripled the likelihood of graduating from associate programs in three years in relation to students who did not take such courses who typically graduate in four years.”

“Dual enrollment participation was also positively correlated to completing bachelor's degrees in four and five years, relative to students who did not take such courses who typically take longer to graduate.”

These are the types of programs that reward students for their hard work and prepare them for their college career and success.

Many people recognize that courses that provide college credit are typically taken by high-achieving students already on the path to college. A lot of college courses that we see are filled with people we knew were destined for college in the first place. But I think we have to talk about the times where that is not the case, where college courses were taken by people who perhaps never thought they had college in their future. I will share one such story today.

We were visited in the office not too long ago by a young woman from Colorado who told her story about how concurrent enrollment in Colorado really opened the doors to a college future and a college degree she never thought was possible.

The community where I come from is not one that promises a bright future. I am from a low income area of Denver, CO, and we weren't expected to go to college.

I had always known I wanted to pursue higher education, but was nervous that I wouldn't have the skills to succeed.

Fortunately for me, because of concurrent enrollment I was able to get ahead in college for free. I graduated high school with all of my high school credits along with 15 credit hours of college credits.

Concurrent enrollment has helped me in phenomenal ways. It gave me the confidence to know I had the capabilities to succeed in college.

In addition, with the high cost of college I was able to save money. I am now a student at Colorado State University and made the Dean's list this semester.

I am on track to graduate early and it would never have been possible without the programs I participated in in high school.

I want to spread the word so other students can benefit from concurrent enrollment the way that I have. Every young person who wants to go to college should have the opportunity to attend, and I'm thankful I had the opportunity to do so.

Those aren't my words. Those are the words of a Coloradan whose future was made brighter by the fact that she was able to take advantage, while in high school, of college credit classes.

Stories like this are why we have to make sure that, not just Coloradans, but everyone across this country, is able to use title I programs in the same beneficial manner.

So the amendment we offered and that has been accepted, thanks to the work of Senator ALEXANDER, our great chairman, and Ranking Member PATTY MURRAY, would empower students to use these kinds of programs and would allow schools to use title I funds for concurrent and dual enrollment programs, enabling students to simultaneously receive college credit from courses taught by college-approved teachers in secondary education. It would allow eligible schools to use fifth-year program partnerships with institutions of higher education to allow students to participate in concurrent enrollment in the year directly following their senior year of high school.

Earning a postsecondary degree has become a prerequisite for jobs in the 21st century. Going back to the statistics that we shared in the very beginning, 74 percent of jobs in Colorado will require, by the year 2020, a postsecondary education degree. As we face more competition in the global workplace, as we face more competition abroad, we have to have the kinds of education and educational opportunities that give the next generation of business leaders, innovators, and entrepreneurs the skills to succeed.

I believe the concurrent and dual enrollment high school program not only gives them the types of skills they need while in high school but the opportunity to further a college degree and perhaps, as in the story I shared earlier today from that young Coloradan, the chance to go to college, the chance to receive a degree, and to prove they have that bright future. That is what this policy is about. That is what this amendment has been about.

Again, I thank the chairman for the consideration and acceptance of the amendment.

I yield the floor.

The PRESIDING OFFICER. The Senator from West Virginia.

AMENDMENT NO. 2222

Mr. MANCHIN. Mr. President, I rise today to talk about a problem that each one of us—all 100 Senators—knows. In any gathering we go to, in our State or around the country, people are affected by drug abuse, whether legal or illegal. In our personal families, immediate families or extended families, we know somebody whose life is affected.

So today I urge my colleagues to support a commonsense amendment that I have introduced to the Every Child Achieves Act that addresses an epidemic that is devastating to my State

and our country—and I know to the Presiding Officer's State also—which is substance abuse.

Communities across the country, including many in my beautiful State of West Virginia, are seeing an alarming rise in substance abuse and addiction to legal prescription drugs. These are drugs we would find in the medicine cabinet of our home.

West Virginia is No. 1 in overdose deaths—No. 1 in overdose deaths—due to drug abuse.

We have seen over a 600-percent increase in the number of people dying since 1999. Nationally, 21.6 million Americans are battling substance dependence or abuse. But as most of us know, we can't truly understand substance abuse by just listening to facts and statistics. It is one that can only be understood by hearing stories of those impacted.

When I was Governor of the State of West Virginia, I traveled around the State, and I saw firsthand the effects that substance abuse can have. We tried to tackle many of these issues at the State level. But it is impossible. All of us have to be in this.

But one of the most moving experiences occurred during my first trip back to the Mountain State after becoming a Senator. I traveled to the really beautiful little town of Oceana, WV.

I went to Oceana Middle School, where I had expected to talk about the importance of receiving a good education and working hard to gain the necessary skills to be successful in the workforce. Instead, I heard personal stories from 11-year-olds who spoke candidly about the ways that drugs were tearing apart their families, their homes, and their community.

As tears trickled down their faces, they shared how they rarely played outside because too many needles coated the streets and drug deals often took place right in front of them.

It is one thing to hear about overdoses and addictions from doctors, medical experts or police officers who deal with substance abuse cases every day. But I can tell you that it is another thing to sit across from an 11-year-old girl who is fighting through tears to describe how her family and her family life have been destroyed.

Her father was hurt in the coal mines and gradually became addicted to painkillers, causing her family to lose everything. As I listened to her story, I couldn't help but think that this young girl had to grow up so very fast and miss some of the pleasures of childhood.

That is why I am doing everything in my power to fight this national problem. My commonsense bipartisan amendment with Senator AYOTTE would simply require that, in States where this is a significant problem, the State education plan include a strategy for how the State will help local education agencies educate students who face substance abuse in their home.

What we are saying is no child can be in a drug-infected home and have a normal childhood. They can't have a normal learning experience in the school system.

To be clear, it does not prescribe or require any particular response. We are not saying you have to do this. The States that wish to have this done can. It simply gives the States the flexibility to craft proposals that meet particular local needs.

That means if there is a child that basically needs extracurricular activity, extra help, extra support, preschool or afterschool, they are able to intervene and change the system that would meet the needs of that community.

Substance abuse by parents and other caregivers can have a significant negative impact on the well-being of children, and it makes it more difficult for them to learn and thrive in schools, as we know.

This amendment is a small step forward toward addressing that problem. But it will encourage the States to consider solutions that will enable local schools and communities to better help these vulnerable children and ensure that every child is ready to learn.

Our country, our States, our communities, our schools, and our children need us to take action to protect them from the devastation of substance abuse.

I am often reminded of the five promises we as adults should make to every child. Colin Powell started this—the five promises—and my wife and I have adopted it when I was Governor. We still have a foundation.

The first promise is that every child has to have a loving, caring adult in their life—a loving, caring adult and unconditional love.

Second, every child should have a safe place.

Every child should have a healthy start in life.

Every child should have an education and have a skill set.

The fifth promise is what we can't teach. We can usually show it from example. Every child should grow to be a loving, caring adult and give something back.

If we don't give children the chance to have that type of an experience and they know they don't have a loving, caring adult, and they don't have a safe place because the home has been ruined because of drug abuse, this is where we need to step in. If we are going to save a generation, this is where we do it. This is the frontline of defense today.

The No. 1 thing that is killing our country is drug abuse, and it is basically coming from prescription drugs. It starts with manufacturing. It goes down with the FDA putting all these lethal drugs on the market that we never had before. It goes down to distribution and dispensing by doctors. Yet we don't have any treatment centers to cure people once they get into it.

So I am asking all of you to please consider supporting this amendment. It is most reasonable, most responsible. It is not mandatory. It is optional. You can fit the needs and tailor this however your community, your State or your county might need.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Mexico.

JUSTICE FOR TULAROSA BASIN DOWNWINDERS

Mr. UDALL. Mr. President, 70 years ago today, the first atomic bomb was exploded at the Trinity test site in New Mexico. For our Nation, it was the beginning of the nuclear age. For the residents of the Tularosa Basin, it was also the beginning—of great suffering, of generations of cancer and chronic illness. Seven decades later, their suffering continues and so does their fight for justice.

Windows rattled hundreds of miles away. The people of Tularosa saw radioactive debris fall from the sky, not knowing what it was. The fallout killed cattle, and poisoned water, food, and the air. The damage was done. The destruction was real, and so is the sadness, disappointment, and anger. That is very real too.

The Tularosa Basin Downwinders have not forgotten. They rightly ask that we not forget, either.

I met with them and their families earlier this month in Tularosa, and they told me their stories, some of which I will share today.

Henry Herrera was just 11 years old at the time of the blast. He is now 81. He remembers:

I heard a very large blast and saw a very big flash of light. I got so scared I thought the world was coming to an end.

He himself is a cancer survivor. He told me:

I'm the only one alive to tell about it. Everyone else has died of cancer.

Edna Hinkle recalled so many in her family that had cancer, one after the other—aunts, uncles, cousins, mother, sister, and herself. She said: "My oldest daughter . . . says it's not a matter of if you get cancer, it's a matter of when."

Marjie Trujillo told me that of nine members of her family, six have cancer, and three died from it. The loss is tragic and so is the frustration. She said: "Many in our community feel our government has turned a deaf ear to our health issues."

I also heard from Virginia Duran. She was born in Tularosa in 1940 and lived on Padilla Lane. She told me that on the street where she lived, at least 10 people have had cancer. That is just one block.

Many families from the Tularosa Basin know this loss and pain. Nora Foltz is 71 years old. She is the only sibling of five who doesn't have cancer. Her sister, Helen Guerra, is 81 years old. Helen was diagnosed with kidney cancer 17 years ago. Helen's daughter Lupe had multiple illnesses and chronic pain and died at the age of 62.

There are so many stories—far too many stories—like this. As Gloria Herrera said, the Tularosa community has "shed enough tears to fill a lake."

It was my privilege to meet with these survivors. Their stories are courageous and troubling, but most troubling of all is the people who were not there, who were not able to speak, and those who have passed away over the last seven decades. We all speak for them now, and we will keep on speaking until justice is done.

The Tularosa Basin Downwinders Consortium is doing critical work. They are organizing the community, telling their stories, and making sure people listen and understand what happened. Tina Cordova is one of the many great advocates who are dedicated, committed, and refusing give up. Tina summed up the feelings of many when she told me: "We were the unknown, unwilling guinea pigs in the world's greatest experiment." I agree with Tina and the members of the consortium. Theirs is a tragic story. They suffered so that we could develop bombs and win wars. That is why I have again pushed for legislation with my colleagues—Senator CRAPO and several others—to amend the Radiation Exposure Compensation Act and finally recognize the Trinity site and include New Mexicans who have suffered for decades. They deserve justice, they deserve compensation, and they are still waiting 70 years later.

We can't change the years that have passed, nor can we erase the years of illness and the pain endured by too many for too long, but fair compensation will make a difference and will provide badly needed help.

It took many years to create the original RECA Program. My father helped to lay the groundwork. He devoted many years to fighting in the courts for men, women, and children who were sick because they had lived downwind during nuclear tests. They were exposed to dangerous radiation. They should have been helped but were ignored instead.

I remember going with him to meet folks in St. George, UT, in 1978. I was just out of law school. There were about 40 or 50 survivors there. They loved their country and trusted their government. They were hesitant to speak out. They did not seek special treatment, but they were wounded people. Caught in the fallout of the nuclear age, they had a right to be heard. My dad heard them, and he demanded that others hear them as well. He fought for them until the end of his life at 90 years old, first in the courts and then in the Congress. He worked with Senators Ted Kennedy and ORRIN HATCH—an unlikely match if ever there were one—and they kept pushing.

President H.W. Bush signed RECA into law 25 years ago in 1990. It was a bipartisan bill. It was driven by simple fairness and it was a historic step forward, but it left some folks behind, including the Downwinders in the Tularosa Basin.

My dad would not give up, the families he worked with would not give up, and we won't give up either. Our bill expands the downwind exposure area to include seven States from the Trinity and Nevada test sites, and it also includes Guam from the Pacific site. It would also allow compensation for post-1971 uranium workers and fund a critical public health study for those who live and work in uranium development communities.

I will continue to push for this legislation. It is the right thing to do, and we should get it done, which is why I will again join my Senate colleagues in sending a letter to the Judiciary Committee to request a hearing on this important bill.

Many families in New Mexico have been hurt, and they worry there is more harm to come. When I was in Tularosa this month, I spoke with a woman named Louisa Lopez. Her husband has mantle cell lymphoma. They know at least 17 other people who have cancer or who have died from it. She said, "We fear passing this on to our children, future grandchildren, and other generations."

This weekend, there will be a candlelight vigil in Tularosa. Folks will gather, as they do every year now. They will stand together as candles flicker in the warm New Mexico night. They will remember those who have been brought down by cancer and other radiation-related diseases. They will remember those who have passed away. They will remember that a wrong was done and has yet to be righted. And they will offer prayers and support for those who continue to struggle.

Rosemary Cordova told me in Tularosa:

We can't bring back those we've lost, but we can support those still suffering. All we're asking is that our government face up to the wrong that has been done . . . that someday soon our government will do what should [have] been done long ago.

It takes courage to speak out. It takes courage to speak truth to power. These folks are heroes, and on this 70th anniversary, I want to say to them: Thank you. Thank you for making your voices heard. Thank you for making your stories known. And thank you for refusing to give up. I will not give up, either. Together, we will keep working for fairness, and the day will come when we can stand together in Tularosa and light the candles of remembrance and finally say justice has been done.

I thank the Presiding Officer.

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. Mr. President, I ask unanimous consent that the Senator from Tennessee, Mr. CORKER, and I

be permitted to engage in a short colloquy.

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

SHOOTING IN CHATTANOOGA

Mr. ALEXANDER. Mr. President, the details are still coming in, but earlier today, between 11 a.m. and 1 p.m., there was a violent attack in Chattanooga, where Senator CORKER was once mayor. Right now Federal, State, and local officials are responding in Tennessee.

I am deeply disturbed by the reports. We understand that the shooting took place at the Naval Reserve Center in Chattanooga and that a police officer has been injured. We also understand that other individuals at the Naval Reserve Center may have been injured as well. Many local businesses, schools, and hospitals are locked down.

I have been in touch with Federal, State, and local officials and will continue to monitor the situation closely. My thoughts and prayers are with all of those involved.

Mr. CORKER. Mr. President, I wish to join our senior Senator in expressing our deep sorrow for those who have been affected and extending our thoughts and prayers to the families. Details are still emerging. We believe this took place in multiple locations, and I know the local representatives there are dealing with this effectively as they move ahead.

I thank the Senator for having us take the time right now to express our sorrow and support for those who are dealing with this issue. I hope those who were injured will survive and end up having full lives, but we know some people were tragically injured. I appreciate the reach-out that has taken place at the local, State, and Federal level to ensure that we are aware of what is occurring.

With that, I yield the floor.

CHARTER SCHOOL AUTHORIZING LANGUAGE

Mr. FLAKE. Mr. President, I ask unanimous consent to enter into a colloquy with Senator ALEXANDER.

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

Mr. FLAKE. As the Senate prepares to vote on the Every Child Achieves Act, I wish to commend Senator ALEXANDER for working with me to include language regarding charter school authorizers in the substitute amendment language.

A charter school authorizer is an entity approved by the State legislature and is responsible for establishing charter schools' academic and accountability standards, among other things. State charter laws vary from State to State in regards to how and to whom authorizers are subject to accountability. For example, a State with independent or multiple authorizers gives entities other than local education boards or the State board, the authority to approve charter schools. These entities are typically outside the traditional education structure of a state and can include independent,

statewide charter school boards, or colleges and universities. According to the Center for Education Reform, "there is a direct correlation between States with multiple authorizers and higher student achievement." Out of 44 State laws, 21 States have created independent authorizers.

The language in the underlying Every Child Achieves Act encouraged States applying for grants to Support High-Quality Charter Schools (Sec. 5103) to establish authorizing standards of an authorized public chartering agency, despite the fact that some States don't have any explicit authority over charter school authorizing. This language didn't take into consideration the variation of State by State authorizing structures for charter schools and required that the Federal Government, not States, dictate how and what charter authorizing agencies must do to demonstrate success. In addition, subjecting charter schools to the same rules governing traditional public institutions would make them identical to the very entities that charter schools were meant to provide an alternative to.

The language that Chairman ALEXANDER and I worked with, and ultimately included in the substitute, recognizes that some States have elected to use multiple or independent authorizers and ensures that those States don't have to add an additional layer of bureaucracy to receive grants under the Every Child Achieves Act.

This bill goes a long way in recognizing that Washington cannot be a national school board, and that is why it is imperative that the Federal Government continue to encourage States to determine their own authorizing standards and learn what works best for their students.

The Center for Education Reform, a leading organization promoting charter education supported the language in the substitute explaining ". . . Charter schools are public schools, which are free from many onerous rules but accountable for performance to their authorizers, which vary State by State. The substitute ensures respect for those individual differences State by State as well as the hard work they are doing to ensure the proliferation of quality schooling option for all children."

I commend Chairman ALEXANDER for his hard work on this legislation, and for working with me to ensure States, not the Federal Government, are determining charter authorizing standards.

Senator ALEXANDER. Mr. President, I thank Senator FLAKE for his hard work to ensure that charter schools and their authorizers continue to operate with the flexibility needed for them to thrive. Charter schools are public schools that provide more choices for parents to improve their children's future and more freedom for teachers and principals to increase the academic performance of their students. The Every Child Achieves Act

supports charter schools in many ways by solidifying Federal support for expanding and replicating high-quality charter schools with a demonstrated record of success, giving States more flexibility to invest in new school models and encouraging them to strengthen charter school authorizing practices. The language championed by Senator FLAKE will promote quality charter authorizing activities without imposing layers of Federal bureaucracy and structures that are incompatible with State practices and laws. As we fix a law that has effectively resulted in 100,000 public schools being controlled by a National School Board in the U.S. Department of Education, it is important to recognize the variance in State laws governing charter schools and empower States to determine their own quality standards.

Today, nearly 2.9 million students—6 percent of U.S. public school students—were enrolled in approximately 6,700 charter schools, and just over the past year, charter school enrollment has grown by over 14 percent, or an additional 348,000 students. I commend Senator FLAKE on his actions to strengthen the program and to promote better State charter school policies and activities that help high quality charter schools continue to grow and flourish.

AMENDMENT NO. 2161

Mrs. MURRAY. Mr. President, when all students have the chance to learn, we strengthen our future workforce. Our country grows stronger. We empower the next generation of Americans to lead the world. We create more opportunities for more families, and we help the economy grow from the middle out, not the top down.

But today, across the country, stark educational inequalities exist. The students in some schools simply don't have the same opportunity to graduate college-and-career ready like other students do. In our country, all students should have access to a quality public education, no matter where they live, how they learn, or how much money their parents make.

So that is why I am glad our bipartisan bill to fix No Child Left Behind has Federal protections to hold schools accountable for educating all students. And I will continue to fight for stronger protections as the bill moves forward.

But educating all students is a tall order if schools don't have the very resources that help students succeed. That is why it is so important to make sure States address inequalities in resources. Senators KIRK, REED, BALDWIN, and BROWN offered a bipartisan amendment that would help schools and States address persistent inequalities in resources and opportunities. I strongly urged my colleagues to support it.

Students do better in school when they have access to a well-rounded education. That includes rigorous coursework that helps prepare students for a college curriculum. It includes offering classes like arts, music, physical

education, and STEM education. It includes setting up effective school library programs that can inspire in kids a love for reading. Those classes and those programs create a school environment where students can learn and thrive.

But too many students across the country do not have access to those critical resources. And too often, it is students of color, kids with disabilities, English-language learners, and students from low-income backgrounds who have the least access to resources that can help them get ahead.

Take experienced teachers, for example. Students of color are more likely to have a teacher who is new to the profession. These students often don't have access to advanced classes and classes like art and music. Students of color are more likely than their White peers to go to a high school that does not offer AP classes. In fact, 20 percent of African-American high schoolers go to a high school that does not offer AP classes. And in 2008, White students were twice as likely to have access to arts education as African-American and Hispanic students.

The same inequality exists for access to technology. Students from low-income backgrounds often don't have access to the Internet or to computers, compared to their peers. A study from Stanford University put this into sharp focus. The researchers asked teachers if their students have the digital tools they need to effectively complete assignments at home. More than half of teachers from more affluent schools said yes. But just 3 percent of teachers from high-poverty schools said their students had access to tools like computers and the Internet.

All of this inequality holds students back. It widens achievement gaps. It robs students of the chance to learn and excel in the classroom. And we need to do something about it, so all students have the opportunity to learn.

We have made important progress in the Every Child Achieves Act. Under the current bill, school districts will already be required to report on: access to safe and healthy school environments, per-pupil expenditures, access to advanced coursework, the number of children enrolled in preschool, and teacher qualifications. And that is a good step in the right direction.

But this bipartisan amendment would take the next step. First, it would expand the list of resource indicators to include things like access to art and music and dedicated school library programs. And it would give States a choice on which resources will be the most meaningful in their communities.

Most importantly, this amendment would help States remedy opportunity gaps across school districts. It does this by requiring States to create a plan to improve access to resources in the schools that lack those tools. And because the plans will be designed by the States and must include input from

the communities, these plans will be tailored to fit the needs of local school districts. And States would be required to disaggregate the data on how resources are distributed by income, race, language proficiency, and disability. That will shine a light on if some groups of students are not getting the kinds of opportunities as others. And it will help parents know which resources their local schools offer and where the gaps are.

In short, this amendment will help strengthen our commitment to providing a quality education to all students. This amendment is also important for another key reason. Of course, nearly everyone agrees that the current law, No Child Left Behind, is badly broken. And one of the main reasons is that it placed an almost singular focus on test scores for reading and math. But test scores do not paint the whole picture of how a school is performing.

This amendment would give parents and communities a more holistic view to determine if a school is providing a quality learning environment for all students. And most importantly, this will help States focus resources on traditionally underserved populations so they will get the supports they need to succeed.

Now, some of my Republican colleagues have argued that we don't need this amendment because States and school districts should be responsible for solving resource disparities. But for too long, States and school districts have gotten off the hook for stark inequality. That is why we have seen the persistent inequality of some schools simply not getting the resources they need to help their students succeed. And that needs to end.

This amendment would not tell States how to address inequality. But it would require them to identify the disparities that exist and to create a plan to address them. That is why this amendment would be a good step in the right direction.

I know that others have argued that simply reporting the disparities between resources would be enough. But acknowledging the problem won't necessarily solve the problem. And on something as important as ensuring that students have equal opportunities to succeed, we need action. And that is why I believe it is so important that this amendment would help States act to address inequalities.

This isn't just important for student success in the classroom. It has long-term implications for our country. When some students don't have the chance to graduate from high school college-and-career ready, we lose out on the full potential of our Nation's future workforce, entrepreneurs, and leaders. In the years to come, our economy will rely on the students of today being able to take on and create the jobs of the 21st century economy. We can help States and school districts make sure all students have the re-

sources that defines a quality education by supporting this bill and this amendment. These resources are fundamental to student success—in school and in the future. So I urge my colleagues to support this amendment to address resources equity.

AMENDMENT NO. 2247, AS MODIFIED

Ms. MIKULSKI. Mr. President, today I wish to talk about my reasons for voting against Senator BARR's amendment to change the title I formula and on cloture to cut off debate on the Every Child Achieves Act.

The bill before us is not perfect, but it is a step in the right direction towards giving all kids a shot at quality education and fixing the failures of No Child Left Behind. I support a number of the provisions in this bill, including raising academic standards for students, supporting teachers with additional development tools, and providing resources to the lowest performing schools.

However, the bill also includes an amendment offered by Senator BARR to change the title I formula, which would drastically and negatively affect Maryland. Every single school district in my State would have lost money.

I could not let that happen. So I rolled up my sleeves and got to work. I formed a coalition with other Senators whose students—like mine—would lose under this amendment. The amendment was eventually changed. Now it says that any funds Congress appropriates for title I above \$17 billion will be subject to a new formula. Since title I is currently funded at \$14.5 billion, the new formula will not kick in at any time soon and Maryland won't lose any of its funds.

I am happy that I saved Maryland from losing \$40 million, but the language sets a terrible precedent. It penalizes States that do right by their students and their schools. As the Senator for Maryland, I can't support any formula that could cause Maryland to lose Federal dollars in the future—even one labeled a "compromise." As vice chairwoman of the Senate Appropriations Committee, I cannot support any disincentive to fully fund title I when additional funds would harm Maryland.

As long as this amendment is included, I cannot vote to move this bill forward and will vote no on cloture.

Ms. CANTWELL. Mr. President, I rise today to voice my support for the Every Child Achieves Act. I would like to thank Senator ALEXANDER and Senator MURRAY for their hard work on this legislation. This bipartisan bill offers an opportunity for real progress in educating our children.

The Every Child Achieves Act takes an important step forward in updating the badly broken No Child Left Behind Act. This reauthorization is greatly needed to support Washington State's students, educators, and families. Currently in Washington, our schools must still comply with the original and most onerous requirements of No Child Left Behind since our flexibility waiver was

revoked in 2014. The Every Child Achieves Act would end the States' need for waivers and provide them with greater flexibility to come up with state-led education plans.

I have visited a number of schools in Washington and I have heard from so many of my constituents about the need to improve this law to better support our Nation's teachers and students. I am pleased that the Senate was able to have this important debate that is critical to our Nation's progress.

Today, we live in a global economy and our children are not only competing with other students in the United States but with students across the world. Therefore, I am particularly interested in science, technology, engineering, and math education to keep American students competitive in the 21st century. Washington State ranks first in the Nation in the concentration of STEM-related jobs, and it is essential that we invest in our future workforce.

The Every Child Achieves Act includes an important dedicated funding stream to support partnerships between schools, businesses, universities, and nonprofit organizations to support student achievement and teacher training in STEM subjects. I am a strong supporter of these partnerships and I am pleased that the bill also includes a provision with an emphasis on increasing access to STEM subjects for women, minorities, economically disadvantaged students, and other groups that are frequently underrepresented in STEM subjects.

Additionally, I am pleased that this bill includes a new competitive grant program championed by my colleague, Senator MURRAY, to enable States to improve early childhood learning. I long have supported early childhood learning due to its importance to developing young minds and intelligence. These grants would target resources for low- and moderate-income families.

There are few programs more important than early childhood education in preparing children to succeed. I am proud to be a cosponsor of Senator CASEY's Strong Start for America's Children amendment, which I regret did not receive enough votes for adoption. This would have established a partnership between the Federal Government and the States to fund high-quality kindergarten programs for low- and moderate-income families.

Washington State has been on the fore-front of early education and since 2006, the Department of Early Learning has ensured that Washington students have access to high-quality learning opportunities, so that they are prepared for kindergarten and a successful school career. According to the Washington State Department of Early Learning, there is clear and convincing science that early childhood is a critical time for mental development. Economists and social scientists have found that for every \$1 invested in

high-quality early learning, at least \$3 are returned in reduced costs for remedial education, public safety, health care, and other social spending. I would call this a good return on investment.

In closing, I would like to commend my colleague Senator MURRAY for her leadership and for her steadfast commitment to ensure that STEM education and early childhood education were included in the Every Child Achieves Act. I was happy to partner with her on these efforts. I urge my colleagues to support these important investments in our Nation's education system.

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.

Mr. ALEXANDER. Is it time to vote?

#### CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The senior assistant legislative clerk read as follows:

#### CLOTURE VOTE

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

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

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on S. 1177, an original bill to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves, as amended, shall be brought to a close?

The yeas and nays are mandatory under the rule.

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 Florida (Mr. NELSON) is necessarily absent.

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

The yeas and nays resulted—yeas 79, nays 18, as follows:

[Rollcall Vote No. 248 Leg.]

#### YEAS—79

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

#### NAYS—18

Blunt	Gillibrand	Risch
Booker	Lee	Sasse
Cardin	Mikulski	Schumer
Crapo	Moran	Shelby
Cruz	Murphy	Vitter
Daines	Paul	Warren

#### NOT VOTING—3

Graham	Nelson	Rubio
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The PRESIDING OFFICER. On this vote, the yeas are 79, the nays are 18.

Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to.

Under the previous order, there is now 4 minutes of debate equally divided between Senators ALEXANDER and MURRAY.

The Senator from Washington.

Mrs. MURRAY. Mr. President, I first want to thank Chairman ALEXANDER for working with me on the Every Child Achieves Act. He has been a great partner in getting us to this point with this bill. This process started when he and I agreed that No Child Left Behind is badly broken and needs to be fixed. Our bill, the Every Child Achieves Act, is an important step forward to do just that.

The current law overemphasized test scores. Our bill will give States flexibility to use multiple measures, not just test scores, to determine how well a school is performing. Our bill also eliminates the one-size-fits-all provisions of No Child Left Behind that have been so damaging for our schools and our districts. Instead, it allows our communities, our parents, and our teachers to work together to improve schools and ensure that every child can get a well-rounded education.

Our bill maintains Federal protections to help students graduate from high school with the tools they need to compete and lead in the 21st century economy. This is a good bill. I will keep working, of course, to make it better—even after our vote today—in conference.

I hope we can continue to build on the Senate's strong bipartisan work. I will continue to push to strengthen the accountability measures in our bill and

address inequality in schools. But today I urge my colleagues to vote to pass the Every Child Achieves Act that will give all students the chance to learn and grow and thrive. Let's fix No Child Left Behind. Let's prove that Congress can break through gridlock and work together. Let's pass this bill for students, parents, teachers, and communities across the country.

I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, I ask unanimous consent for an extra minute if I need it.

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

Mr. ALEXANDER. Mr. President, Senator MURRAY suggested we work on this in a bipartisan way. I took her advice. It was good advice. This is the result. We have had 100 amendments in committee and on the floor. We have had excellent process. I thank the majority leader. I thank Senator REID, the Democratic leader, for creating an environment to do that.

Now, let me say this about the vote we are about to have. This is a law that everybody wants fixed. We have a consensus on that. We have a consensus on how to fix it: keep the important measurements of academic achievement and turn the rest of it over to the States, to classroom teachers, and others who are closest to the children. That is what the Governors, that is what the superintendents, that is what the teachers organizations have said to us. They want us to fix it. They support the way we are proposing to fix it.

Now, in the last few years, we have created in this country, in effect, a national school board. It has made it harder to have better teaching, harder to set higher standards, harder to have real accountability in the States. So we changed that. We reversed the trend toward the national school board. We end the common core mandate. We end the waivers that the U.S. Department of Education is using to run public schools. We end DC evaluating teachers. We end adequate yearly progress.

Some are saying vote no because you should go further. Well, we had a chance to go further. We voted for the Daines amendment, the Scott amendment, and the Alexander amendment. That would have gotten us 90 percent of what we wanted. We got about 45 votes, so we didn't get anything. This gets us about 80 percent of what we want. A President named Reagan used to say: If you got 80 percent of what you wanted, you might take it and fight for the rest on another day. I am recommending we follow this advice.

If we vote no today, that means we leave the Common Core mandate right where it is. That means the waivers are still running your schools. That means adequate yearly progress is determined from Washington, DC, not in your hometown, and that means Washington, DC, is evaluating your teachers. Everybody wants this law fixed. If

you vote no, we fix nothing. We fix nothing. So no means we haven't fixed anything. So vote yes. Do what the Governors, do what the superintendents, do what the teachers say we ought to do. They all agree on that. This is the most important step in that direction we have had in 25 years. Let's not miss the opportunity. Vote to restore to the people closest to the children the responsibility for their education. Vote yes for local control of public schools.

The bill was ordered to be engrossed for a third reading and was read the third time.

The PRESIDING OFFICER. Under the previous order, the bill having been read the third time, the question is, Shall it pass?

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 bill clerk called the roll.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from South Carolina (Mr. GRAHAM).

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

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

The result was announced—yeas 81, nays 17, as follows:

[Rollcall Vote No. 249 Leg.]

YEAS—81

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

NAYS—17

Blunt	Lee	Sasse
Booker	Moran	Scott
Crapo	Murphy	Shelby
Cruz	Paul	Vitter
Daines	Risch	Warren
Flake	Rubio	

NOT VOTING—2

Graham Nelson

The bill (S. 1177), as amended, was passed.

(The bill, as amended, will be printed in a future edition of the RECORD.)

The PRESIDING OFFICER. The Senator from Tennessee.

MORNING BUSINESS

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

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

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the Senator from Washington and I be permitted to speak for as much time as we require.

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

EVERY CHILD ACHIEVES ACT

Mr. ALEXANDER. Mr. President, the vote was 81 to 17. What that says to me and should say to the American people is that not only is there a consensus in this country that everybody wants to fix No Child Left Behind, that is the consensus we began with. Not only was there consensus in the Senate's education committee about how to fix it—which was unanimous in a 22-member committee that includes Members who are about as diverse as you could find in the Senate—the entire Senate has a consensus on how to fix it.

The Senator from Washington and I were just talking. This is a complicated piece of legislation. There are crocodiles in every corner, any of which could have made it difficult for this bill to succeed. For the Senate to take a look at the 100,000 schools in this country for the 50 million children and the 3.5 million teachers and say, "We hear you. We know you want to end the confusion, the anxiety, and the feeling that you are not in charge of your own children. We hear you. We have listened to you, and we have come up with a solution with which you agree"—and that we voted by a vote of 81 to 17 is a remarkable event.

So we have a remarkable consensus that No Child Left Behind needed to be fixed. We had a remarkable consensus on how to fix it in the committee. There are not many times on a bill this difficult and this encompassing that we have a consensus this remarkable—81 to 17—in the Senate. I mentioned in my earlier remarks the importance of the Senate in this way.

Someone said the Senate is the one authentic piece of genius in the American political system. The only claim we would have to that exalted description would be that we are the only part of our government that is created for the express purpose of developing consensus. The House of Representatives is America's sounding board. The country moves suddenly, the House moves suddenly. Our job is to take all the different points of view and to consult with each other and to see whether we can create the kind of consensus so that when people look at the Senate and see a result, they may say: Well, I am not sure I agree with every single thing they did, but if 81 Senators of

both parties—out of 100—believe this is the right way to fix No Child Left Behind, I will accept it.

That is the way the civil rights bill was done in the 1960s and the 1970s. Large majorities—bipartisan groups—came to a complicated decision on a complex problem. The way you govern a complex country is by consensus, and the only agency in the government that is capable of creating that kind of consensus on a major piece of legislation is the United States Senate. It has done that today, and I am very proud of my colleagues for the way they have done this.

I especially thank the majority leader for creating the time to deal with it. We took a little more than a week. We came on the floor a week ago Tuesday, so we didn't really take that long. We got on and off the floor pretty quick. I also thank him for creating an environment where we could adopt a lot of amendments. Senators are here to have their say whether or not we agree. People of North Dakota expect that. People of Texas expect that. Senator MCCONNELL has created that environment.

Senator CORNYN, Senator THUNE, Senator BARRASSO, and the other leaders on the Republican side have been an enormous help.

I have during the week thanked the Democratic leader, Senator REID. Senator REID allowed this bill to come to the floor without delay. That helps a lot. During the week, he, Senator SCHUMER, Senator DURBIN, and the other members of the Democratic leadership, along with Senator MURRAY, created the environment where we could do what we have accomplished—especially Senator MURRAY. I have often said that the reason we are here is because she suggested to me a way to go forward, a way to do this together. She did that after both of us watched the last two Congresses where we just fell apart in the partisan differences. I took her advice—it was good advice—and that is why we are where we are today. I deeply respect the way she works toward a result. She is deeply passionate on the things she cares about, but she knows we are here to get a result, and that means in this case we need to work with the House of Representatives, which we will begin to do in the next few weeks. Then we will produce a bill and send it to the President in a form he is comfortable signing.

There are a number of Senators who, because we are able to offer amendments on the floor, withheld their amendment or stepped aside because what they were doing might have interfered with our result. I think of Senator FRANKEN on an amendment he feels powerfully about. He stepped aside and didn't offer it in committee but waited until the floor. Senator VITTER stepped aside on an amendment he felt strongly about because he could bring it up in the Judiciary Committee. Senator LEE, Senator TOOMEY,

and Senator BURR all did that. They showed some restraint in pursuit of a result.

I thank those outside this Senate whose work was so important to us. There are a lot of remarkable things about this consensus, but none was more remarkable than what those outside of the Congress thought. It is rare that you see the National Governors Association, the Council of Chief State School Officers, the American Association of School Administrators, the National Education Association, and the American Federation of Teachers all agree that not only did No Child Left Behind need to be fixed but that this was the way to fix it, and that made it easier to get a vote of 81 to 17.

Finally, all of us in the Senate know how important staff work is. In this case, staffs have worked for days and days, and the trust Senator MURRAY and I have developed is the same kind of trust they have developed. So I especially thank David Cleary, who is the staff director of the education committee, our HELP Committee, Peter Oppenheim, Lindsay Fryer, Lindsey Seidman, Liz Wolgemuth, Jim Jeffries, Margaret Atkinson, Bill Knudsen, Jordan Hynes, Steve Townsend, Hillary Knudson, Jake Baker, Kayla McMurray, Bobby McMillin, Matthew Stern, Diane Tran, Haley Hudler, Patrick Murray, and Allison Martin.

On Senator MURRAY's exceptional staff, I thank Evan Schatz, Sarah Bolton, Mike Spahn, Amanda Beaumont, John Righter, Jake Cornet, Leanne Hotek, Allie Kimmel, Aissa Canchola, Ariel Evans, Aurora Steinle, Leslie Clithero, Sarah Cupp, Eli Zupnik, and Helen Hare.

On the floor, I thank those who have the oil cans, Laura Dove and Robert Duncan, who keep this side greased and working, Gary Myrick on Senator REID's side, Chris Tuck, Mary Elizabeth Taylor, Megan Mercer, Tony Hanagan, Mike Smith, and Chloe Barz.

I would also like to thank the Senate Legislative Counsel's staff who worked long hours on the bill and then on the amendments, so I would like to especially thank Amy Gaynor, Kristin Romero, and Margaret Bomba.

We always rely on the experts at the Congressional Research Service to give us good information in a timely manner, so on behalf of the Committee I extend our thanks to Becky Skinner, Jeff Kuenzi, Jody Feder, and Gail McCallion.

On Senator MCCONNELL's staff, I would like to thank Sharon Soderstrom, Don Stewart, Jen Kuskowski, Katelyn Conner, Erica Suarez, John Abegg, Neil Chatterjee, and Johnathan Burks.

On Senator CORNYN's staff, I thank Russ Thomasson, Monica Popp, Emily Kirlin, John Chapuis, and Michele Chin.

I would also like to thank the following staff who played critical roles to help pass this important legislation. Dana Barbieri with the Republican Pol-

icy Committee: Meghan Taira and Veronica Duron with Senator SCHUMER; Dena Morris and Brad Middleton with Senator DURBIN; Natasha Hickman and Chris Toppings with Senator BURR; Josh Yurek with Senator ROBERTS; Tara Shaw and Kristin Chapman with Senator ENZI; Natalie Burkhalter with Senator PAUL; Bret Layson with Senator ISAKSON; Katie Neil and Bill Castle with Senator HATCH; Katie Brown with Senator COLLINS; Karen McCarthy with Senator MURKOWSKI; Cade Clurman with Senator KIRK; Lizzy Simmons, Will Holloway, and Daniel Bunn with Senator SCOTT; Pam Davidson and Chris Gillott with Senator CASSIDY; Josh Delaney and Julie Morgan with Senator WARREN; David Cohen with Senator SANDERS; Brenna Barber, and Chris Stavish with Senator WHITEHOUSE; Michael DiNapoli and Brian Moulton with Senator BALDWIN; Brent Palmer with Senator MIKULSKI; Jared Solomon and Joe Hill with Senator CASEY; Boris Granovskiy and Gohar Sedighi with Senator FRANKEN; Juliana Hermann with Senator BENNET; Russell Armstrong with Senator MURPHY; Aisha Woodward with Senator KING; David Cole with Senator MCCAIN; Sharon Burd with Senator FISCHER; Dana Richter with Senator CAPITO; Jordan Hess with the Republican Steering Committee; Christy Knese with Senator LEE; Devon Brenner and Constance Payne with Senator COCHRAN; Jennifer Bowman with Senator INHOFE; Crystal Martinez with Senator FEINSTEIN; Nancy Richardson and Viraj Mirani with Senator COATS; Desiree Mowry with Senator BLUNT; Moira Lenehan with Senator REED; Mary Blanche Hankey with Senator SESSIONS; Jessica-Phillips Tyson with Senator GRAHAM; Jane Lucas and Jon Abdnor with Senator THUNE; Travis Johnson and Kate LaBorde with Senator VITTER; Daniel Auger with Senator AYOTTE; Jennifer Humphrey and Toni-Marie Higgins with Senator BOOZMAN; Mike Thomas with Senator CARDIN; Robert Murray with Senator WICKER; Brian Purkins with Senator MORAN; Shawn Affolter with Senator HOEVEN; Emily Bouck with Senator RUBIO; Sean Riley with Senator JOHNSON; James Mikolowsky and Ethan Saxon with Senator BLUMENTHAL; Rachel Green with Senator HELLER; Will Holloway and Daniel Bunn with Senator SCOTT; Sarah Towles with Senator FLAKE; Jonathan Elkin with Senator HIRONO; Elizabeth Hill with Senator HEINRICH; Jeff Murray, Andrew White, and Courtney Asbill with Senator CRUZ; Clint Bowers with Senator HEITKAMP; Chris Slevin and Ashley Eden with Senator BOOKER; Curtis Swager and Alison Toal with Senator GARDNER; Katherine Mayne with Senator LANKFORD; John Martin with Senator COTTON; Dan Gerig with Senator DAINES; John Eustice with Senator PERDUE; Joe Nolan with Senator TILLIS; Peter Eckrich with Senator ROUNDS; Tony Frye with Senator ERNST; Alyene Senger and Andy Reuss

with Senator SASSE, and Kate Wolgemuth with Senator SULLIVAN.

I also thank members of the education community for their persistent help with this bill, including Mary Kusler with the National Education Association; Tor Cowan with the American Federation of Teachers; Chris Minnich, Peter Zamora Carissa Moffat Miller, and Jessah Walker with the Council of Chief State School Officers. There are many others who have helped, but this is a day I am very proud of the Senate. For 50 million children, 3½ million teachers, and 100,000 public schools, it is a big step forward.

The PRESIDING OFFICER. The majority leader.

Mr. McCONNELL. Mr. President, the senior Senator from Tennessee, as he often does, has laid it out very well. I believe it is the case the U.S. Senate is the only legislative body in the world where a simple majority is not enough on almost everything.

This body was crafted in a way that would ensure, unless one side has a really big majority, that we work together, but it doesn't automatically work unless you have leaders like Senator ALEXANDER and Senator MURRAY who want to get a result.

So I want to commend both these outstanding Senators for an extraordinary accomplishment. This is a significant bill for the country, and to fold all of these disparate interest groups, with all their separate agendas, into a position of support was an extraordinary leadership contribution. So I say to both of you, both the Senator from Washington and the Senator from Tennessee, the Senate is proud of you for what you did here.

This is a good example for all the rest of us. On a little more contentious issue, Senator MURRAY and I had a chance to work together on trade promotion authority. We hope to do that on highways. We hope to do it on cyber security. The Senate is back to work. I think Members on both sides appreciate that, and we are going to continue to do this, but I thank both Senators for providing a wonderful example for all the rest of us.

I yield the floor.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Mr. President, I recently heard from a teacher in Seattle by the name of Lyon Terry. Over the course of his 17-year career, he has taught second, third, and fourth grade. What makes Mr. Terry a great teacher is the way he engages with his students. He starts the morning by playing songs on his guitar. He keeps his students laughing with jokes, and every day he tries to create an environment where kids want to come to school.

Last year, he was named Washington State Teacher of the Year for 2015. This week, Mr. Terry has been following our debate on the Senate floor, and he was truly hoping we would pass this bill be-

cause he says the current law doesn't reflect the work he and his fellow teachers at Lawton Elementary School are doing every day.

So let me echo the words of the chairman of our committee and the majority leader. I am proud today that the Senate passed a bill to fix No Child Left Behind for teachers like Mr. Terry, for parents, for communities, and most importantly for our students—a bill to continue our mission of delivering on the promise of providing every child with the best our Nation can provide.

I have been very proud to partner with Chairman ALEXANDER on the Every Child Achieves Act, and I want to thank him tremendously for the successful bipartisan process we have had. I want to thank all our colleagues on the Committee on Health, Education, Labor and Pensions for their work and dedication in moving this bill forward. And, of course, I want to thank the staff as well—both my staff and the staff of Senator ALEXANDER—for all of their hard work. They have worked many, many, many long days and late nights and weekends to get us to this point today.

I will submit a full list of names later, but there are some staffers in particular I want to recognize. On Senator ALEXANDER's staff, I want to acknowledge and thank his staff director David Cleary, as well as Lindsey Seidman, Peter Oppenheim, and Lindsay Fryer. They have done an excellent job. On my staff, I want to acknowledge and thank my staff director Evan Shatz, and my education policy director Sarah Bolton for their outstanding leadership, as well as Amanda Beaumont, Leanne Hotek, Allie Kimmel, Aissa Canchola, Ariel Evans, Jake Cornett, Leslie Clithero, Aurora Steinle, Helen Hare, and Mary Robbins. Thank you for all of your hard work on this important bill.

I, too, want to thank our floor staff on our side, Gary Myrick, Tim Mitchell, Tricia Engle, and all our floor staff—Republican and Democratic—for their help and guidance. We couldn't be here without them.

I want to take a step back for a moment to look at the work we have done so far and the work that remains even beyond the vote we had today.

Of course, nearly everyone agrees No Child Left Behind is badly broken. That goes almost without saying. I have heard it from so many parents, teachers, and administrators in Washington State—Democrats, Republicans, and Independents. They are sick and tired of the broken law in front of us. They want Congress to fix it, and they do not want us to wait any longer.

That is why I am so proud our bill, the Every Child Achieves Act, is a strong step in the right direction to finally fix the broken No Child Left Behind law and make sure all of our students have access to a high-quality public education.

For one, our bill addresses high-stakes testing. The current law over-

emphasizes test scores to measure how students are doing in school. Our bill will give flexibility to States to use multiple measures, not just test scores, to determine how well a school is performing. These steps will reduce the pressure on students, teachers, and parents so they can focus less on test prep and more on learning.

Our bill eliminates the one-size-fits-all provisions of No Child Left Behind that have been so damaging for our schools and our districts. Instead, it allows communities and parents and teachers to work together to improve their schools and ensure that every child gets a well-rounded education. Our bill maintains Federal protections to help students graduate from high school college- and career-ready.

When the education committee debated the bill, I was very proud to work on a bipartisan amendment with Senator ISAKSON to expand and improve on early learning programs. As a former preschool teacher, I have seen the kind of transformation early learning can inspire in a child. So I am very glad this bill will help us expand access to high-quality early childhood education so more kids can start kindergarten ready to learn.

I have also seen fixing the current law as a multistage process. At the beginning of this year, as the chairman said, he released his discussion draft for reauthorizing ESEA. After that, the two of us had a conversation about a path as to how to move forward. Instead of going down a partisan path and letting politics become our guide, we agreed to work together to find common ground. We agreed to do everything we could to put our students first, to put the families and communities we represent first, to break through the gridlock and dysfunction that too often paralyzes this Congress, and to chart a path to fix a broken law.

I again want to commend my partner Chairman ALEXANDER for sticking to that approach. He is a role model for all of us, and I appreciate all he is doing. The result is our Every Child Achieves Act. It wasn't the bill I would have written on my own, I know it isn't the bill he would have written on his own, but it is what is called a compromise. It is a strong bill that all sides can be proud of.

After we negotiated our bipartisan compromise in April, we passed our bill out of committee with a unanimous vote—12 Republicans, 10 Democrats. So I want to thank all of our Health, Education, Labor and Pensions Committee members who worked to improve and strengthen this bill in committee and all the Members—Democrats and Republicans on our committee and off—who wrote the dozens of amendments we included in our substitute and managers' packages, and all those who brought their ideas to the floor and debated and voted on them over the past week on the Senate floor.

Today, I am very proud we have passed this bill with a strong bipartisan vote. As we know, our work is not

yet done. Now we begin the next phase. As Chairman ALEXANDER has said throughout our floor debate, ultimately we need a bill President Obama will sign into law, and though this bill has taken a number of steps in the right direction, there are still a few more we need to do before our work is done. We have important work to do in conference to reach an agreement on a final bill.

The President has made it very clear to us he can only sign a bill that strengthens the accountability measures in the Every Child Achieves Act and that addresses inequality, where some schools are unable to offer the same opportunities as others. I agree that is a must, and I know I will continue to work hard, alongside ranking member BOBBY SCOTT in the House and the administration, to make accountability and resource equity a priority in conference.

The only way forward is for the strong bipartisan work we have seen in the Senate to continue in that process. Now, I will say, unfortunately, so far, House Republicans chose a partisan approach to reauthorize this bill. Their bill doesn't represent one end and ours represents another, where we have to meet in the middle. Their bill really represents an unacceptable partisan approach and path and ours represents a carefully negotiated compromise with just a few important steps to go.

So I hope in conference our friends in the House, the House Republicans, will be ready to join House and Senate Democrats, Senate Republicans, and the administration as we work together to get this done in a way that works for all our students and families.

By working together, I am confident we can get this bill over the finish line and fix this broken law for our teachers in my home State and across the country and help make sure all our students have a quality education. Delivering on that promise of a good education for all students will pay off for generations to come. This is one of the best investments in our country we can make to ensure we have broad-based and long-term economic growth because, as we all know, when students have the chance to learn, we strengthen our future workforce. We know our country grows stronger and we empower the next generation of Americans to lead the world. We will help our economy grow from the middle out, not just the top down, and that is something we have known for a long time.

Fifty years ago, in what would be just months before signing the original Elementary and Secondary Education Act into law, President Johnson said, when it comes to education, "nothing matters more for the future of our country." That is still true today. The future of our country hinges on our students' ability to one day lead the world.

So I am looking forward to our continued work on this Every Child Achieves Act for our students, for our

parents, for our teachers, and for the future of our country.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Indiana.

Mr. COATS. Mr. President, it is my understanding we are in morning business.

The PRESIDING OFFICER. The Senator is correct.

Mr. ALEXANDER. Mr. President, will the Senator from Indiana yield for 60 seconds?

Mr. COATS. I will be glad to yield.

Mr. ALEXANDER. Mr. President, I forgot to mention the number of amendments that were considered, and I would like to place that in the RECORD.

In the committee, we adopted 29 amendments. On the floor, 178 amendments were filed, 78 were considered, and 65 amendments were adopted—10 of those through rollcall votes, 28 through voice votes, and 27 by unanimous consent through two managers' packages.

Nearly 100 amendments were adopted to the bipartisan draft that Senator MURRAY and I presented to our education committee earlier this year. I think the fact so many Senators not only had a chance to have their say but had their ideas included in the bill—and I think especially of the Senator from Rhode Island who has worked for the last couple of years on a particular provision—was one important reason why we had a consensus that rose to 81 votes.

I thank the Senator from Indiana for his courtesy.

The PRESIDING OFFICER. The Senator from Indiana.

Mr. COATS. Mr. President, I rise to speak but first want to acknowledge and thank my colleague Senator COLLINS for allowing me to step ahead of her in this process. I promise to be expeditious in terms of getting through this. It turns out her plane to Maine leaves later than my plane to Indiana, so she has very graciously allowed me to go forward.

#### WASTEFUL SPENDING

Mr. COATS. Mr. President, the last 6 months of this Senate I have been coming down here every week to talk about the "Waste of the Week"—examples of waste, fraud, and abuse within the Federal Government. I can't believe this is No. 17. We are continuing to rack up significant savings to the taxpayer. We can eliminate these documented and certified wastes that have been determined through the various government agencies, inspectors general, and others.

Today we turn to a rather serious topic regarding the receipt of taxpayer dollars by criminals who are avoiding felony arrest but are still receiving benefits at taxpayers' expense.

Here is a little history. The Social Security Act currently prohibits those fleeing justice from receiving Social Security and other Federal benefits.

Congress first addressed this issue in 1996, when it banned fugitive felons from receiving Social Security benefits. It then expanded this prohibition in 2004 to also apply this ban to Social Security disability insurance and World War II benefits.

Unfortunately this law has run into some conflicting opinions by court challenges, which have weakened the effects of the law and led to a lack of clarity in terms of what the original language and original intent by Congress was supposed to be. To address this problem—because it is a problem, and there is lack of clarity—I have this week introduced legislation to amend the Social Security Act to clearly state—to clarify—the intent of the law that prohibits fugitive felons from receiving Social Security retirement and disability benefits. My bill would clarify this law and return the implementation of the policy to its original intent.

Now, let me be clear. The government should not be providing benefits to those avoiding prosecution, custody or confinement for a crime or attempt to commit a crime that is considered a felony. But we are not talking about individuals who get speeding tickets or make a mistake on their taxes. This legislation applies only to those with an arrest order for felony charges.

The crime must be of enough serious magnitude to carry with it a minimum sentence of 1 or more years in prison.

So we want to be careful here that we are not imposing this restriction of receipt of benefits on someone who doesn't qualify under the law, and that is another clarification that we want to make.

Furthermore, the bill retains the ability of the Social Security Administration to continue or restore benefits if the individual can show good cause—such as that they were exonerated of the crime or perhaps were victim of an identity theft or other legitimate reasons to not lose benefits.

According to the Congressional Budget Office, this commonsense fix could save taxpayers \$4.8 billion over the next 10 years alone.

So the bottom line is this: We pull out our chart with our ever-growing gauge of money that has been wasted through fraud and abuse within the Federal Government. We are climbing very quickly to \$100 billion. I thought it would take a year to get there if I did one a week. We are going to have to make a major extension to this chart or redo this because we are closing in on \$100 billion of wasted taxpayer money documented by Federal Government agencies in investigations. So passage of this bill would add \$4.8 billion to our chart.

We have come across so many instances of bloat, waste, fraud, and abuse. I could be down here every day the Senate is in session. I could be down here every hour the Senate is in session—such is the staggering amount of dysfunction occurring through this

bloated bureaucracy called the Federal Government.

Here we are, trying to protect taxpayers of our States who are stretched to the gills in terms of what they have to pay not only in Federal but State or sales—you name it—or real estate taxes that roll up and consume so much of everybody's weekly pay.

The least we can do—while we need to make major fixes to our fiscal problems here—is take those that have been identified by legitimate neutral organizations—inspectors general of the United States, various agencies—bring those to light, and then do something about it and not just come down here and make a chart and add some red ink, but actually introduce legislation, which I am trying to do on some of these pieces so that we can remedy this problem.

So meanwhile we have an administration here that has refused over and over to sit down and work out a long-term fiscal debt reduction program, which this country desperately needs because the debt clock is still ticking away like crazy.

If you want to see it, go to my Web site at coats.senate.gov. We have the clock right there. We haven't talked about it much down here lately. We made a big push earlier. Too many people have thrown up their hands and said that under this administration it is not going to happen. That probably is right. But the least we can do then, until we get new management in the White House, is to find these issues of waste, fraud, and abuse, and do something about it now. So that is what we are trying to do.

I look forward to being back here next week with the latest edition of "Waste of the Week."

I thank my colleague from Maine for her patience.

I yield the floor.

The PRESIDING OFFICER (Mr. CASIDY). The Senator from Rhode Island.

#### OLDER AMERICANS ACT

Mr. WHITEHOUSE. Mr. President, the Senator from Maine is about to speak I believe on the Older Americans Act.

While she is here on the floor, I wish to take a moment to express my personal appreciation to her and to Chairman ALEXANDER for an issue that arose during the course of the Older Americans Act.

I have a very strong concern that older Americans, particularly as they approach the end of their lives, are not getting their wishes honored. In fact, very often nobody even knows what their wishes are about how they would like to be treated at the end of their lives. Do they want to be at home? Do they not particularly care about using all the medical apparatuses available to them? Do they want to be in the hospital and have everybody take every available measure? That should be their choice. It should be an in-

formed choice and a choice that we should honor.

I sought language within the Older Americans Act to try to empower that. There were difficulties with it, and those difficulties were resolved by the willingness of Chairman ALEXANDER to ask Chairman COLLINS to hold a hearing on this subject in the Select Committee on Aging and for all of the chairmen and ranking members on the two committees to send a letter to the Government Accountability Office to lay out the case and put a factual brief before us for that hearing.

This would not have happened without the courtesy of Senator COLLINS. This is an aging committee thing that she has been willing to do to resolve an issue that actually started in the HELP Committee. It was very gracious of her. She has been a leader on these end-of-life issues for a long time. I didn't want to miss this chance to express my appreciation.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. Mr. President, before the Senator from Rhode Island leaves the floor, let me thank him for his kind comments. I have enjoyed working with him on issues such as hospice care and advanced planning. I know these issues are very important to him, as they are to me. I am happy we are able to collaborate on a GAO request and also on a hearing later this year.

So I thank him for his efforts in resolving this issue so that the reauthorization of the Older Americans Act could go forward.

#### EVERY CHILD ACHIEVES ACT

Ms. COLLINS. Mr. President, before I begin my comments on the Older Americans Act, I do want to add to the accolades that have been given today to the chairman and the ranking member of the Senate Health, Education, Labor and Pensions Committee, on which I am pleased to serve.

They have worked as a team, providing tremendous leadership that brought us to a tremendous accomplishment today, and that is the passage of the Every Child Achieves Act. It would not have happened without the extraordinary leadership of Chairman ALEXANDER and Senator MURRAY, the ranking minority member. I thank them for their hard work in this regard.

#### OLDER AMERICANS ACT

Ms. COLLINS. Mr. President, as the chairman of the Senate Special Committee on Aging and as the cosponsor of the reauthorization of the Older Americans Act, I also commend the chairman and the ranking member of the HELP Committee for their hard work over the past 2 years in developing a bipartisan consensus bill to reauthorize and strengthen the Older Americans Act. It is my hope that the

Senate later today will unanimously pass this important legislation.

The programs authorized by the Older Americans Act are tremendously important in the State of Maine and across the country. Maine is the oldest State by median age in the entire country. Probably, if I asked most of my colleagues, they would guess it was Florida, but in fact it is the State of Maine.

Maine's network of five area agencies on aging provides invaluable supports and services to more than 100,000 seniors living in my State.

In just the past few months, I have received almost 700 letters from seniors across Maine urging that we pass the reauthorization bill. I look forward to letting my constituents know that the Senate soon will do just that.

While funding has been provided on a continuing basis through the appropriations process, the fact is that legislation reauthorizing the Older Americans Act is long overdue. The authorization expired in 2011.

It is particularly significant that the Senate pass this legislation this month, for July marks the 50th anniversary of the Older Americans Act.

This law funds critical services in communities across our Nation that help to keep our older adults healthy and independent. Its funding supports some of the most vital and successful Federal programs for our Nation's seniors.

Nearly 12 million older Americans receive services through this law, such services as Meals on Wheels, senior centers, transportation, legal services, and caregiver support.

Moreover, these programs are operated through a national network of area agencies on aging that stresses local decisionmaking regarding what services are most needed for older adults in a particular community. It is a flexible program that allows local needs to be met.

Older Americans Act programs also help to relieve the financial pressure on the Medicare and Medicaid Programs, because they help seniors to stay healthy, independent, and living right where they want to be—in the comfort, security, and privacy of their own homes.

AARP's surveys consistently reflect the fact that aging in place is the preferred option for seniors who want to continue to live independently and avoid expensive nursing home and other institutionalized care as long as possible.

This bill also includes important provisions to strengthen the Long-Term Care Ombudsman Program and to help protect our vulnerable seniors from financial exploitation and abuse. Financial exploitation of our seniors is a growing epidemic that cost them an estimated \$2.9 billion in 2010. It is so disturbing that in 90 percent of these cases, the financial exploitation abuse is perpetrated by a family member, a trusted individual, a caregiver—someone whom the senior knows well. The

Aging Committee has held hearings to highlight this issue, and the bill that will be coming before the Senate later today will take steps to strengthen the Federal response to this growing problem.

Of course passage by the Senate, while an essential step, is not the final step in reauthorizing this significant law. I look forward to continuing to work with the chairman, the ranking member, and our colleagues here and in the House to make the reauthorization of the Older Americans Act a reality this year. And how wonderful would it be if it could be a reality this month, which marks the 50th anniversary of this significant law.

I thank the Presiding Officer and yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

#### ABORTION

Mr. LANKFORD. Mr. President, I wish to take just a moment to speak about a subject that is very difficult for me to speak about and, quite frankly, difficult for a lot of Americans to speak about and hear about. It connects to all of us in extremely personal ways. Let me set some context.

Not long ago, a group of animal rights activists gathered around a research facility that was using animals for their testing. The activists gathered around the facility, chanted, and had signs they held up that said "It is not science, it is violence" and other signs that said "Animal lives are their right; we have just begun to fight" as they protested to protect the lives of the animals that were being used for research in that facility.

I understand their frustration, but let me put it in the context of some things that came out this week. We have learned that this week an organization called Planned Parenthood is using children who were aborted and sending the bodies of those aborted children to research facilities—sometimes for sale, different body parts—to be used in research. These are not mice. These are not lab rats. These are children—children who have gone through the process of a horrific abortion.

This morning, in an appropriations hearing the Presiding Officer and I both were in, we had an extensive conversation about the rights of orca whales. This protracted conversation went on and on—many people also were connected to this—about the rights of orca whales and about their care. Then we had a protracted conversation about horse slaughter and how horses would be humanely put down. But in the mid-

dle of all that conversation that happened today, there were children still being aborted with an instrument reaching into a mother and tearing apart a child but carefully protecting certain organs because those organs would be valuable to sell.

Now the challenge we have on this as a nation is the argument that that baby is not really a baby, that it is just a fetus, it is tissue. "That is not a human baby" is what everyone is told. "That is just tissue, and it is up to the mom to determine what happens to that tissue." And then on the flip side of it, moments later, they take that tissue and then sell it because it is human organs that are needed for research. You can't say in one moment that it is not a human and then sell it in the next moment as a human organ and now suddenly say it is. It was a human all the way through. There was never a time that wasn't a child. There was never a time that wasn't a human.

It seems the ultimate irony to me that we spend time talking about the humane treatment of animals being put down, such as in horse slaughter, and we completely miss children being ripped apart in the womb and their body parts being sold.

Here is how it happens. A mom comes into a facility, gives consent to have an abortion, makes that request. After that request is made, to some moms—and we don't know exactly how they choose which moms—to some moms they then ask consent for their child, after it is aborted, to be used for research purposes.

From the video that was put out this week, they said that was actually comforting to some moms, that as they know how traumatic the abortion is, at least some good would come out of it, that those body parts would then be used for research to hopefully save other children—which again comes back to the ultimate irony that we literally tear one child apart in an abortion with the assumption that hopefully that would actually help some other child in the future, missing out on the significance of the child who is right there who could be helped by protecting their life.

Then the doctor in this particular video gives the details of how once they get that consent from the mom, they would be careful to reach in and actually crush the head of the child to kill the child in the womb so they could preserve the rest of the organs because the kidney has value, because the liver has value, because the lungs have value, and because the muscles in the legs have value.

I would tell you that child has value and that every single adult who can hear me right now was once 20 weeks old in the womb. We can look at each other and understand that the difference between that child in the womb and any of us now is time. That is a human being we are talking about, and it doesn't bring me comfort to know that one child is torn apart so that

maybe they can do research on the child's organs so that at some future moment, it may help a different child.

Not every woman is being asked if her aborted child can be used for research, and we really don't know the why. Maybe they are looking for particularly healthy moms. Maybe they are looking for very mature, healthy babies. Maybe it is a situation where a particular mom couldn't afford to have the abortion procedure, and so they swap off and say: If you can't afford the abortion procedure, maybe we can cover the costs by then possibly selling some of these organs. We don't know.

But I think maybe the question needs to be asked why this Congress would spend time today debating horse slaughter and debating orca whales, and yet we have become so numb to children that the other debate doesn't seem to come up.

Maybe we need to start again as a nation asking a basic question: Is that a child? In our Declaration, we said every person, we believe, is endowed by our Creator to life, liberty, and the pursuit of Happiness. Maybe we need to ask again as a nation, do we really believe that?

Let's start with some basic things. How about a child of 20 weeks who we know scientifically can feel pain cannot have their limbs ripped apart in an abortion. There are only seven countries in the world that allow that. We are in a prime group—like North Korea and China—of nations which still allow abortions that late. We should ask that question again: Is that really who we are as America?

Maybe we need to ask the question again to Planned Parenthood, to which we give half a billion dollars in funding. Maybe this is not a good idea. Other organizations that serve people all over the country raise their funds separately and don't do it with Federal funds. Maybe that is a legitimate question we need to ask.

We have hard questions to deal with as a nation—budget, regulations, the future direction we are going. Why don't we add to the list? Do we really care about children or not? And on a day that we passed an education bill, before we pat ourselves on the back saying how much we care about children, let's make sure we are dealing with a compassion for children at every age, not just at certain ages. Have we really become this numb? And how do we turn it around?

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Utah.

Mr. HATCH. Mr. President, are we in a quorum call?

The PRESIDING OFFICER. The Senate is not in a quorum call.

#### OECD BASE EROSION AND PROFIT SHIFTING PROJECT

Mr. HATCH. Mr. President, I rise today to express serious concern about an ongoing project at the Organization

for Economic Co-operation and Development, or OECD. It is called the Base Erosion and Profit Shifting—or BEPS—Project. BEPS is a program that is intended to address perceived flaws in international tax rules that have allowed multinational corporations to shift profits—but not necessarily corresponding economic activity—from high-tax to low-tax jurisdictions. These strategies, in some cases, had a negative impact on the tax basis of OECD countries, creating a need for solutions.

Unfortunately, it appears that the project has moved well beyond its original mandate, and many U.S. companies are rightly concerned that they may be facing significant negative consequences. This should concern all of us in government as well.

Let's talk for a minute about how we got to where we are today. In 2012, the G20 tasked the OECD with developing a comprehensive and coordinated approach to addressing certain aggressive tax-planning strategies. As we all know, the G20 is an international forum for governments and central bank officials from 20 major economies around the world which meets periodically behind closed doors to discuss financial matters and, even though it has no formal charter, arrive at agreements.

The G20's direction resulted, at least in part, because of the BEPS project. It was originally supposed to be limited in scope, with a focus on discrete actions to address inappropriate tax avoidance. The idea was to find ways to possibly arrive at consensus on how to prevent those strategies that result in very little or no taxation of profits or what some have come to call "stateless income."

The OECD released what it called its BEPS Action Plan in 2013. The plan identified 15 action items for changes in tax policy. Among those action items were recommendations to modify domestic laws to, one, strengthen controlled foreign corporation or CFC rules and limits on interest deductions; two, prevent tax treaty abuse; three, increase taxpayer reporting requirements and information sharing among governments; and, four, develop a multilateral instrument to implement certain BEPS actions.

Discussion drafts have been released on many of the action plan items and final reports are anticipated to be finalized and delivered to the G20 later this year.

The Obama administration's Treasury Department has been actively involved in the BEPS project. Last summer, Deputy Assistant Treasury Secretary for International Tax Affairs Robert Stack stated that "failure in the BEPS project could well result in countries taking unilateral, inconsistent actions thereby increasing double taxation, the cost to the U.S. Treasury, and the number of tax disputes."

Now, given this and other statements from Treasury officials, it appears

Treasury believes its role in the BEPS project is to protect the U.S. tax base from erosion and to protect U.S. multinational companies from actions from other countries that could lead to double taxation and time-consuming disputes. In that regard, Treasury has been actively negotiating on behalf of the U.S. Government to reach consensus on the BEPS action items.

These are laudable goals. However, I do not believe these goals have been achieved. Indeed, just last month, Deputy Assistant Treasury Secretary Stack himself faulted the UK and Australia for taking unilateral actions targeting U.S. multinationals, possibly contrary to the commitments those countries have made in their treaties with the United States.

More importantly, I am very concerned there are bigger issues at play and that the BEPS project has far exceeded its original mandate. Once again, BEPS was meant to be limited in scope, focusing on the prevention of tax strategies that yield inappropriate results. Instead, it appears to have become a mechanism for rewriting global tax strategies—potentially including those commonly used by U.S. companies—behind closed doors without the input or consent of Congress itself.

As we all know, only Congress can make changes to U.S. tax law. Yet no representatives from Congress have been offered a seat at the table in any of the BEPS negotiations. Sure, the OECD has been quite forthcoming in meeting with Members and congressional staff, but in the actual BEPS deliberations, all the decisions are being made by unelected bureaucrats in Paris and not by anyone from the Senate or House of Representatives.

The Senate Committee on Finance, which I chair, is currently engaged in an effort that we hope will eventually lead to comprehensive tax reform. This has been a long-term effort and Members of both parties and both Chambers of Congress have been engaged in this endeavor for quite some time. Yet while Congress continues to work toward this long-term goal, the Treasury Department is negotiating the BEPS action items, which may attempt to commit the United States to make changes to our domestic tax laws, without any substantive input from Congress or Congress's tax-writing committees.

We know this is a problem. Indeed, certain positions already agreed to by the Treasury Department as part of the BEPS project could materially damage U.S. tax reform efforts. Congress and the administration need to work together on these issues. When I say "work together," I do not mean that Treasury officials should only periodically come to the Hill in order to brief congressional staff on decisions that have already been made. I mean administration officials should not make any commitments that could impact U.S. tax policy without adequate consultation and explicit agreement from Congress.

We all remember when, years ago, then-Treasury Secretary Geithner decided to reach an agreement with other officials in the G20 regarding funding for the International Monetary Fund or IMF. After reaching this agreement, without any significant input or consent from Congress, the Obama administration presented, and continues to present, the issue of altered IMF funding as an "international commitment" the administration made and Congress must honor.

Put simply, that is not an appropriate model for pursuing and achieving changes to U.S. law. And if the administration intends to use a similar model for the changes recommended by the BEPS project, that is, as the saying goes, a dog that just won't hunt.

I am going to put this as simply as I can. Congress is the steward of the American taxpayer resources. Those resources are not bargaining chips for international agreements that may or may not advance our Nation's interests. Make no mistake, international cooperation and consensus are important. I don't object to unified actions toward common goals and shared objectives, but when the resources of U.S. taxpayers are on the line—as they appear to be with the BEPS project—Congress must play a significant role.

Once again, some of the BEPS action items would commit the resources of U.S. taxpayers either in the form of alterations to tax rules governing the taxation of U.S. multinationals or in the form of resources American taxpayers will have to expend in order to abide by the terms of the BEPS action items.

Last month, the OECD held a conference on the BEPS project here in Washington, DC. Prior to the conference, the House Ways and Means Committee chairman, PAUL RYAN, and I sent a letter to Treasury Secretary Lew outlining our concerns with several of the actions proposed under the BEPS project, including country-by-country reporting, "master file" documentation, potential limits on interest deductibility, and others. Those specific proposals could have far-reaching negative consequences for U.S. multinationals and the U.S. Government.

For example, consider the master file documentation scheme envisioned in the BEPS project. Under this proposal, companies would have to provide additional detailed and intricate information about their tax plan and business models to foreign tax authorities. If we impose this requirement on U.S. businesses, what assurances do we have that these foreign governments would keep the information confidential? I don't know, and no one from Treasury has told me.

What about countries with prevalent state-owned enterprises that would greatly benefit from this type of information? Wouldn't the BEPS proposal force U.S. companies to reveal sensitive information to foreign governments that either own or substantially

back competing enterprises? I don't know, and no one at Treasury has told me.

I could go on for quite a while about these proposals, especially given the broad scope of the BEPS project, the breadth of possible tax effects, and the potential negative impact these proposals could have on our companies and our economy. Needless to say, as the chairman of the Senate's tax-writing committee, I have many concerns.

Before any additional steps are taken, and before we can even consider moving on any of the BEPS action items, we need more information. In fact, the President's lead negotiator on BEPS, Deputy Assistant Secretary Stack, stated we need to slow down the pace of the BEPS work substantially.

We need to know more about the costs relative to the benefits of the BEPS proposals. We also need to know whether the IRS is capable of sharing sensitive tax information with foreign tax authorities without violating the confidentiality of American businesses. After all, the IRS does not have the best track record. Between the fraud and overpayment rates on various refundable tax credits and other breaches of trust at that agency, we have more than enough reasons to be concerned about whether the IRS can effectively and appropriately implement a plan for global information sharing.

To address these questions, I sent a letter today to the Comptroller General asking that the Government Accountability Office engage with me and my staff to begin an indepth analysis of these issues, so we can at least get a sense as to how the OECD's proposals might impact the U.S. economy, including employment, investment, and revenues. In the coming months, I will be reaching out to other experts as well.

It is difficult to imagine the analysis and discussions that would have to accompany consideration and adoption of BEPS-related rules and schemes can be completed by September, when the OECD has stated it hopes to render final action plans by the time of the next G20 meeting. But as I stated, even if final reports from the BEPS project are released on schedule, many, if not all, of the action plan items would need congressional action in order to be implemented in the United States.

So, again, I urge Treasury to work very closely with Congress on this and not tie our hands as we move toward tax reform by consenting to bad outcomes. I urge them to consider the interests of U.S. taxpayers and not make any commitments that would impose unnecessary burdens on American companies and put them at a competitive disadvantage.

The United States has always recognized the right of other countries to tax income earned within their borders, to the extent such taxation is consistent with treaty obligations. However, regardless of what some in other countries may think, the U.S.

tax base should not be up for grabs in an international free-for-all, and I expect officials at the U.S. Department of Treasury to remember that. In fact, I demand they remember that.

Mr. President, I will have much more to say on these matters in the coming weeks and months.

With that, 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.

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

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

#### EPA REGULATIONS

Mr. ENZI. Mr. President, I rise today to speak about the economic effect of regulations coming out of the Environmental Protection Agency on the energy sector and particularly on fossil fuels and coal.

The State of Wyoming is the largest coal-producing State in the Nation. Coal represents almost 40 percent of our share of electricity generation across the United States. It is abundant, it is affordable, it is stockpileable, it can be clean, and it shouldn't be replaced through regulatory actions. But this administration continues to try to regulate coal out of existence.

In 2012, the EPA finalized a standard that requires a strict reduction in air emissions from electric-generating utilities. It is known as the mercury and air toxic standards rule. Like many of the rules coming from the EPA, the costs of this regulation are great and the benefits are very limited.

EPA estimates the rule will create between \$500,000 and \$6 million in benefits. That sounds like a lot of money. But related to the mercury reductions, the cost is \$10 billion annually—\$10 billion annually—for a return of \$500,000 to \$6 million. That is a pretty big range. It indicates there probably isn't a lot of calculation into how that came into being or much transparency so we can see how that came about.

The \$10 billion annual cost will be to consumers of electricity. Those are costs that aren't allowed to be recouped. Now, many of those have already been put in place. They become part of the rate base, and, under most of the laws dealing with utilities, they are allowed to make a return on that. So there wouldn't be a huge protest for it. It is a lot of upfront cost for them, but they get to recoup that over a period of time. We have to be sure that when we are making regulations, we don't flood a whole bunch of them in there that have huge costs and very little benefit.

We just had a hearing on this a short time ago on the homeland subcommittee on regulations, talking about how all of those costs come

about. Well, the actual cost of doing it is pretty easily calculable. There are things that have to be bought and put in place and construction done in order to get it done. The benefits? It is a little hard to find out where those come from, and a lot of the things aren't clearly cut so that the problem comes from a single spot. Often there are a lot of things involved, but there is a tendency to pick on one place.

Three years after the rule was finalized, the Supreme Court has ruled that the EPA should have considered costs before determining to regulate mercury from fossil-fired powerplants. The cost-benefit ratio, assuming the EPA's best case scenario, is approximately 1,600 to 1. The Court's majority opinion called this an overreach and stated: "The Agency gave cost no thought at all, because it considered cost irrelevant to its initial decision to regulate."

Since these standards began to take effect in April, utilities have already retired or plan to retire coal-fired plants to comply with cuts in emissions. Sometimes it is cheaper to shut them down than it is to make the changes. The courts did not issue a stay on implementation, so companies began installing the mandated controls to meet the deadline for compliance. These costs will be passed on to consumers and will result in higher electricity prices. On average, a household could see their electricity bill go up by \$400 a year—a cost that will disproportionately impact those with lower, fixed incomes, such as many older Americans.

In 2012, Congress had a chance to use the Congressional Review Act to stop this devastating rule from moving forward. The Congressional Review Act gives Congress the ability to disapprove rules that go beyond what Congress intended. It requires a simple majority for passage and was a legislative vehicle available to stop the MATS rule from moving forward. Unfortunately, it was rejected by the Senate majority at the time.

With the process, you have to get a petition with a lot of signatures on it, and then you are guaranteed 8 hours of debate and an up-or-down vote. Of course, after it goes to the Senate, it also has to go to the House. And after it goes to the House, it then has to go to the President for his signature. The rules and regulations are done by Congress, not by the President. The President is the enforcer of the rules that we supposedly put in place. So it should not take a Presidential signature to stop the action if the House and Senate agree. In this case, it was rejected by the Senate majority. It wasn't until this lawsuit filed by State Governors was finally decided that the Agency was called out for charging ahead with this disastrous rule without considering the consequences.

Ratepayers shouldn't have to wait this long for the correct decision. Congress has to stand up to this runaway

agency, but we need to expand on our tools to fight governing by rulemaking. We need to increase accountability for and transparency in the Federal regulatory process by requiring that Congress approve all new major regulations. The Regulations From the Executive in Need of Scrutiny, or REINS, Act would make sure the people's representatives get a say in regulatory action affecting our Nation's economy. The presumption should not be deference to a Federal agency attempting to implement a regulation but to Congress and to the States.

If enacted, the REINS Act would require an up-or-down vote by both Houses of Congress before any executive branch rule or regulation with an annual economic impact of \$100 million or more could be enacted. In the case of the Clean Power Plan, the costs are in the billions. So it would ensure Congress gets a say to stop the EPA from regulating coal out of business.

Additionally, the Environment and Public Works Committee has moved legislation—that is, the Affordable Reliable Energy Now Act—which would extend the proposed rule's compliance dates pending further judicial review. That way we don't see premature plant closures that harm our grid reliability and make energy more expensive before even knowing whether the rule is on good legal standing and whether the numbers are good.

Both of these bills would give Congress additional tools to fight Executive overreach, and the House has already passed legislation similar to the Affordable Reliable Energy Now Act. We must do what we can because there is no doubt that MATS regulations will continue to be challenged for its requirement of outside-of-the-fence-line changes, its coordination with existing source performance standards, the implementation of Federal standards should States not submit plans or on the scientific basis if the status quo contributes to the endangerment of public health. In fact, the White House has requested over \$50 million to defend the rule in court. That is your tax money. They have already lost once.

And while the EPA ignores the costs, outside groups have projected four to seven times the costs of the regulation. The National Economics Research Association found an annual compliance cost for MATS \$41 to \$73 billion. That is the annual compliance costs. So that would be up to \$73,000 million, as I like to put it, because I think talking about millions instead of billions makes it a little more understandable. So that is the policy that is going to affect consumer prices.

It also shows States like Wyoming seeing double-digit increases in electrical prices. Congress must ensure the EPA does not continue to act unreasonably by not considering the costs of compliance before drafting carbon regulations. By requiring States to implement their own plans, the EPA is trying to skirt their responsibility to de-

termine the true costs. The EPA has not adequately considered the costs of the Clean Power Plan. So what they did was shift that over and said: States, this is what each of you has to do to make the Federal plan work, but since this is a State plan, we don't have to do all of this analysis to see what the costs are going to be. Of course, we need more transparency in the calculations.

As I mentioned, costs are easy to come up with, but benefits are pretty hard to determine, and they are kind of in the eye of the beholder or eye of the calculator. Usually, the costs happen upfront in just a few years—5 years, maybe 10 years at the most—but they are allowed to calculate benefits over 50 years, 100 years. How long can they do that? The company has to pay it upfront, but the consumers have to pay it over a regular short period of time.

Fifteen percent of U.S. coal-generating capacity is already planned for retirement. Wyoming would be forced to prematurely close four additional coal-fired plants under this rule. Incidentally, that is about the amount of electricity that we export to California. The EPA asserts that since States determine compliance, the remaining useful life of coal-powered units prematurely shut down need not be considered.

Governors have already begun telling the EPA that they will not be able to submit plans to meet the proposed standards, so Administrator MCCARTHY has threatened a Federal implementation plan if States do not comply. Now, a Federal implementation plan is a Federal regulatory action, and so they need to consider the costs of premature plant shutdowns and the consumer energy prices that will cause prior to being finalized. You cannot bypass these considerations by placing the onus on the States first.

Congress also needs to empower States to oppose Federal regulations that hurt their constituencies, again with little benefit. As Wyoming's Governor Matt Meads commented on MATS: "The EPA does not have the legal authority to propose, finalize or enforce this proposal." The EPA has introduced a proposal that functionally and structurally hamstring energy and electricity sectors, thereby driving up the electrical prices. It would burden our Nation's economic security and prosperity with almost no environmental or health benefits. The State of Wyoming is considering its legal options once the rule is finalized. They can't do anything until it is finalized.

I have proposed an amendment to the Constitution which would give States the ability to repeal Federal laws and regulations when ratified by two-thirds of the legislators. That is almost like calling a constitutional convention under article V of the Constitution. This amendment stands up for States' rights and gives them another option other than the court system to find solutions to regulatory problems. Ulti-

mately, the States know what is best for them, and it is time to shift the power back into their hands. Even when Federal regulations may have good intentions, they can create situations in which they cause more harm than good.

Unfortunately, the regulatory process is skewed in favor of the administration. We need to find a way to empower Congress and to empower the States—those most accountable to the voters—to keep runaway agencies in check or we will continue to see regulations that impede our economy by directly hurting the energy industry, which hurts individuals, costs jobs, and hits the ratepayers—the price ultimately paid by the consumers.

I thank the Presiding Officer.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

#### OLDER AMERICANS ACT REAUTHORIZATION ACT OF 2015

Ms. COLLINS. Mr. President, I ask unanimous consent that the Senate now proceed to the consideration of Calendar No. 12, S. 192; that the bill be read for the third time; and that the Senate vote on passage of the bill with no intervening action or debate.

The PRESIDING OFFICER. The clerk will report the bill by title.

The bill clerk read as follows:

A bill (S. 192) to reauthorize the Older Americans Act of 1965, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

The bill was ordered to be engrossed for a third reading and was read the third time.

The PRESIDING OFFICER. Hearing no further debate, the question is, Shall the bill pass?

The bill (S. 192) was passed, as follows:

S. 192

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Older Americans Act Reauthorization Act of 2015".

#### SEC. 2. DEFINITIONS.

Section 102 of the Older Americans Act of 1965 (42 U.S.C. 3002) is amended—

(1) by striking paragraph (1) and inserting the following:

"(1) The term 'abuse' means the knowing infliction of physical or psychological harm or the knowing deprivation of goods or services that are necessary to meet essential needs or to avoid physical or psychological harm.";

(2) by striking paragraph (3) and inserting the following:

"(3) The term 'adult protective services' means such services provided to adults as

the Secretary may specify and includes services such as—

“(A) receiving reports of adult abuse, neglect, or exploitation;

“(B) investigating the reports described in subparagraph (A);

“(C) case planning, monitoring, evaluation, and other casework and services; and

“(D) providing, arranging for, or facilitating the provision of medical, social service, economic, legal, housing, law enforcement, or other protective, emergency, or support services.”;

(3) by striking paragraph (4) and inserting the following:

“(4) The term ‘Aging and Disability Resource Center’ means an entity, network, or consortium established by a State as part of the State system of long-term care, to provide a coordinated and integrated system for older individuals and individuals with disabilities (as defined in section 3 of the Americans with Disabilities Act of 1990 (42 U.S.C. 12102)), and the caregivers of older individuals and individuals with disabilities, that provides—

“(A) comprehensive information on the full range of available public and private long-term care programs, options, service providers, and resources within a community, including information on the availability of integrated long-term care services, and Federal or State programs that provide long-term care services and supports through home and community-based service programs;

“(B) person-centered counseling to assist individuals in assessing their existing or anticipated long-term care needs and goals, and developing and implementing a person-centered plan for long-term care that is consistent with the desires of such an individual and designed to meet the individual’s specific needs, goals, and circumstances;

“(C) access for individuals to the full range of publicly-supported long-term care services and supports for which the individuals may be eligible, including home and community-based service options, by serving as a convenient point of entry for such programs and supports; and

“(D) in cooperation with area agencies on aging, centers for independent living described in part C of title VII of the Rehabilitation Act of 1973 (29 U.S.C. 796f et seq.), and other community-based entities, information and referrals regarding available home and community-based services for individuals who are at risk for residing in, or who reside in, institutional settings, so that the individuals have the choice to remain in or to return to the community.”;

(4) in paragraph (14)(B), by inserting “oral health,” after “bone density,”;

(5) by striking paragraph (17) and inserting the following:

“(17) The term ‘elder justice’ means—  
“(A) from a societal perspective, efforts to—

“(i) prevent, detect, treat, intervene in, and prosecute elder abuse, neglect, and exploitation; and

“(ii) protect older individuals with diminished capacity while maximizing their autonomy; and

“(B) from an individual perspective, the recognition of an older individual’s rights, including the right to be free of abuse, neglect, and exploitation.”;

(6) in paragraph (18)(A), by striking “term ‘exploitation’ means” and inserting “terms ‘exploitation’ and ‘financial exploitation’ mean”.

### SEC. 3. ADMINISTRATION ON AGING.

(a) BEST PRACTICES.—Section 201 of the Older Americans Act of 1965 (42 U.S.C. 3011) is amended—

(1) in subsection (d)(3)—

(A) in subparagraph (H), by striking “202(a)(21)” and inserting “202(a)(18)”;

(B) in subparagraph (K), by striking “and” at the end;

(C) in subparagraph (L)—

(i) by striking “Older Americans Act Amendments of 1992” and inserting “Older Americans Act Reauthorization Act of 2015”; and

(ii) by striking “712(h)(4).” and inserting “712(h)(5); and”;

(D) by adding at the end the following:

“(M) collect and analyze best practices related to responding to elder abuse, neglect, and exploitation in long-term care facilities, and publish a report of such best practices.”;

(2) in subsection (e)(2), in the matter preceding subparagraph (A), by inserting “, and in coordination with the heads of State adult protective services programs and the Director of the Office of Long-Term Care Ombudsman Programs” after “and services”.

(b) TRAINING.—Section 202 of the Older Americans Act of 1965 (42 U.S.C. 3012) is amended—

(1) in subsection (a)—

(A) in paragraph (5), by inserting “health and economic” before “needs of older individuals”;

(B) in paragraph (7), by inserting “health and economic” before “welfare”;

(C) in paragraph (14), by inserting “(including the Health Resources and Services Administration)” after “other agencies”;

(D) in paragraph (27), by striking “and” at the end;

(E) in paragraph (28), by striking the period and inserting a semicolon; and

(F) by adding at the end the following:

“(29) provide information and technical assistance to States, area agencies on aging, and service providers, in collaboration with relevant Federal agencies, on providing efficient, person-centered transportation services, including across geographic boundaries;

“(30) identify model programs and provide information and technical assistance to States, area agencies on aging, and service providers (including providers operating multipurpose senior centers), to support the modernization of multipurpose senior centers; and

“(31) provide technical assistance to and share best practices with States, area agencies on aging, and Aging and Disability Resource Centers, on how to collaborate and coordinate services with health care entities, such as Federally-qualified health centers, as defined in section 1905(1)(2)(B) of the Social Security Act (42 U.S.C. 1396d(1)(2)(B)), in order to improve care coordination for individuals with multiple chronic illnesses.”;

(2) in subsection (b)—

(A) in paragraph (5)—

(i) in subparagraph (B), by striking “and” after the semicolon;

(ii) in subparagraph (C), by inserting “and” after the semicolon; and

(iii) by adding at the end the following:

“(D) when feasible, developing, in consultation with States and national organizations, a consumer-friendly tool to assist older individuals and their families in choosing home and community-based services, with a particular focus on ways for consumers to assess how providers protect the health, safety, welfare, and rights, including the rights provided under section 314, of older individuals.”;

(B) in paragraph (8)—

(i) in subparagraph (B), by inserting “to identify and articulate goals of care and” after “individuals”;

(ii) in subparagraph (D)—

(I) by inserting “respond to or” before “plan”; and

(II) by striking “future long-term care needs; and” and inserting “long-term care needs.”;

(iii) in subparagraph (E), by adding “and” at the end; and

(iv) by adding at the end the following:

“(F) to provide information and referrals regarding available home and community-based services for individuals who are at risk for residing in, or who reside in, institutional settings, so that the individuals have the choice to remain in or to return to the community.”;

(3) by adding at the end the following:

“(g) The Assistant Secretary shall, as appropriate, ensure that programs authorized under this Act include appropriate training in the prevention of abuse, neglect, and exploitation and provision of services that address elder justice and the exploitation of older individuals.”.

(c) REPORTS.—Section 207(a) of the Older Americans Act of 1965 (42 U.S.C. 3018(a)) is amended—

(1) in paragraph (2), by striking “202(a)(19)” and inserting “202(a)(16)”;

(2) in paragraph (4), by striking “202(a)(17)” and inserting “202(a)(14)”.

(d) AUTHORIZATION OF APPROPRIATIONS.—Section 216 of the Older Americans Act of 1965 (42 U.S.C. 3020f) is amended—

(1) in subsection (a), by striking “2007, 2008, 2009, 2010, and 2011” and inserting “2016, 2017, and 2018”;

(2) in subsection (b)—

(A) by striking “202(a)(24)” and inserting “202(a)(21)”;

(B) by striking “2007, 2008, 2009, 2010, and 2011” and inserting “2016, 2017, and 2018”;

(3) in subsection (c), by striking “2007, 2008, 2009, 2010, and 2011” and inserting “2016, 2017, and 2018”.

### SEC. 4. STATE AND COMMUNITY PROGRAMS ON AGING.

(a) AUTHORIZATION OF APPROPRIATIONS.—Section 303 of the Older Americans Act of 1965 (42 U.S.C. 3023) is amended—

(1) in subsection (a)(1), by striking “fiscal years 2007” and all that follows and inserting “each of fiscal years 2016 through 2018.”;

(2) in subsection (b)—

(A) in paragraph (1), by striking “fiscal years 2007” and all that follows and inserting “each of fiscal years 2016 through 2018.”;

(B) in paragraph (2), by striking “fiscal years 2007” and all that follows and inserting “each of fiscal years 2016 through 2018.”;

(3) in subsection (d), by striking “fiscal years 2007” and all that follows and inserting “each of fiscal years 2016 through 2018.”;

(4) in subsection (e)(2), by striking “2011” and inserting “2011 and each of fiscal years 2016 through 2018”.

(b) ALLOTMENT.—Section 304 of the Older Americans Act of 1965 (42 U.S.C. 3024) is amended—

(1) in subsection (a)(3), by striking subparagraph (D) and inserting the following:

“(D)(i) For each of fiscal years 2016 through 2018, no State shall be allotted an amount that is less than 99 percent of the amount allotted to such State for the previous fiscal year.

“(ii) For fiscal year 2019 and each subsequent fiscal year, no State shall be allotted an amount that is less than 100 percent of the amount allotted to such State for fiscal year 2018.”;

(2) in subsection (b), by striking “subpart 1 of”.

(c) PLANNING AND SERVICE AREAS.—Section 305(b)(5)(C)(i)(III) of the Older Americans Act of 1965 (42 U.S.C. 3025(b)(5)(C)(i)(III)) is amended by striking “planning and services areas” and inserting “planning and service areas”.

(d) AREA PLANS.—Section 306 of the Older Americans Act of 1965 (42 U.S.C. 3026) is amended—

(1) in subsection (a)—

(A) in paragraph (1), by striking “establishment, maintenance, or construction of multipurpose senior centers,” and inserting “establishment, maintenance, modernization, or construction of multipurpose senior centers (including a plan to use the skills and services of older individuals in paid and unpaid work, including multigenerational and older individual to older individual work);” and

(B) in paragraph (6)—

(i) in subparagraph (G), by adding “and” at the end; and

(ii) by adding at the end the following:

“(H) in coordination with the State agency and with the State agency responsible for elder abuse prevention services, increase public awareness of elder abuse, neglect, and exploitation, and remove barriers to education, prevention, investigation, and treatment of elder abuse, neglect, and exploitation, as appropriate;” and

(2) in subsection (b)(3)—

(A) in subparagraph (J), by striking “and” at the end;

(B) by redesignating subparagraph (K) as subparagraph (L); and

(C) by inserting after subparagraph (J) the following:

“(K) protection from elder abuse, neglect, and exploitation; and”.

(e) STATE PLANS.—Section 307(a)(2)(A) of the Older Americans Act of 1965 (42 U.S.C. 3027(a)(2)(A)) is amended by striking “202(a)(29)” and inserting “202(a)(26)”.

(f) NUTRITION SERVICES INCENTIVE PROGRAM.—Section 311(e) of the Older Americans Act of 1965 (42 U.S.C. 3030a(e)) is amended by striking “fiscal year 2007” and all that follows and inserting “each of fiscal years 2016 through 2018.”

(g) SUPPORTIVE SERVICES.—Section 321 of the Older Americans Act of 1965 (42 U.S.C. 3030d) is amended—

(1) in subsection (a)—

(A) in paragraph (1), by striking “or referral services” and inserting “referral, chronic condition self-care management, or falls prevention services”;

(B) in paragraph (8), by striking “(including” and all that follows and inserting the following: “(including mental and behavioral health screening and falls prevention services screening) to detect or prevent (or both) illnesses and injuries that occur most frequently in older individuals;” and

(C) in paragraph (15), by inserting before the semicolon the following: “, and screening for elder abuse, neglect, and exploitation”;

(2) in subsection (b)(1), by inserting “or modernization” after “construction”;

(3) in subsection (c), by inserting before the period the following: “, and pursue opportunities for the development of intergenerational shared site models for programs or projects, consistent with the purposes of this Act”; and

(4) by adding at the end the following:

“(e) In this section, the term ‘adult child with a disability’ means a child who—

“(1) is age 18 or older;

“(2) is financially dependent on an older individual who is a parent of the child; and

“(3) has a disability.”.

(h) HOME DELIVERED NUTRITION SERVICES PROGRAM.—Section 336(1) of the Older Americans Act of 1965 (42 U.S.C. 3030f(1)) is amended by striking “canned” and all that follows through “meals” and inserting “canned, or fresh foods and, as appropriate, supplemental foods, and any additional meals”.

(i) NUTRITION SERVICES.—Section 339 of the Older Americans Act of 1965 (42 U.S.C. 3030g-21) is amended

(1) in paragraph (1), by striking “solicit” and inserting “utilize”; and

(2) in paragraph (2)—

(A) in subparagraph (J), by striking “and” at the end;

(B) in subparagraph (K), by striking the period and inserting “, and”; and

(C) by adding at the end the following:

“(L) where feasible, encourages the use of locally grown foods in meal programs and identifies potential partnerships and contracts with local producers and providers of locally grown foods.”.

(j) EVIDENCE-BASED DISEASE PREVENTION AND HEALTH PROMOTION SERVICES PROGRAM.—Part D of title III of the Older Americans Act of 1965 (42 U.S.C. 3030m et seq.) is amended—

(1) in the part heading, by inserting “EVIDENCE-BASED” before “DISEASE”; and

(2) in section 361(a), by inserting “evidence-based” after “to provide”.

(k) OLDER RELATIVE CAREGIVERS.—

(1) TECHNICAL AMENDMENT.—Part E of title III of the Older Americans Act of 1965 (42 U.S.C. 3030s et seq.) is amended by striking the subpart heading for subpart 1.

(2) DEFINITIONS.—Section 372 of such Act (42 U.S.C. 3030s) is amended—

(A) in subsection (a)—

(i) in paragraph (1), by striking “or who is an individual with a disability”; and

(ii) by striking paragraph (2) and inserting the following:

“(2) INDIVIDUAL WITH A DISABILITY.—The term ‘individual with a disability’ means an individual with a disability, as defined in section 3 of the Americans with Disabilities Act of 1990 (42 U.S.C. 12102), who is not less than age 18 and not more than age 59.

“(3) OLDER RELATIVE CAREGIVER.—The term ‘older relative caregiver’ means a caregiver who—

“(A)(i) is age 55 or older; and

“(ii) lives with, is the informal provider of in-home and community care to, and is the primary caregiver for, a child or an individual with a disability;

“(B) in the case of a caregiver for a child—

“(i) is the grandparent, stepgrandparent, or other relative (other than the parent) by blood, marriage, or adoption, of the child;

“(ii) is the primary caregiver of the child because the biological or adoptive parents are unable or unwilling to serve as the primary caregivers of the child; and

“(iii) has a legal relationship to the child, such as legal custody, adoption, or guardianship, or is raising the child informally; and

“(C) in the case of a caregiver for an individual with a disability, is the parent, grandparent, or other relative by blood, marriage, or adoption, of the individual with a disability.”; and

(B) in subsection (b)—

(i) by striking “subpart” and all that follows through “family caregivers” and inserting “part, for family caregivers”; and

(ii) by striking “; and” and inserting a period; and

(iii) by striking paragraph (2).

(l) NATIONAL FAMILY CAREGIVER SUPPORT PROGRAM.—Section 373 of the Older Americans Act of 1965 (42 U.S.C. 3030s-1) is amended—

(1) in subsection (a)(2), by striking “grandparents or older individuals who are relative caregivers.” and inserting “older relative caregivers.”;

(2) in subsection (c)—

(A) in paragraph (1), in the matter preceding subparagraph (A), by striking “grandparents and older individuals who are relative caregivers, and who” and inserting “older relative caregivers, who”; and

(B) in paragraph (2)(B), by striking “to older individuals providing care to individuals with severe disabilities, including children with severe disabilities” and inserting “to older relative caregivers of children with

severe disabilities, or individuals with disabilities who have severe disabilities”;

(3) in subsection (e)(3), by striking “grandparents or older individuals who are relative caregivers” and inserting “older relative caregivers”;

(4) in subsection (f)(1)(A), by striking “for fiscal years 2007, 2008, 2009, 2010, and 2011” and inserting “for a fiscal year”; and

(5) in subsection (g)(2)(C), by striking “grandparents and older individuals who are relative caregivers of a child who is not more than 18 years of age” and inserting “older relative caregivers”.

(m) CONFORMING AMENDMENT.—Part E of title III is amended by striking “this subpart” each place it appears and inserting “this part”.

## SEC. 5. ACTIVITIES FOR HEALTH, INDEPENDENCE, AND LONGEVITY.

(a) GRANT PROGRAMS.—Section 411 of the Older Americans Act of 1965 (42 U.S.C. 3032) is amended—

(1) in subsection (a)—

(A) in paragraph (12), by striking “and” at the end;

(B) by redesignating paragraph (13) as paragraph (14); and

(C) by inserting after paragraph (12) the following:

“(13) continuing support for program integrity initiatives concerning the Medicare program under title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.) that train senior volunteers to prevent and identify health care fraud and abuse; and”;

(2) in subsection (b), by striking “for fiscal years 2007” and all that follows through “2011” and inserting “for each of fiscal years 2016 through 2018”.

(b) NATIVE AMERICAN PROGRAMS.—Section 418(b) of the Older Americans Act of 1965 (42 U.S.C. 3032g(b)) is amended by striking “a national meeting to train” and inserting “national trainings for”.

(c) LEGAL ASSISTANCE FOR OLDER AMERICANS.—Section 420(c) of the Older Americans Act of 1965 (42 U.S.C. 3032i(c)) is amended by striking “national”.

(d) REPEALS.—Sections 415, 419, and 421 of the Older Americans Act of 1965 (42 U.S.C. 3032d, 3032h, 3032j) are repealed.

(e) CONFORMING AMENDMENT.—Section 417(a)(1)(A) of the Older Americans Act of 1965 (42 U.S.C. 3032f(a)(1)(A)) is amended by striking “grandparents and other older individuals who are relative caregivers” and inserting “older relative caregivers (as defined in section 372)”.

## SEC. 6. COMMUNITY SERVICE SENIOR OPPORTUNITIES.

Section 517(a) of the Older Americans Act of 1965 (42 U.S.C. 3056o(a)) is amended by striking “fiscal years 2007, 2008, 2009, 2010, and 2011” and inserting “each of fiscal years 2016 through 2018”.

## SEC. 7. GRANTS FOR NATIVE AMERICANS.

Section 643(2) of the Older Americans Act of 1965 (42 U.S.C. 3057n(2)) is amended by striking “fiscal year 2011” and inserting “each of fiscal years 2016 through 2018”.

## SEC. 8. VULNERABLE ELDER RIGHTS PROTECTION ACTIVITIES.

(a) OMBUDSMAN DEFINITIONS.—Section 711(6) of the Older Americans Act of 1965 (42 U.S.C. 3058f(6)) is amended by striking “older”.

(b) OMBUDSMAN PROGRAMS.—Section 712 of the Older Americans Act of 1965 (42 U.S.C. 3058g) is amended—

(1) in subsection (a)—

(A) in paragraph (2), by adding at the end the following: “The Ombudsman shall be responsible for the management, including the fiscal management, of the Office.”;

(B) in paragraph (3)—

(i) in subparagraph (A), by striking clause (i) and inserting the following:

“(i) are made by, or on behalf of, residents, including residents with limited or no decisionmaking capacity and who have no known legal representative, and if such a resident is unable to communicate consent for an Ombudsman to work on a complaint directly involving the resident, the Ombudsman shall seek evidence to indicate what outcome the resident would have communicated (and, in the absence of evidence to the contrary, shall assume that the resident wishes to have the resident’s health, safety, welfare, and rights protected) and shall work to accomplish that outcome; and”;

(ii) in subparagraph (D), by striking “regular and timely” and inserting “regular, timely, private, and unimpeded”;

(iii) in subparagraph (H)(iii)—

(I) by inserting “, actively encourage, and assist in” after “provide technical support for”; and

(II) by striking “and” after the semicolon;

(iv) by redesignating subparagraph (I) as subparagraph (J); and

(v) by inserting after subparagraph (H) the following:

“(I) when feasible, continue to carry out the functions described in this section on behalf of residents transitioning from a long-term care facility to a home care setting; and”;

(C) in paragraph (5)(B)—

(i) in clause (vi)—

(I) by inserting “, actively encourage, and assist in” after “support”; and

(II) by striking “and” after the semicolon;

(ii) by redesignating clause (vii) as clause (viii); and

(iii) by inserting after clause (vi) the following:

“(vii) identify, investigate, and resolve complaints described in clause (iii) that are made by or on behalf of residents with limited or no decisionmaking capacity and who have no known legal representative, and if such a resident is unable to communicate consent for an Ombudsman to work on a complaint directly involving the resident, the Ombudsman shall seek evidence to indicate what outcome the resident would have communicated (and, in the absence of evidence to the contrary, shall assume that the resident wishes to have the resident’s health, safety, welfare, and rights protected) and shall work to accomplish that outcome; and”;

(2) in subsection (b)—

(A) in paragraph (1)—

(i) in subparagraph (A), by striking “access” and inserting “private and unimpeded access”; and

(ii) in subparagraph (B)—

(I) in clause (i)—

(aa) in the matter preceding subclause (I), by striking “the medical and social records of a” and inserting “all files, records, and other information concerning a”; and

(bb) in subclause (II), by striking “to consent” and inserting “to communicate consent”; and

(II) in clause (ii), in the matter before subclause (I), by striking “the records” and inserting “the files, records, and information”; and

(B) by adding at the end the following:

“(3) HEALTH OVERSIGHT AGENCY.—For purposes of section 264(c) of the Health Insurance Portability and Accountability Act of 1996 (including regulations issued under that section) (42 U.S.C. 1320d–2 note), the Ombudsman and a representative of the Office shall be considered a ‘health oversight agency,’ so that release of residents’ individually identifiable health information to the Ombudsman or representative is not precluded in cases in which the requirements of clause (i) or (ii) of paragraph (1)(B), or the requirements of paragraph (1)(D), are otherwise met.”;

(3) in subsection (c)(2)(D), by striking “202(a)(21)” and inserting “202(a)(18)”;

(4) in subsection (d)—

(A) in paragraph (1), by striking “files” and inserting “files, records, and other information”; and

(B) in paragraph (2)—

(i) in subparagraph (A)—

(I) by striking “files and records” each place such term appears and inserting “files, records, and other information”; and

(II) by striking “and” after the semicolon;

(ii) in subparagraph (B)—

(I) by striking “files or records” and inserting “files, records, or other information”; and

(II) in clause (iii), by striking the period at the end and inserting “; and”; and

(iii) by adding at the end the following:

“(C) notwithstanding subparagraph (B), ensure that the Ombudsman may disclose information as needed in order to best serve residents with limited or no decisionmaking capacity who have no known legal representative and are unable to communicate consent, in order for the Ombudsman to carry out the functions and duties described in paragraphs (3)(A) and (5)(B) of subsection (a).”;

(5) by striking subsection (f) and inserting the following:

“(f) CONFLICT OF INTEREST.—

“(1) INDIVIDUAL CONFLICT OF INTEREST.—The State agency shall—

“(A) ensure that no individual, or member of the immediate family of an individual, involved in the designation of the Ombudsman (whether by appointment or otherwise) or the designation of an entity designated under subsection (a)(5), is subject to a conflict of interest;

“(B) ensure that no officer or employee of the Office, representative of a local Ombudsman entity, or member of the immediate family of the officer, employee, or representative, is subject to a conflict of interest; and

“(C) ensure that the Ombudsman—

“(i) does not have a direct involvement in the licensing or certification of a long-term care facility or of a provider of a long-term care service;

“(ii) does not have an ownership or investment interest (represented by equity, debt, or other financial relationship) in a long-term care facility or a long-term care service;

“(iii) is not employed by, or participating in the management of, a long-term care facility or a related organization, and has not been employed by such a facility or organization within 1 year before the date of the determination involved;

“(iv) does not receive, or have the right to receive, directly or indirectly, remuneration (in cash or in kind) under a compensation arrangement with an owner or operator of a long-term care facility;

“(v) does not have management responsibility for, or operate under the supervision of an individual with management responsibility for, adult protective services; and

“(vi) does not serve as a guardian or in another fiduciary capacity for residents of long-term care facilities in an official capacity (as opposed to serving as a guardian or fiduciary for a family member, in a personal capacity).”

“(2) ORGANIZATIONAL CONFLICT OF INTEREST.—

“(A) IN GENERAL.—The State agency shall comply with subparagraph (B)(i) in a case in which the Office poses an organizational conflict of interest, including a situation in which the Office is placed in an organization that—

“(i) is responsible for licensing, certifying, or surveying long-term care services in the State;

“(ii) is an association (or an affiliate of such an association) of long-term care facilities, or of any other residential facilities for older individuals;

“(iii) provides long-term care services, including programs carried out under a Medicaid waiver approved under section 1115 of the Social Security Act (42 U.S.C. 1315) or under subsection (b) or (c) of section 1915 of the Social Security Act (42 U.S.C. 1396n), or under a Medicaid State plan amendment under subsection (i), (j), or (k) of section 1915 of the Social Security Act (42 U.S.C. 1396n);

“(iv) provides long-term care case management;

“(v) sets rates for long-term care services;

“(vi) provides adult protective services;

“(vii) is responsible for eligibility determinations for the Medicaid program carried out under title XIX of the Social Security Act (42 U.S.C. 1396 et seq.);

“(viii) conducts preadmission screening for placements in facilities described in clause (ii); or

“(ix) makes decisions regarding admission or discharge of individuals to or from such facilities.

“(B) IDENTIFYING, REMOVING, AND REMEDIATING ORGANIZATIONAL CONFLICT.—

“(i) IN GENERAL.—The State agency may not operate the Office or carry out the program, directly, or by contract or other arrangement with any public agency or non-profit private organization, in a case in which there is an organizational conflict of interest (within the meaning of subparagraph (A)) unless such conflict of interest has been—

“(I) identified by the State agency;

“(II) disclosed by the State agency to the Assistant Secretary in writing; and

“(III) remedied in accordance with this subparagraph.

“(ii) ACTION BY ASSISTANT SECRETARY.—In a case in which a potential or actual organizational conflict of interest (within the meaning of subparagraph (A)) involving the Office is disclosed or reported to the Assistant Secretary by any person or entity, the Assistant Secretary shall require that the State agency, in accordance with the policies and procedures established by the State agency under subsection (a)(5)(D)(iii)—

“(I) remove the conflict; or

“(II) submit, and obtain the approval of the Assistant Secretary for, an adequate remedial plan that indicates how the Ombudsman will be unencumbered in fulfilling all of the functions specified in subsection (a)(3).”;

(6) in subsection (h)—

(A) in paragraph (3)(A)(i), by striking “older”;

(B) in paragraph (4), by striking all that precedes “procedures” and inserting the following:

“(4) strengthen and update”;

(C) by redesignating paragraphs (4) through (9) as paragraphs (5) through (10), respectively;

(D) by inserting after paragraph (3) the following:

“(4) ensure that the Ombudsman or a designee participates in training provided by the National Ombudsman Resource Center established in section 202(a)(18);”;

(E) in paragraph (6)(A), as redesignated by subparagraph (C) of this paragraph, by striking “paragraph (4)” and inserting “paragraph (5)”;

(F) in paragraph (7)(A), as redesignated by subparagraph (C) of this paragraph, by striking “subtitle C of the” and inserting “sub-title C of title I of the”; and

(G) in paragraph (10), as redesignated by subparagraph (C) of this paragraph, by striking “(6), or (7)” and inserting “(7), or (8)”.

(c) OMBUDSMAN REGULATIONS.—Section 713 of the Older Americans Act of 1965 (42 U.S.C. 3058h) is amended—

(1) in paragraph (1), by striking “paragraphs (1) and (2) of section 712(f)” and inserting “subparagraphs (A) and (B) of section 712(f)(1)”; and

(2) in paragraph (2), by striking “subparagraphs (A) through (D) of section 712(f)(3)” and inserting “clauses (i) through (vi) of section 712(f)(1)(C)”.

(d) PREVENTION OF ELDER ABUSE, NEGLECT, AND EXPLOITATION.—Section 721 of the Older Americans Act of 1965 (42 U.S.C. 3058i) is amended—

(1) in subsection (b)—

(A) in the matter preceding paragraph (1), by striking “(including financial exploitation)”;

(B) by redesignating paragraphs (5) through (12) as paragraphs (6) through (13), respectively;

(C) by inserting after paragraph (4) the following:

“(5) promoting the submission of data on elder abuse, neglect, and exploitation for the appropriate database of the Administration or another database specified by the Assistant Secretary;”;

(D) in paragraph (10)(C), as redesignated by subparagraph (B) of this paragraph—

(i) in clause (ii), by inserting “, such as forensic specialists,” after “such personnel”; and

(ii) in clause (v), by inserting before the comma the following: “, including programs and arrangements that protect against financial exploitation”; and

(E) in paragraph (12), as redesignated by subparagraph (B) of this paragraph—

(i) in subparagraph (D), by striking “and” at the end; and

(ii) by adding at the end the following:

“(F) supporting and studying innovative practices in communities to develop partnerships across disciplines for the prevention, investigation, and prosecution of abuse, neglect, and exploitation; and”;

(2) in subsection (e)(2), in the matter preceding subparagraph (A)—

(A) by striking “subsection (b)(9)(B)(i)” and inserting “subsection (b)(10)(B)(i)”; and

(B) by striking “subsection (b)(9)(B)(ii)” and inserting “subsection (b)(10)(B)(ii)”.

#### SEC. 9. BEHAVIORAL HEALTH.

The Older Americans Act of 1965 is amended—

(1) in section 102 (42 U.S.C. 3002)—

(A) in paragraph (14)(G), by inserting “and behavioral” after “mental”;

(B) in paragraph (36), by inserting “and behavioral” after “mental”; and

(C) in paragraph (47)(B), by inserting “and behavioral” after “mental”;

(2) in section 201(f)(1) (42 U.S.C. 3011(f)(1)), by inserting “and behavioral” after “mental”;

(3) in section 202(a)(5) (42 U.S.C. 3012(a)(5)), by inserting “and behavioral” after “mental”;

(4) in section 306(a) (42 U.S.C. 3026(a))—

(A) in paragraph (2)(A), by inserting “and behavioral” after “mental”; and

(B) in paragraph (6)(F), by striking “mental health services” each place such term appears and inserting “mental and behavioral health services”; and

(5) in section 321(a) (42 U.S.C. 3030d)—

(A) in paragraph (1), as amended by section 4(g), by inserting “and behavioral” after “mental”;

(B) in paragraph (14)(B), by inserting “and behavioral” after “mental”; and

(C) in paragraph (23), by inserting “and behavioral” after “mental”.

#### SEC. 10. GUIDANCE ON SERVING HOLOCAUST SURVIVORS.

(a) IN GENERAL.—Because the services under the Older Americans Act of 1965 (42 U.S.C. 3001 et seq.) are critical to meeting the urgent needs of Holocaust survivors to age in place with dignity, comfort, security, and quality of life, the Assistant Secretary for Aging shall issue guidance to States, that shall be applicable to States, area agencies on aging, and providers of services for older individuals, with respect to serving Holocaust survivors, including guidance on promising practices for conducting outreach to that population. In developing the guidance, the Assistant Secretary for Aging shall consult with experts and organizations serving Holocaust survivors, and shall take into account the possibility that the needs of Holocaust survivors may differ based on geography.

(b) CONTENTS.—The guidance shall include the following:

(1) How nutrition service providers may meet the special health-related or other dietary needs of participants in programs under the Older Americans Act of 1965, including needs based on religious, cultural, or ethnic requirements.

(2) How transportation service providers may address the urgent transportation needs of Holocaust survivors.

(3) How State long-term care ombudsmen may address the unique needs of residents of long-term care facilities for whom institutional settings may produce sights, sounds, smells, emotions, and routines, that can induce panic, anxiety, and retraumatization as a result of experiences from the Holocaust.

(4) How supportive services providers may consider the unique needs of Holocaust survivors.

(5) How other services provided under that Act, as determined by the Assistant Secretary for Aging, may serve Holocaust survivors.

(c) DATE OF ISSUANCE.—The guidance described in subsection (a) shall be issued not later than 180 days after the date of enactment of this Act.

Ms. COLLINS. Mr. President, I ask unanimous consent that the motion to reconsider be made and laid upon the table.

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

Ms. COLLINS. Mr. President, the Senate has now passed the reauthorization of the Older Americans Act by voice vote.

As the chairman of the Senate Committee on Aging and as a Senator who represents a State with the highest median age, I am well aware of how important the programs authorized by this law are to our Nation's seniors. They include, for example, Meals on Wheels, which is a wonderful program that allows so many of our seniors to stay in their own homes and yet have their nutritional needs met. I also know how much the seniors in my State look forward to the visits from those who are delivering Meals on Wheels. It is a way that their health and well-being can be checked on. In some cases, it may be the only social interaction they have on a given day.

In my State, the five area agencies on aging are very active in delivering the services needed for the seniors in that particular community or region in my State, particularly in rural Maine, where there may be an absence of serv-

ices, such as caregiving services. The area agency on aging plays an absolutely critical role. In some other areas of the State, under the Older Americans Act programs, transportation services are provided to our seniors, legal services, whatever is needed.

One of the provisions of this bill in which I have a particular interest is the strengthening of the role of the ombudsman for long-term care. That is important for the quality of care our seniors are receiving in nursing homes and other institutionalized settings. But the great thing about the Older Americans Act is that it helps many of our seniors avoid nursing homes and instead remain in the comfort, security, and privacy of their own homes—just where they want to be.

This bill also takes steps to help safeguard older Americans from abuse and financial exploitation. I know from the hearings we have held before the Aging Committee that this is a growing problem. In fact, in the year 2011, it is estimated that older Americans lost some \$2.9 billion due to schemes that were foisted on them. That probably is a greatly understated number because, sadly, 90 percent of this exploitation comes from people the senior knows well—either a relative, a trusted adviser, or a caregiver. Oftentimes, seniors are very hesitant to report these crimes because they don't want to get a loved one in trouble or they are simply too embarrassed to go to the police.

We have held hearings on how technology has made the Do Not Call list virtually useless these days because unfortunately technology allows people from call centers in India, for example, to call into this country pretending to be a member of the Internal Revenue Service or the local police department. Well, when a senior sees on the caller ID that the Department of Treasury from Washington, DC, is calling, they are going to pick up the phone, and thus the exploitation begins.

We are making a real effort on the Aging Committee to educate seniors about these con artists and the techniques they use to try to rip off people of all ages but with a particular focus on our senior citizens. So I am pleased that the Older Americans Act is focused on financial exploitation and trying to stop that kind of abuse.

In short, the reauthorization of these important programs under the Older Americans Act is long overdue. While we have continued to fund them, the reauthorization expired years ago, and I am very pleased that the chairman and the ranking member of the Senate Health, Education, Labor and Pensions Committee, of which the Presiding Officer is such a valuable member, have worked together to produce the bipartisan bill we just passed. This shows what the Senate can do when we work together to meet the needs of our citizens.

It is an honor to be on the floor to manage this bill. I hope, since it was 50 years ago this month when the Older

Americans Act first passed, that we can move rapidly to see it approved by the House of Representatives as well and signed into law by the President.

Thank you, Mr. President.

I yield the floor.

Mrs. MURRAY. Mr. President, 50 years ago this week, President Lyndon Johnson signed the Older Americans Act, which enshrined into law our responsibility for helping seniors live healthier, fuller, and more independent lives. Fifty years later, I am pleased Congress has worked to reauthorize the Older Americans Act to once again uphold that promise of our Nation. And I am pleased we came together in a bipartisan way to provide important support for seniors in my home State of Washington and those across the country.

I especially thank Senators ALEXANDER, SANDERS, and BURR for all of their hard work on this bill. I believe we should be doing everything we can to support seniors so they can lead healthy, independent lives. Improving opportunities for seniors is part of how we can restore some much-needed economic security for them. And it is how we can help ensure our country is working for all Americans, not just the wealthiest few.

But today, far too many seniors find themselves skipping meals or going hungry, instead of getting the nutrition they need. In fact, 9.3 million seniors in our country face the threat of hunger, according to a 2012 report. And in my home State of Washington, 13.5 percent of seniors struggle with hunger.

As if that isn't enough, many seniors face other serious challenges, like elder abuse. That can include mistreatment in a nursing home or financial exploitation. This bill to reauthorize the Older Americans Act supports crucial social services and nutrition programs for seniors.

As one example, this bill sustains our investment in Meals on Wheels. In my home State of Washington, more than 460,000 seniors enroll in that program. Meals on Wheels is a critical lifeline for them. It is an important investment for our country. For every dollar we invest in Meals on Wheels, we can save up to \$50 in Medicaid spending, according to a study from the Center for Effective Government. Among other important provisions, the bill also strengthens programs to combat elder abuse.

This bill focuses on the critical importance of both abuse screenings and prevention efforts, and it would improve the response to abuse, neglect, and exploitation in long-term care facilities. It also puts a key emphasis on evidence-based public health programs.

It bolsters transportation programs, and it ensures that OAA programs include a focus on seniors' behavioral health needs. I am proud that this bill is the result of strong bipartisan work. It proves yet again that when Republicans and Democrats work together,

we can get results, so I hope we can build on this progress.

I want to continue to work with Republicans to find common ground and get results for families and communities in Washington State and across the country. And I hope to continue to work on ways to restore economic stability and security to more seniors.

In 1965, at the original signing of the Older Americans Act, President Johnson said the true significance of this bill would be in its results. He said he hoped the bill would, quote, "help us to expand our opportunities for enriching the lives of all of our citizens in our country, now and in the years to come."

Reauthorizing this law will carry out that mission and expand opportunities so more seniors can lead healthy, independent lives. It is an important part of our work to help the economy grow from the middle out, not the top down. It will be another step toward making sure our government is working for all families, not just the wealthiest few.

Today, I call on all my colleagues to support this bill. Let's reauthorize the Older Americans Act and live up to our Nation's responsibility to seniors across the country.

Mr. LEAHY. Mr. President, I am glad the Senate has turned today to the reauthorization of the programs under the Older Americans Act. For decades, this law has provided community assistance to seniors in underserved and rural areas across the country, but unfortunately, these programs have gone unauthorized since 2011. As our population ages, seniors face an increased need for community resources, which is what makes this bill so important.

The Older Americans Reauthorization Act of 2015 will prioritize funding for crucial community and in-home services that offer the protection and reassurance for seniors requiring specialized care. The bill will reauthorize transportation assistance and home-delivered nutrition programs. It will also strengthen State grants for in-home caregiver support. Through the coordination of community and health care providers, the bill will improve disease promotion services and increase mental health awareness among elderly populations. Furthermore, the legislation will strengthen programs that prevent senior abuse, neglect, and exploitation by holding health facilities and adult care homes accountable for promoting excellent patient care.

These programs have given seniors in Vermont and across the country the chance for independence and wellbeing long after retirement. This is not a partisan issue, but one we can all agree requires our dedication and support. I am pleased to cosponsor this legislation and wish to thank Senators MURRAY, ALEXANDER, SANDERS, and BURR for making this issue a priority this Congress. I am pleased the Senate has passed this legislation, which will help to improve the livelihood of our Nation's seniors.

The PRESIDING OFFICER. The Senator from North Dakota.

Ms. HEITKAMP. Mr. President, once again I see my good friend Senator COLLINS fighting for all of the good people of her State and all of our States and raising important issues—issues that I dealt with, quite honestly, quite a bit when I was attorney general of my State. Exploitation is a horrible practice that takes away the dignity and the opportunity for a healthy life of an elderly American citizen. So I congratulate the Senator from Maine on her fine work, and I pledge my full support as she moves forward with this bill.

I thank the Senator from Maine.

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#### HONORING VIETNAM VETERANS AND NORTH DAKOTA'S SOLDIERS WHO LOST THEIR LIVES IN VIETNAM

Ms. HEITKAMP. Mr. President, today, as I do most Thursdays in this Senate, I rise to speak about the young men from my State of North Dakota who went to Vietnam and certainly those who died while serving in the Vietnam war. As I have said before, the families of each of these 198 fallen North Dakotans deserve to have America pause to honor and remember each of them.

Before I speak about some of the North Dakotans who are missing or who died during the Vietnam war, I wish to thank Author "Tom" Mandan, a Vietnam veteran from New Town, ND, who is an inspiration to our State and to our country.

In 1966, Tom chose to enlist in the Army. He was stationed in Vietnam as a medic. He volunteered to extend his time in Vietnam twice and spent a total of 3 years there. The Army awarded him with a Purple Heart and Bronze Star with the V device to denote his heroism involving conflict with the armed enemy.

Tom comes from a family who is also an example of service to our country. Tom and his four brothers all served in Vietnam, each one after the other. Previously, their father, Victor Mandan, served our country in World War II.

When Tom returned to the United States from Vietnam, he raised his family and became a teacher. He enjoyed teaching fourth graders in Mandari and teaching the Hidatsa language to elementary and middle school students. Tom retired from teaching and now serves the Mandan Hidatsa Arikara Nation, working full time as tribal liaison for elders and veterans.

Tom is a proud father and proud grandfather, but he is humbled about his important contributions to his tribe, to his State, and to his country.

Tom's first cousin, Myron Johnson, who was like a brother to Tom, also served in Vietnam and was killed in action there. I now would like to talk about Myron and four other young men who didn't come home from the war.

MYRON "CHIEF'S HIGH" JOHNSON

Myron "Chief's High" Johnson was born September 26, 1948. He was from Mandaree and was an enrolled member of the Mandan Hidatsa Arikara Nation. He served in the Army's 1st Battalion, 46th Infantry, Americal Division. Myron died March 28, 1971. He was 22 years old.

He was the sixth of nine children born to Melvin Johnson and Eloise Mandan Johnson. His siblings said that Myron had a magnetic personality and was kind and sincere to everyone who met him. When people reminisce about Myron, they always talk about how much they loved him.

Myron enjoyed riding bucking horses and was a top contender in the American Indian Rodeo Association. He was also a good hunter and a great shot.

In Vietnam, Myron's best friend Richard Boehm and 32 other American soldiers were killed in action when Firebase Mary Ann was attacked. Myron received many medals for his honorable and distinguished service in Vietnam.

Diane Johnson is Myron's sister and my great friend. Diane said that after Myron's death, he was escorted by his first cousin, John Morsette, who, in the Indian way, was Myron's brother. John Morsette served two tours in Vietnam and also was highly decorated. John told Diane that taking Myron home was the hardest thing he ever did. The trail of cars accompanying Myron from the Minot Airport back to his home in Mandaree was miles long.

In addition to his parents and siblings, Myron left his wife Sharol and daughter Melanie. Myron's family said that his death left a permanent scarred hole that can never be filled. They will continue to honor veterans and honor Myron for giving his life for his country.

The Mandaree American Legion Post 271 is named after Myron and Myron's nephew, Nathan Good Iron, who was killed in Afghanistan in 2006.

The Mandaree American Legion Post honors me consistently by allowing me to enter with their shawl at American pow-wows and honors me by allowing me to walk with Nathan's mother Harriet as we honor her as a Gold Star Mother.

For over 30 years, Myron's mother, despite her limited resources, honored Myron by giving away star quilts and shawls she made in Myron's name. These giveaways were held throughout the years at various flag raisings, various pow-wows, and Memorial Day and Veterans Day services.

On Myron's mother's death bed, she looked up and smiled and said in her native language, "Oh my son, you're here. You've finally come to see me."

FRANCIS DOWLING

Francis Dowling was from Coopers-town, and he was born July 13, 1929. He served as a sergeant major in the Army's First Infantry Division. Francis was 38 years old when he died on October 17, 1967.

Francis was one of eight children. His two brothers also served in the Vietnam war—George in the Air Force and Forrest in the Marines. We were unable to reach any of Francis's family members, but according to a remembrance written by Jim Shelton, who served with him, Francis was a brave and a loyal soldier. Jim described Francis as "tall, handsome, and professional," with a strong sense of humor.

Michael Meyers also served with Francis, and he recalls that Francis was easily 6 feet 6 inches tall and was very muscular. Michael said, "He was so big people thought he was mean, but 97 percent of the time he had a big smile on his face."

Francis died during an ambush when he was trying to shield his wounded commanding officer from further fire. Francis is buried in Arlington National Cemetery.

GLENN MAIER

Glenn Maier was from Bismarck and was born December 31, 1949. He served in the Navy and was trained as a fireman. Glenn died July 11, 1970, when he was 20 years old.

This Senator has the pleasure of knowing Glenn's family. His parents, Vi and Chuck Tracy, lived just two doors down from my house where I raised my family in Mandan.

Glenn's father, Ervin Maier, served our country in the military and died when Glenn was very young. Vi later married Chuck Tracy, and they raised Glenn together. Vi and Chuck also gave Glenn a brother, Bob, and a sister, Sue. Bob and Sue said that Glenn was a happy-go-lucky guy. They remember him riding his Vespa scooter and enjoying time with his friends and especially playing a lot of pinochle.

Glenn's sister Sue chuckles when she thinks about growing up and Glenn not knowing how to swim. Even though Sue was younger by 6 years, she tried to teach him how to swim in the small swimming holes on the sandbars of the Missouri River. When Glenn decided to enlist in the Navy, she joked with him that he was foolish, but he assured her that the Navy would make sure he could swim.

Glenn's brother Bob is grateful for meeting other men who served with Glenn in the Navy. They told Bob stories about Glenn's service, like how despite being trained in the Navy as a firefighter, Glenn served on a swift boat in brown waters running machine guns. They said they always requested Glenn for missions because he was so good with .50-caliber machine guns. The month he was killed, he was scheduled to leave Vietnam to train in the United States as a Navy SEAL.

JOHN TAGUE

John Tague was from Burlington. He was born December 2, 1945. John served in the Army's 1st Infantry Division. He was 22 years old when he died on June 16, 1968.

He was the oldest child in his family, and he had three sisters: Alice, Georgia, and Jody. Alice and Georgia said

that John loved to hunt and fish and did so at every opportunity. His golden retriever followed him everywhere, especially when he went hunting.

After high school, John joined the Job Corps, where he helped teach others about life and taking care of themselves. The Wahpeton Job Corps honored John for his outstanding work by naming a building after him. When that facility closed, Jobs Corps gave John's family the building sign with John's name.

John's sisters appreciate that their former Des Lacs Burlington High School classmates are planning to honor John in a parade float this summer.

In Vietnam, John served as a field communications electronics equipment mechanic. John was about 6 months into his tour of duty when he was severely burned. Shortly thereafter, he was flown to Japan, where he died of his injuries. He was laid to rest in Rose Hill Memorial Park in Minot.

LOWELL EINARSON

Lowell Einarson was from Bantry and was born March 18, 1938. He served in the Navy as a shipfitter. Lowell was 28 years old when he died on September 1, 1966.

Lowell and his sister Marilyn were the children of immigrants from Iceland, Joe and Sophie Einarson. They grew up on a small farm outside of Bantry.

Lowell's niece Vonda remembers hearing her mother Marilyn telling stories about how she and Lowell traveled to school in the winter by cross-country skiing. Marilyn told Vonda that Lowell was a strong young man who watched over her and took care of her, taking care of the many chores, especially after Marilyn was diagnosed with polio at age 7.

Shortly after completing high school, Lowell enlisted in the Navy. He served for 10 years until he died of a heart attack during the early part of the Vietnam war.

Marilyn cherished the three sets of china Lowell brought home for her, their mother, and for himself. Sadly, Marilyn lost her belongings, including Lowell's china, when her home burned down in the 1970s.

Lowell's niece Sue keeps a rubbing of Lowell's name etched on the Vietnam Memorial Wall, and shared that several family members have said that Lowell's nephew Mitch resembles Lowell.

I continue to speak here on the floor of the U.S. Senate about the lives and deaths of North Dakotans who died while serving in the war because these men remain in our hearts, and they certainly remain in the hearts of the wonderful families we have had an opportunity to get to know during our work on this project.

The 2012 Presidential Proclamation on the Commemoration of the 50th Anniversary of the Vietnam War states:

In the reflection of The Wall, we see the military family members and veterans who

carry a pain that may never fade. May they find peace in knowing their loved ones endure, not only in medals and memories, but in the hearts of all Americans, who are forever grateful for their service, valor, and sacrifice.

It is so important that we never forget the sacrifice of those who served in Vietnam or the sacrifice of those who serve today, and that is why I consider it such a privilege to tell the stories of those who did not make it home and listen to the stories of those who did.

I want to share with you a song that was sung at the recent Vietnam Memorial Exhibit at the Fargo Air Museum in May. I was really moved by a local poet and local performing artist, Shaun Schipper, who was able to sing this song to honor those who served, and I would like to read the lyrics of his song, which is called "Nineteen Years Old." I am not going to sing it, and all of you should be very excited that I am not singing it. I couldn't do justice to the words he wrote.

He wrote:

nineteen years old six months from prom  
out in a jungle in Vietnam  
so scared don't wanna die  
thinking bout home, tears in my eyes  
what are we fighting for, I'm so sick of war  
I bet the guys on the other side  
wanna go home like I do  
miss your mom and dad, the life I had  
I pray to God I'll get back home again  
to be with you  
search and destroy, kill or be killed  
mayhem out here in the battlefield  
adrenaline flowing another sleepless night  
holding my M16, ready for a fight  
here in the trenches fear everywhere  
death and destruction smoke in the air  
mortars grenades deafening sounds  
shrapnel and bullets flying all around  
praying to God calling for mom's  
another buddy dies in Vietnam  
another buddy dies in Vietnam  
and it goes on and on and on and on  
what are we fighting for, I am so sick of war  
I bet the guys on the other side  
Wanna go home like I do

I want to thank him, and I know he was greatly moved by and inspired to write this song by encountering a Vietnam vet. I think all of us who have had those experiences meeting veterans and people who serve can't help but be moved by the quality of their continued devotion to their brothers-in-arms but also the quality of their service.

#### CONNECT WITH VETERANS ACT

So I was moved to doing something for veterans, making sure that our veterans have an opportunity when they return home to basically reconnect with their families. So while each week I come to the Senate floor to honor the persons who gave their lives in the Vietnam war, to truly honor them and our current servicemembers and veterans, we have to make real changes to better support them.

Today I am proud to reintroduce a bipartisan bill with Senators MORAN, KING, and BOOZMAN that would better connect our Nation's new veterans with the services, resources, and benefits that are available right at home in their communities. My Connect With

Veterans Act, S. 1797, aims to help servicemembers transitioning to civilian life after they separate from the military and begin to settle into their communities.

Organizations, such as the Association of Defense Communities, have stated that the most important part of the transition from servicemember to civilian comes in the short period of time after that servicemember leaves the military. We need to make sure it is effective and successful, and there is more we could do to accomplish that goal.

Too often, these veterans do not have access to the basic information on local services, and many communities have few ways to connect with them. I have traveled across North Dakota and listened to our veterans. I hear time and time again about the need for veterans to have more information on services and opportunities available to them at the local level.

My Connect With Veterans Act would provide these veterans with better access to that information by making it easier for cities, counties, and tribes to interact directly with them. It is a simple but commonsense bill. Participation, No. 1, is completely voluntary. Transitioning servicemembers will be given the option to share their contact information with communities in which they intend to live after completing military service.

Interested cities, counties, and tribes will be able to request that contact information from a secure directory maintained by the Department of Veterans Affairs so they can provide the information. Integrating back into civilian life may be particularly difficult for those living in rural communities, like so many of the communities in my home State of North Dakota, as they often have fewer resources and access to less services.

As a study from 2014 shows, half of the veterans polled from the wars in Iraq and Afghanistan said they are having difficulty adjusting to civilian life. This reasonable solution would help change that by allowing local communities to connect with new veterans at the earliest possible point in the transition process. With 550 servicemembers transitioning daily—I want to repeat that—550 servicemembers transitioning daily nationwide out of the military and with nearly 250,000 service men and women expected to leave military service over the next 5 years, we have to prepare.

We have to say thank you by making sure they get the services they have earned and that we can connect them with communities where they can continue to participate and serve their country and their communities. I know from talking to North Dakotans that this bill will especially benefit communities in my State that have unmet employment needs.

As you can imagine, over 20,000 jobs go unfilled, and we have all of these trained servicemembers who are com-

ing out of the military who would be just excellent additions to our North Dakota community. So whether it is employment or health care or family support services, we have to do better. I appreciate the opportunity to talk about this. We have to have a plan for our servicemembers. I think connecting them with their community is a great plan.

#### EXPORT-IMPORT BANK

Ms. HEITKAMP. Finally, Mr. President, I would just like to give a little update on what has been happening since we have basically allowed the charter of the Ex-Im Bank to expire. Just as we predicted, that unilateral disarmament in our trade financing opportunities would open the door for opportunities in other countries. We are seeing more and more this delay in basically having a fully functioning Ex-Im Bank is already costing jobs and opportunities in our State.

So I want to reinforce that, not by just my words but talk about what is being said about the U.S. Export-Import Bank being shut down as what is good for China and bad for our competitiveness. Today, the Business Standard printed an interview with the head of the Export-Import Bank of India, who said that with U.S. Ex-Im Bank closing down, we would now have more markets because Indian products are going to compete with U.S. products, and now that competition will go away.

In a recent Reuters article, the chief risk analyst of the China Export-Import Bank said that the end of the American Export-Import Bank would help China be more competitive. He said, "With respect to competition in strategy and policies between the U.S. and China, this is a good thing" for China.

Another recent article said China's central bank is injecting \$32 billion into the China Development Bank and \$30 billion into the Export-Import Bank of China. We are seeing very similar growth in the Export-Import Bank of India.

So I would suggest, if we truly want to remain a global competitor, if we truly want to access an international market where we have—in fact, 95 percent of all consumers live outside our country. If we don't have access to those markets and if we are not competing on a level playing field, it is going to cost American business, including American small business, opportunities—opportunities for exports, opportunities for profitability. But equally important, it is going to cost American jobs. So sooner rather than later we expect we will have a vote on reauthorizing the Ex-Im Bank.

I know we continue to see challenges to having that vote. We continue to see challenges to this institution. But I will tell you that many small businesses in my State are contacting us, wondering why in the world we would

do this. Why in the world would we shut down the Ex-Im Bank that is a critical part of that trade infrastructure? So why in the world, indeed. Why would we ever make this decision? It is a decision that needs to be reversed. We need to get the Ex-Im Bank fully functioning and back in business.

So we are going to be doing everything we can in this next month and into future months, if we expect that we are going to eliminate the possibility of unilateral disarmament in trade financing.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

#### TRAGEDY IN CHATTANOOGA

Mr. MCCONNELL. Mr. President, this is a sad day in Chattanooga and a sad day across our country—another terrible tragedy—a mass shooting, apparently. A thorough investigation is underway.

The Senate's thoughts are with the families of the marines and our entire military community. Our thanks, as usual in these situations, goes out to the first responders and the community that mobilized so quickly.

We have two great Senators from Tennessee, who I know are mourning the events of today, and the American people will be interested in knowing as soon as possible as many facts about this horrible shooting as possible.

#### TRIBUTE TO PIKEVILLE INDEPENDENT SCHOOLS

Mr. MCCONNELL. Mr. President, I rise to recognize and congratulate the Pikeville Independent Schools system in Pikeville, KY, on the occasion of its 100th anniversary. Under the leadership of Superintendent Jerry Green, it is one of the best public school systems in the Commonwealth.

Before the founding of Pikeville Independent Schools, in the early 20th century, the region contained only a scattering of small, one-room schoolhouses. In 1915, the first public high school in Pike County opened under the system's first superintendent, Tobias J. Kendrick. There were approximately 150 students and 9 teachers and administrators. Courses taught included geometry, advanced algebra, physics, German, rhetoric, and 4 years of Latin. The first senior class contained only one graduate, a man named Vernon Stump.

Today, Pikeville Independent Schools includes Pikeville Elementary and Pikeville Junior High/High School. The district boasts some 1,280 students

from preschool to the 12th grade, and all go by the nickname "Pikeville Panthers." Both Pikeville Elementary and Pikeville High are accredited by the Southern Association of Colleges and Schools, and the school district has been chosen as one of only 17 Kentucky school districts to receive the What Parents Want Award.

Pikeville Independent Schools is constantly evaluating and creating programs to serve the needs of the students in the district. Pikeville Elementary, which serves preschool through grade 6, features full-time humanities teachers for art, music, and band. It has transition programs for both new students entering preschool and exiting students graduating into the seventh grade. It has many volunteer programs, and Pikeville Elementary volunteers log an average of 3,000 volunteer hours per year. It features a fully equipped science lab, an active and supportive parent-teacher organization, small class sizes, and individual instruction and tutoring.

Pikeville High School, which serves grades 7 through 12, offers its students 8 honors courses and 10 advanced placement courses, as well as unlimited opportunities for students to earn dual credit at the University of Pikeville. Currently, 45 percent of Pikeville High juniors and seniors are taking one or more dual credit courses through the university.

Pikeville High offers five vocational school programs and four career majors—business management, business technology, web development and administration, and information support services. A wide variety of extra-curricular activities are available, including Key Club, Pep Club, Future Business Leaders of America, and the National Honor Society, just to name a few.

Pikeville Independent Schools ranks second in the State for college and career readiness. The district's juniors place sixth in the State on the ACT test composite score. And the high school placed in the 97th percentile this past year among all schools in the State. The district's graduation rate for the 2012–2013 school year was over 96 percent. Athletics and artistic achievement are also highly valued in the district, and Pikeville Independent Schools have a long tradition of outstanding music groups, basketball, and football teams.

For 100 years, Pikeville Independent Schools has excelled at its mission to prepare students to become productive, contributing, valuable members of society who have pride in their school and their community. Kentucky is proud of the Pikeville Independent Schools system, and I congratulate the many men and women who work there for their service. I wish them the very best as they embark on a new century of representing the very best of Kentucky public education.

#### STORMS IN QUINCY, ILLINOIS

Mr. DURBIN. Mr. President, I have represented Quincy, IL, and Adams County since coming to Congress in 1983 as a Member of the House of Representatives. I have found that there is something special about the Gem City—its people, its strong sense of community, and the fighting spirit to tackle any crisis from floods to storms.

That spirit was tested this week.

I am relieved and thankful that there were no serious injuries or fatalities after a major storm tore through Quincy on Monday night. Torrential rain and winds up to 74 miles per hour felled trees, broke dozens of utility poles, and tore roofs off several homes and businesses during the event. The Quincy mayor declared a citywide state of emergency Monday evening and Adams County followed with a state of disaster declaration. Several people say the battered city looked like a warzone.

More than 21,000 people were without power on Monday night and Tuesday. Crews have worked around the clock to restore electricity to most. Due to the loss of power, many stoplights were out throughout the city. Between the outages, flooded streets, and streets made impassable by fallen trees, navigating Quincy has been a challenge.

The Quincy Park District estimates that the "jaw dropping" damage to the city's 29 parks—especially Madison and South Parks—far exceeds the devastation from severe storms in 2011 that costs the District more than \$400,000. Caretakers at Woodland Cemetery discovered after the worst of the storm had passed that a 20-foot piece of a Civil War monument was toppled by the high winds and at least 35 trees were uprooted in the cemetery, many of which were more than a century old.

Dozens of Quincy residents checked into motels to escape the heat as they started the cleanup of their homes and properties without power. John Wood Community College and the Quincy Senior and Family Resources Center set up cooling centers to give people a place to take a break. The Red Cross, Salvation Army, and other local agencies have been on site to lend a helping hand.

I am grateful that Quincy fire chief Joe Henning, Adams County emergency management agency director John Simon, Quincy police chief Rob Copley, and many other elected officials and community leaders are leading cleanup and recovery efforts. Getting the city back on its feet and helping the people whose homes and businesses were damaged is a big job.

In today's Quincy Herald-Whig columnist Steve Eighinger said it best, "It's going to be quite a while before things are back to what we consider normal, but we'll get there. We're Quincy. We pay it forward."

Mr. President, I ask unanimous consent that the column be printed in the RECORD.

In closing, I would like to commend the Quincy and Adams County community for pulling together to get through this storm and the aftermath. The cleanup is daunting, but the spirit endures. From the people of Hannibal and Macomb who have sent crews, trucks, and supplies to area residents who opened their homes and businesses to the displaced to the local businesses—grocery stores and gas stations—that have supplied free ice, water, and recharging stations, and done their best to restock basic supplies so residents can feed and care for their families to the Kroc Center and its supporters who have fed Quincyans. This has been a team effort.

I stand ready to support the local clean up and recovery efforts in Quincy and Adams County and will continue to keep community residents in my thoughts as they get the Gem City back up and running.

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

[From the Quincy Herald-Whig, July 16, 2015]  
'NORMAL' STILL A WAYS AWAY, BUT WE WILL GET THERE

(By Steve Eighinger)

There is no use trying to sugar coat what has happened. It has been a brutal week in and around Quincy, thanks to the monstrous storm that swept through Monday night.

It was the first time in my life that I was legitimately scared of what might happen at the height of that blowing downpour and accompanying 74 mph winds.

My wife, Kathy, was screaming at me to get in the basement with her and Ashes, the family dog. For some reason, I refused. I vowed to stay upstairs, running from one window to another, from one door to the next, to make sure they didn't blow open.

Massive limbs and entire trees were falling all around our home. I saw them. I heard them. It was like nothing I had ever experienced.

If our home was going down, I had vowed to go with it.

Obviously, that was not the smartest thing I ever chose to do. If I had to relive those frightening 30 minutes or so, I would have joined Kathy and Ashes in the basement.

It's what happened after the storm had finally passed that was equally—if not more so—incredible.

On street after street, block after block, neighbors were assisting friends and helping people they did not even know. While only initial, limited assistance could be offered Monday night because of the lack of light, but the true heart of Quincy emerged Tuesday, as it always does.

One of the most heartwarming stories I encountered this week involved a family of five—a husband, wife and three kids—seeking out homeowners, particularly older adults, in need of help. The anonymous family cleaned yards, did not ask for anything in return and quietly moved on to the next person in need.

They did not seek and would not accept publicity. I admired that more than anything.

"We're doing it because we should," they answered.

That is the ultimate pay it forward.

Another offering of help was provided by at least one Hannibal inn handling an influx of displaced Quincyans on Monday night who needed a place to stay, including one family

with a special-needs child who needed air conditioning. The lodge in question not only found the Quincyans rooms, but also provided them at a discount.

Hannibal has a big heart, too.

How about the cooperation of the drivers working their way through the maze of downed trees and no stoplights? Most major Quincy intersections became a little more than four-way stops, which could have become incredibly dangerous at major sites like 36th and Broadway. Instead, there was an esprit de corps among Quincyans, who politely made it all work.

Hats off to the local supermarkets for providing items like free bags of ice and places to recharge cellphones.

If you follow any social media, you have been impressed with the salutes, praises and admiration of Ameren and other workers trying to restore power to city residents. More than 1,000 Ameren workers alone have been working around the clock.

It's going to be quite awhile before things are back to what we consider "normal," but we'll get there.

We're Quincy. We pay it forward.

#### EVERY CHILD ACHIEVES ACT

Mr. LEAHY. Mr. President, today, the Senate has approved landmark legislation to reauthorize the Elementary and Secondary Education Act of 1965. Since 2001, the failed policies of No Child Left Behind have unfairly burdened educators and administrators by holding students accountable for snapshot academic progress. The Senate's bipartisan action today—an overwhelming vote of approval—is one step forward in the reversal of these troubling measures. The Every Child Achieves Act further highlights the Federal Government's crucial responsibility to ensure that students everywhere, across the country, have access to the resources they need for lasting academic success.

Since 2001, I have heard from parents, teachers, students, policymakers, and administrators about the negative impact of No Child Left Behind. I voted against the legislation, as I did not agree, and still do not agree, with a one-size-fits-all approach to education. I was also disappointed with the bill's rigid Federal accountability measures, as I truly believe States and local education agencies deserve flexibility when it comes to how schools operate.

The Every Child Achieves Act restores educational flexibility to the States, while safeguarding student access to resources, regardless of race, gender, financial status, and learning level. I am pleased that the bill takes into account the greater needs of students in rural areas, increases funding for early childhood education programs, and improves school safety measures. I am especially pleased with the bill's innovative assessment and accountability demonstration authority provision, which will allow Vermont to adopt competency and performance-based assessments that prove far more than how well a student can perform on a test on one given day.

Of course, no bill is perfect, and this one is no different. I am disappointed

that several amendments that would have improved the bill were not adopted. The Student Non-Discrimination Act, authored and filed as an amendment by Senator FRANKEN, would have taken the important step of ensuring protections for students who face harassment and bullying simply because of their actual or perceived gender identity or sexual orientation. I was proud to cosponsor the amendment, and remain committed to revisiting this important discussion to ensure all children are protected against bullying and discrimination in our schools. It garnered a majority of support in the Senate; it should have been adopted.

In a strong statement of support, the Senate came together in opposition against amendments on portability and private school vouchers, which would have unfairly redistributed title I funding from our Nation's highest need schools. I commend Chairman ALEXANDER and Ranking Member MURRAY for their leadership throughout the debates, and for their tireless dedication to promoting educational reform that serves the needs of all students.

We have come together, members on both sides of the aisle, to support the Every Child Achieves Act. Amid the partisan rancor, bipartisanship won the day, and the winners in this debate will be students in Vermont and across the country. As the House and Senate move to conference, I hope Congress will use this opportunity to promote the many measures included in the Senate's bill, which reflect the true needs of all students, educators, parents, and administrators.

#### TRUCK SAFETY ACT

Mr. BOOKER. Mr. President, trucking is critical to the movement of goods to consumers across the country. The trucking industry is a vital part of our economy. But we must also strive to ensure that goods are moved as safely as possible.

Each year, nearly 4,000 lives are lost due to truck crashes on our Nation's highways. Research by the National Transportation Safety Board has shown that many of these crashes could have been prevented. We owe it to the individuals and families affected by these tragedies to take every step possible to reduce the risks and prevent needless crashes.

That is why I have introduced the Truck Safety Act of 2015, legislation that will modernize our truck safety standards and embrace new technologies that can help reduce crashes across the country.

This legislation includes a provision to require collision-avoidance technologies in commercial vehicles involved in interstate commerce. Many of the fatalities that occur today are the result of rear-end collisions that could have been prevented with current technology. The technology can detect an impending collision or unsafe lane departure and automatically apply corrective action if a human operator is

unable to do so. The U.S. Department of Transportation has been working on this issue for several years and many companies have adopted these technologies. It is far past time that these lifesaving devices were required in all new trucks.

This legislation also updates the minimum liability insurance for trucking companies in order to ensure victims of crashes are able to fully recover the cost of their damages. In a report to Congress, the Department of Transportation found compelling evidence to reevaluate the current minimums. In some crashes, the costs to the victims far exceed the current minimum of \$750,000. This can leave the victim uncompensated for damages. Minimum insurance levels have not been raised since the 1980s, so my legislation requires an immediate increase to the trucking minimum insurance level, requires annual adjustment for inflation, and requires the Department of Transportation to evaluate whether minimum insurance levels need to be increased further.

Another provision in this legislation would allow the Secretary to require trucking employers to compensate drivers for time spent on duty but not driving. Currently, drivers are compensated for miles driven, not hours worked. This sets up an unsafe incentive structure in which drivers are penalized for taking the rest they need in order to drive safely. Drivers in this country play a critical role in ensuring Americans get the products they rely on for everyday life. They should not be forced to choose between resting to ensure their safety and feeding their families at home.

The Truck Safety Act is an important step to protect our truck drivers, individuals, and families traveling on our Nation's highways. I urge my colleagues to support this legislation that will improve the lives of New Jerseyans and individuals across the country.

#### ADDITIONAL STATEMENTS

##### TRIBUTE TO SHAYNE PIERRE

• Mr. DAINES. Mr. President, I wish to recognize Shayne Pierre of Polson, MT as Montanan of the Week. This week, Mr. Pierre was given the rare honor of receiving the Colonel's Meritorious Service Award from the Lake County Sheriff's Office and the Montana Highway Patrol for his selfless acts to assist all victims of a drunk driving accident that occurred this past May.

Shayne was riding the school bus home when the accident occurred. A speeding drunk driver caused a collision with the school bus, injuring both Shayne and his fellow students on the bus. Upon noticing a gas leak on the pavement, Shayne quickly instructed all students to exit the bus. He also acted heroically when he ran to help the driver who caused the accident, despite the injuries Shayne himself had sustained.

Shayne's quick actions and selflessness deserve many thanks and for that, I want to recognize him. Through this incident, Shayne acted as a role model not only to the students on the bus, but to his classmates, peers and community. I am proud that he is a citizen of the great State of Montana and an example to all.●

##### REMEMBERING ROY KIDDER

• Mr. HELLER. Mr. President, today, we honor the life and legacy of an upstanding Nevadan, Roy Kidder, whose passing signifies a great loss to the State. I send my condolences and prayers to his wife Cookie and all of Mr. Kidder's family in this time of mourning. He was a man truly committed to his family and his community. Although he will be sorely missed, his great influence in Nevada will be felt for years to come.

Mr. Kidder was born on July 31, 1937, in Tonopah. His first 3 months were spent in Manhattan, NV, where his father worked on the dredge. His family then moved to Honey Lake for 5 months and later to Hawthorne, where he was raised. Throughout his youth, Mr. Kidder was recognized for his incredible athletic ability, excelling in baseball, basketball, and track at Mineral County High School. He also contributed to the school's football team as a manager. Along with sports, he exceeded expectations in the academic world. Mr. Kidder participated in Mineral County High School's Honor Society and Block H, as well as attending American Legion Boys State, which is a highly respected educational program. After graduating high school, he attended the University of Nevada, Reno, UNR, where his drive in sports continued. From 1957 to 1959, Mr. Kidder played on the university's baseball team for Wolf Pack Coach Jake Lawlor. He graduated from UNR in 1959.

Shortly after, Mr. Kidder was recruited by Al Seeliger to teach and coach in Carson City. Throughout his tenure, he taught physical education, social studies, and Nevada history, and he served as department head for six different departments. He also coached golf, softball, basketball, and baseball and helped with the track team. His excellent teaching and coaching skills touched the lives of generations of Nevada students, including me. He was truly a role model as my physical education teacher. His tremendous involvement in Carson City will never be forgotten.

Mr. Kidder maintained only the highest level of excellence for himself and for the local community throughout his career. Carson City remains better because of his outstanding contributions. Today, I join citizens across the Silver State in celebrating the life of a truly dedicated and inspirational Nevadan, Roy Kidder.●

##### TRIBUTE TO CAPTAIN CHRISTY WISE

• Mr. HELLER. Mr. President, today, I wish to recognize Capt. Christy Wise for her unwavering dedication to both the U.S. Air Force and to overcoming great adversity. It gives me great pleasure to recognize this young woman's incredible strength. She embodies the true Battle Born spirit of determination, fearlessness, confidence, and resilience.

Captain Wise was raised in Reno with her twin sister and younger brother. She was accepted into the Air Force Academy, where she discovered her passion for flying. Shortly after, she was accepted into flight school. Captain Wise flies HC-130 search and rescue planes supporting pararescue jumpers and helicopters at her squadron base in Valdosta, GA. She flew in six rescue missions in Afghanistan in 2012 and is scheduled to redeploy this December. I extend my deepest gratitude to her for her service and wish her a safe deployment.

Recently, Captain Wise competed in the 2015 Department of Defense Wounded Warrior Games after sustaining serious injuries in a boating accident. Immediately after recovering from her injuries, which included the loss of her right leg above the knee, Captain Wise began her rehabilitation. She had heard about the Department of Defense Wounded Warrior Games through a fellow amputee patient at the gym and decided to compete. Less than 3 months after the accident, Captain Wise competed in track and field, swimming, and cycling events, earning 11 medals total. It was only 2 days before the games that she was cleared to participate in the swimming events, leaving her little time to practice for the five events in which she would compete. She received silver medals in both hand cycling and field competitions and received a bronze medal in the 100-meter wheelchair race. Her insatiable drive to excel is truly inspirational.

Captain Wise has demonstrated unwavering commitment and dedication to the highest standards of the U.S. Air Force. I am proud to call her a fellow Nevadan, and today, I ask my colleagues to join me in recognizing Captain Wise and her great achievements. I wish her well in all of her future endeavors and in her time in the U.S. Air Force for years to come.●

##### RECOGNIZING LIEUTENANT GENERAL JOHN D. JOHNSON

• Mr. INHOFE. Mr. President, I wish to recognize the service of LTG John D. Johnson, the director of the Department of Defense's newest combat support agency, the Joint Improvised-Threat Defeat Agency, JIDA, who will retire on September 1, 2015, after 38 years of active service.

Lieutenant General Johnson honorably served his country for more than

three decades. After graduating from the Virginia Military Institute in 1977 as an infantry officer, he commanded troops at every level and is a veteran of multiple deployments to Iraq. As a young officer, he served in Germany, Georgia, California, and the Pentagon. He attained the rank of brigadier general in 2006 and was assigned as the assistant division commander for maneuver of the 2nd Infantry Division in Korea. Upon returning, he was assigned to the U.S. Army Installation Management Command. From there, he became the deputy commanding general, operations, for I Corps and Fort Lewis, WA. He deployed to Iraq serving in that role to the Headquarters for Multi-National Corps—Iraq, where he learned first-hand the atrocities inflicted by improvised explosive devices, foreshadowing his rise to his final position. In his penultimate position, he was the commanding general, Eighth U.S. Army; and Chief of Staff for United Nations Command, Combined Forces Command, and U.S. Forces Korea, preserving readiness for coalition forces across the Korean Peninsula.

As the director of JIDA, Lieutenant General Johnson set the conditions for the Joint Improvised Explosive Device Defeat Organization, JIEDDO, to become JIDA, a permanent defense agency that will enhance our Nation's capabilities to fight improvised weapons and those who employ them. He has fostered countless cooperative relationships with government agencies, coalition partners, academia, and industry supporters in an effort to find innovative solutions to these pervasive improvised threats. During this challenging transition period for JIEDDO, he led an extensive effort to right-size the workforce and streamline processes while still bestowing a high level of support to the warfighter.

I had the pleasure of personally working with Lieutenant General Johnson during his tenure at JIEDDO. He is an inspiring leader, an admirable mentor, and a fine example for his fellow servicemembers. I am proud to share in the celebration of Lieutenant General Johnson's career, his extraordinary leadership, his distinguished military service and his unwavering dedication to this great Nation. I wish him, his wife Cheryl, and their daughter Elizabeth all the best in their future endeavors.●

#### RECOGNIZING REACTWELL

● Mr. VITTER. Mr. President, every business starts out with an entrepreneur willing to put in the hard work and take risks in order to turn an idea into reality. I am delighted to name ReactWell of New Orleans, LA, as Small Business of the Week. ReactWell is on the forefront of developing cutting edge technological advancements with the potential to revolutionize the energy, chemical, and petrochemical industries.

In 2010 after seeing the devastation from the British Petroleum, BP, oil-spill in the Gulf of Mexico, Baton Rouge native Brandon Iglesias founded ReactWell—a company that focuses on recycling existing carbon dioxide into useful oils and chemicals. Primarily, ReactWell develops technology that creates cleaner synthetic crude oil by using underground geothermal reactors and algae. Iglesias' technological invention relies on the natural forces and gravitational pressure to convert algae and chemicals into usable crude oil, while also reusing the waste produced from the reaction to feed the algae strains back into the system.

After years of hands-on research in the oil field, Brandon Iglesias took his research to a local entrepreneurial start-up competition, ultimately receiving crucial start-up capital and attention from interested investors across the country. Today, ReactWell continues to grow both its synthetic synthesizing programs, while additionally expanding their reach into a robust catalog of service and product applications spanning technoeconomic modeling, carbon sequestration, green chemistry, water treatment, and thermochemical conversions. Additionally, ReactWell maintains a laboratory with capabilities that include air sampling, cryogenic milling, and distillation, and process simulation capabilities in bio-physical modeling SIM Finite Element Analysis, FEA, 3D studio animation, and fusion and alias design.

Congratulations again to ReactWell for being selected as Small Business of the Week. I look forward to seeing the long-term impact ReactWell's innovative technologies will have in aiding Louisiana and the Nation.●

#### MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Pate, one of his secretaries.

#### EXECUTIVE MESSAGES REFERRED

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

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

#### MESSAGE FROM THE HOUSE

At 9:52 a.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bills, without amendment:

S. 971. An act to amend title XVIII of the Social Security Act to provide for an increase in the limit on the length of an agreement under the Medicare independence at home medical practice demonstration program.

S. 984. An act to amend title XVIII of the Social Security Act to provide Medicare beneficiary access to eye tracking accessories for speech generating devices and to remove the rental cap for durable medical equipment under the Medicare Program with respect to speech generating devices.

The message also announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 2722. An act to require the Secretary of the Treasury to mint coins in recognition of the fight against breast cancer.

H.R. 3038. An act to provide an extension of Federal-aid highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund, and for other purposes.

#### MEASURES REFERRED

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

H.R. 2722. An act to require the Secretary of the Treasury to mint coins in recognition of the fight against breast cancer; to the Committee on Banking, Housing, and Urban Affairs.

#### MEASURES READ THE FIRST TIME

The following bill was read the first time:

H.R. 3038. An act to provide an extension of Federal-aid highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund, and for other purposes.

#### REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. MORAN, from the Committee on Appropriations, without amendment:

S. 1800. An original bill making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2016, and for other purposes (Rept. No. 114-82).

By Mr. BURR, from the Select Committee on Intelligence:

Report to accompany S. 1705, An original bill to authorize appropriations for fiscal year 2016 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes (Rept. No. 114-83).

By Mr. INHOFE, from the Committee on Environment and Public Works, with an amendment in the nature of a substitute:

S. 1140. A bill to require the Secretary of the Army and the Administrator of the Environmental Protection Agency to propose a regulation revising the definition of the term "waters of the United States", and for other purposes (Rept. No. 114-84).

By Mr. GRASSLEY, from the Committee on the Judiciary, with an amendment in the nature of a substitute:

S. 1599. A bill to provide anti-retaliation protections for antitrust whistleblowers.

INTRODUCTION OF BILLS AND  
JOINT RESOLUTIONS

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

By Mr. MCCONNELL (for himself and Mr. PAUL):

S. 1784. A bill to require the Director of the Bureau of Prisons to be appointed by and with the advice and consent of the Senate; to the Committee on the Judiciary.

By Mr. LEE (for himself, Mr. RUBIO, Mr. MCCAIN, Mr. PERDUE, Mr. CRUZ, Mr. JOHNSON, Mr. COTTON, Mr. CORNYN, Mr. ALEXANDER, and Mr. SCOTT):

S. 1785. A bill to repeal the wage rate requirements of the Davis-Bacon Act; to the Committee on Health, Education, Labor, and Pensions.

By Mr. CORNYN (for himself, Mr. PAUL, and Mr. CRUZ):

S. 1786. A bill to establish a commission to examine the United States monetary policy, evaluate alternative monetary regimes, and recommend a course for monetary policy going forward; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. BROWN (for himself and Mr. MANCHIN):

S. 1787. A bill to amend title V of the Elementary and Secondary Education Act of 1965 to establish a full-service community schools grant program; to the Committee on Health, Education, Labor, and Pensions.

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

S. 1788. A bill to require operators that provide online and similar services to educational agencies, institutions, or programs to protect the privacy and security of personally identifiable information, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. RUBIO:

S. 1789. A bill to improve defense cooperation between the United States and the Hashemite Kingdom of Jordan; to the Committee on Foreign Relations.

By Mr. VITTER:

S. 1790. A bill to amend the Federal Food, Drug, and Cosmetic Act to allow for the personal importation of safe and affordable prescription drugs from approved pharmacies; to the Committee on Health, Education, Labor, and Pensions.

By Mr. VITTER (for himself and Mr. CASSIDY):

S. 1791. A bill to amend the Delta Development Act to include Vernon and Sabine parishes in the definition of the term "Lower Mississippi"; to the Committee on Environment and Public Works.

By Mr. SCHUMER (for himself, Mr. CARDIN, Mr. CASEY, Mr. CARPER, Mr. MENENDEZ, Mr. MERKLEY, Mrs. GILLIBRAND, Mr. BLUMENTHAL, and Mr. MARKEY):

S. 1792. A bill to amend the Internal Revenue Code of 1986 to equalize the exclusion from gross income of parking and transportation fringe benefits and to provide for a common cost-of-living adjustment, and for other purposes; to the Committee on Finance.

By Mrs. MURRAY (for herself and Mr. WICKER):

S. 1793. A bill to provide for the publication by the Secretary of Health and Human Services of physical activity recommendations for Americans; to the Committee on Health, Education, Labor, and Pensions.

By Mr. MERKLEY (for himself, Mr. HEINRICH, Mr. MARKEY, Mr. WHITEHOUSE, Mr. SANDERS, and Mr. FRANKEN):

S. 1794. A bill to prohibit drilling in the Arctic Ocean; to the Committee on Energy and Natural Resources.

By Mr. VITTER (for himself, Mr. SCHUMER, Mr. CASSIDY, Mr. MANCHIN, Mrs. CAPITO, Mr. BENNET, Mrs. GILLIBRAND, Mr. BOOKER, and Mr. MENENDEZ):

S. 1795. A bill to amend the Internal Revenue Code of 1986 to provide tax relief for major disasters declared in any of calendar years 2012 through 2015, to make certain tax relief provisions permanent, and for other purposes; to the Committee on Finance.

By Mr. CASEY (for himself, Mr. SANDERS, Ms. MIKULSKI, Ms. WARREN, and Mrs. MURRAY):

S. 1796. A bill to amend the Child Nutrition Act of 1966 to increase the age of eligibility for children to receive benefits under the special supplemental nutrition program for women, infants, and children and to allow States to certify infants for participation in that program for a period of 2 years, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Ms. HEITKAMP (for herself, Mr. MORAN, Mr. KING, and Mr. BOOZMAN):

S. 1797. A bill to require the Secretary of Veterans Affairs to establish a voluntary national directory of veterans to support outreach to veterans, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. RUBIO:

S. 1798. A bill to reauthorize the United States Commission on International Religious Freedom, and for other purposes; to the Committee on Foreign Relations.

By Ms. COLLINS:

S. 1799. A bill to provide authority for certain depository institutions, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. MORAN:

S. 1800. An original bill making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 2016, and for other purposes; from the Committee on Appropriations; placed on the calendar.

By Ms. KLOBUCHAR (for herself and Mr. SCHUMER):

S. 1801. A bill to amend the Internal Revenue Code of 1986 to treat certain farming business machinery and equipment as 5-year property for purposes of depreciation; to the Committee on Finance.

By Mr. TOOMEY (for himself, Mr. MANCHIN, Mr. CRAPO, and Mr. MENENDEZ):

S. 1802. A bill to protect the investment choices of American investors, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

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

S. 1803. A bill to amend subtitle D of the Solid Waste Disposal Act to encourage recovery and beneficial use of coal combustion residuals and establish requirements for the proper management and disposal of coal combustion residuals that are protective of human health and the environment; to the Committee on Environment and Public Works.

ADDITIONAL COSPONSORS

S. 51

At the request of Mr. VITTER, the name of the Senator from Florida (Mr. RUBIO) was added as a cosponsor of S. 51, a bill to amend title X of the Public Health Service Act to prohibit family planning grants from being awarded to

any entity that performs abortions, and for other purposes.

S. 210

At the request of Ms. MURKOWSKI, her name was added as a cosponsor of S. 210, a bill to amend the Internal Revenue Code of 1986 to allow a credit against income tax for amounts paid by a spouse of a member of the Armed Forces for a new State license or certification required by reason of a permanent change in the duty station of such member to another State.

S. 226

At the request of Mr. PAUL, the name of the Senator from Idaho (Mr. RISCH) was added as a cosponsor of S. 226, a bill to amend chapter 8 of title 5, United States Code, to provide that major rules of the executive branch shall have no force or effect unless a joint resolution of approval is enacted into law.

S. 471

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

S. 571

At the request of Mr. INHOFE, the names of the Senator from Ohio (Mr. BROWN), the Senator from Delaware (Mr. COONS), the Senator from West Virginia (Mrs. CAPITO), the Senator from North Carolina (Mr. TILLIS), the Senator from Idaho (Mr. RISCH), the Senator from Louisiana (Mr. CASSIDY), the Senator from Alabama (Mr. SHELBY), the Senator from Wyoming (Mr. ENZI), the Senator from Missouri (Mr. BLUNT), the Senator from Georgia (Mr. ISAKSON), the Senator from Arkansas (Mr. COTTON) and the Senator from Pennsylvania (Mr. TOOMEY) were added as cosponsors of S. 571, a bill to amend the Pilot's Bill of Rights to facilitate appeals and to apply to other certificates issued by the Federal Aviation Administration, to require the revision of the third class medical certification regulations issued by the Federal Aviation Administration, and for other purposes.

S. 627

At the request of Ms. AYOTTE, the name of the Senator from Louisiana (Mr. CASSIDY) was added as a cosponsor of S. 627, a bill to require the Secretary of Veterans Affairs to revoke bonuses paid to employees involved in electronic wait list manipulations, and for other purposes.

S. 628

At the request of Ms. BALDWIN, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 628, a bill to amend the Public Health Service Act to provide for the designation of maternity care health professional shortage areas.

S. 637

At the request of Mr. CRAPO, the names of the Senator from Maine (Ms.

COLLINS), the Senator from Maine (Mr. KING) and the Senator from Massachusetts (Mr. MARKEY) were added as cosponsors of S. 637, a bill to amend the Internal Revenue Code of 1986 to extend and modify the railroad track maintenance credit.

S. 697

At the request of Mr. UDALL, the names of the Senator from Wisconsin (Ms. BALDWIN), the Senator from North Carolina (Mr. BURR) and the Senator from North Carolina (Mr. TILLIS) were added as cosponsors of S. 697, a bill to amend the Toxic Substances Control Act to reauthorize and modernize that Act, and for other purposes.

S. 743

At the request of Ms. MURKOWSKI, her name was added as a cosponsor of S. 743, a bill to amend title 38, United States Code, to recognize the service in the reserve components of the Armed Forces of certain persons by honoring them with status as veterans under law, and for other purposes.

S. 799

At the request of Mr. MCCONNELL, the name of the Senator from Indiana (Mr. DONNELLY) was added as a cosponsor of S. 799, a bill to combat the rise of prenatal opioid abuse and neonatal abstinence syndrome.

S. 849

At the request of Mr. ISAKSON, the name of the Senator from Illinois (Mr. KIRK) was added as a cosponsor of S. 849, a bill to amend the Public Health Service Act to provide for systematic data collection and analysis and epidemiological research regarding Multiple Sclerosis (MS), Parkinson's disease, and other neurological diseases.

S. 890

At the request of Ms. CANTWELL, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 890, a bill to amend title 54, United States Code, to provide consistent and reliable authority for, and for the funding of, the Land and Water Conservation Fund to maximize the effectiveness of the Fund for future generations, and for other purposes.

S. 979

At the request of Ms. MURKOWSKI, her name was added as a cosponsor of S. 979, a bill to amend title 10, United States Code, to repeal the requirement for reduction of survivor annuities under the Survivor Benefit Plan by veterans' dependency and indemnity compensation, and for other purposes.

S. 1082

At the request of Mr. RUBIO, the names of the Senator from Louisiana (Mr. CASSIDY) and the Senator from Arizona (Mr. FLAKE) were added as cosponsors of S. 1082, a bill to amend title 38, United States Code, to provide for the removal or demotion of employees of the Department of Veterans Affairs based on performance or misconduct, and for other purposes.

S. 1148

At the request of Mr. BLUMENTHAL, his name was added as a cosponsor of

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

S. 1169

At the request of Mr. WHITEHOUSE, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 1169, a bill to reauthorize and improve the Juvenile Justice and Delinquency Prevention Act of 1974, and for other purposes.

S. 1182

At the request of Mr. BLUNT, the name of the Senator from Colorado (Mr. GARDNER) was added as a cosponsor of S. 1182, a bill to exempt application of JSA attribution rule in case of existing agreements.

S. 1424

At the request of Mrs. GILLIBRAND, the name of the Senator from Vermont (Mr. LEAHY) was added as a cosponsor of S. 1424, a bill to prohibit the sale or distribution of cosmetics containing synthetic plastic microbeads.

S. 1428

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

S. 1495

At the request of Mr. TOOMEY, the name of the Senator from Idaho (Mr. RISCH) was added as a cosponsor of S. 1495, a bill to curtail the use of changes in mandatory programs affecting the Crime Victims Fund to inflate spending.

S. 1498

At the request of Mr. WYDEN, the names of the Senator from New Jersey (Mr. MENENDEZ) and the Senator from Massachusetts (Mr. MARKEY) were added as cosponsors of S. 1498, a bill to amend title 10, United States Code, to require that military working dogs be retired in the United States, and for other purposes.

S. 1547

At the request of Mr. ISAKSON, the name of the Senator from Hawaii (Ms. HIRONO) was added as a cosponsor of S. 1547, a bill to provide high-skilled visas for nationals of the Republic of Korea, and for other purposes.

S. 1598

At the request of Mr. LEE, the names of the Senator from Kentucky (Mr. PAUL) and the Senator from South Carolina (Mr. SCOTT) were added as cosponsors of S. 1598, a bill to prevent discriminatory treatment of any person on the basis of views held with respect to marriage.

S. 1603

At the request of Mr. FLAKE, the names of the Senator from Alaska (Mr. SULLIVAN) and the Senator from California (Mrs. FEINSTEIN) were added as cosponsors of S. 1603, a bill to actively

recruit members of the Armed Forces who are separating from military service to serve as Customs and Border Protection Officers.

S. 1632

At the request of Ms. COLLINS, the name of the Senator from North Dakota (Ms. HEITKAMP) was added as a cosponsor of S. 1632, a bill to require a regional strategy to address the threat posed by Boko Haram.

S. 1648

At the request of Mr. GRASSLEY, the name of the Senator from Iowa (Mrs. ERNST) was added as a cosponsor of S. 1648, a bill to amend title XVIII of the Social Security Act to create a sustainable future for rural healthcare.

S. 1664

At the request of Mr. CARPER, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of S. 1664, a bill to count revenues from military and veteran education programs toward the limit on Federal revenues that certain proprietary institutions of higher education are allowed to receive for purposes of section 487 of the Higher Education Act of 1965, and for other purposes.

S. 1676

At the request of Mr. TESTER, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 1676, a bill to increase the number of graduate medical education positions treating veterans, to improve the compensation of health care providers, medical directors, and directors of Veterans Integrated Service Networks of the Department of Veterans Affairs, and for other purposes.

S. 1692

At the request of Mr. MORAN, the name of the Senator from Oklahoma (Mr. INHOFE) was added as a cosponsor of S. 1692, a bill to amend title 49, United States Code, to clarify the use of a towaway trailer transportation combination, and for other purposes.

S. 1709

At the request of Mr. SANDERS, his name was added as a cosponsor of S. 1709, a bill to reduce risks to the financial system by limiting banks' ability to engage in certain risky activities and limiting conflicts of interest, to reinstate certain Glass-Steagall Act protections that were repealed by the Gramm-Leach-Bliley Act, and for other purposes.

S. 1714

At the request of Mr. MANCHIN, the name of the Senator from Idaho (Mr. RISCH) was added as a cosponsor of S. 1714, a bill to amend the Surface Mining Control and Reclamation Act of 1977 to transfer certain funds to the Multiemployer Health Benefit Plan and the 1974 United Mine Workers of America Pension Plan, and for other purposes.

S. CON. RES. 17

At the request of Mr. ROUNDS, the name of the Senator from Arizona (Mr. MCCAIN) was added as a cosponsor of S.

Con. Res. 17, a concurrent resolution establishing a joint select committee to address regulatory reform.

S. RES. 148

At the request of Mr. KIRK, the name of the Senator from Oklahoma (Mr. LANKFORD) was added as a cosponsor of S. Res. 148, a resolution condemning the Government of Iran's state-sponsored persecution of its Baha'i minority and its continued violation of the International Covenants on Human Rights.

S. RES. 197

At the request of Mr. BLUMENTHAL, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. Res. 197, a resolution recognizing the need to improve physical access to many federally funded facilities for all people of the United States, particularly people with disabilities.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. MCCONNELL (for himself and Mr. PAUL):

S. 1784. A bill to require the Director of the Bureau of Prisons to be appointed by and with the advice and consent of the Senate; to the Committee on the Judiciary.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 1784

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Federal Prisons Accountability Act of 2015".

#### SEC. 2. FINDINGS.

Congress finds the following:

(1) The Director of the Bureau of Prisons leads a law enforcement component of the Department of Justice with a budget that exceeds \$6,900,000,000 for fiscal year 2015.

(2) With the exception of the Federal Bureau of Investigation, the Bureau of Prisons has the largest operating budget of any unit within the Department of Justice.

(3) The Director of the Bureau of Prisons oversees 122 facilities and is responsible for the welfare of more than 208,000 Federal inmates.

(4) The Director of the Bureau of Prisons supervises more than 39,000 employees, many of whom operate in hazardous environments that involve regular interaction with violent offenders.

(5) The Director of the Bureau of Prisons also serves as the chief operating officer for Federal Prisons Industries, a wholly owned government enterprise of 78 prison factories that directly competes against the private sector, including small businesses, for Government contracts.

(6) Within the Department of Justice, in addition to those officials who oversee litigating components, the Director of the Bureau of Alcohol, Tobacco, Firearms, and Explosives, the Director of the Bureau of Justice Assistance, the Director of the Bureau of Justice Statistics, the Director of the Community Relations Service, the Director

of the Federal Bureau of Investigation, the Director of the National Institute of Justice, the Director of the Office for Victims of Crime, the Director of the Office on Violence Against Women, the Administrator of the Drug Enforcement Administration, the Deputy Administrator of the Drug Enforcement Administration, the Administrator of the Office of Juvenile Justice and Delinquency Prevention, the Director of the United States Marshals Service, 94 United States Marshals, the Inspector General of the Department of Justice, and the Special Counsel for Immigration Related Unfair Employment Practices, are all appointed by the President by and with the advice and consent of the Senate.

(7) Despite the significant budget of the Bureau of Prisons and the vast number of people under the responsibility of the Director of the Bureau of Prisons, the Director is not appointed by and with the advice and consent of the Senate.

#### SEC. 3. DIRECTOR OF THE BUREAU OF PRISONS.

(a) IN GENERAL.—Section 4041 of title 18, United States Code, is amended by striking "appointed by and serving directly under the Attorney General." and inserting the following: "who shall be appointed by the President by and with the advice and consent of the Senate. The Director shall serve directly under the Attorney General."

(b) INCUMBENT.—Notwithstanding the amendment made by subsection (a), the individual serving as the Director of the Bureau of Prisons on the date of enactment of this Act may serve as the Director of the Bureau of Prisons until the date that is 3 months after the date of enactment of this Act.

(c) RULE OF CONSTRUCTION.—Nothing in this Act shall be construed to limit the ability of the President to appoint the individual serving as the Director of the Bureau of Prisons on the date of enactment of this Act to the position of the Director of the Bureau of Prisons in accordance with section 4041 of title 18, United States Code, as amended by subsection (a).

By Mr. CORNYN (for himself, Mr. PAUL, and Mr. CRUZ):

S. 1786. A bill to establish a commission to examine the United States monetary policy, evaluate alternative monetary regimes, and recommend a course for monetary policy going forward; to the Committee on Banking, Housing, and Urban Affairs.

Mr. CORNYN. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 1786

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Centennial Monetary Commission Act of 2015".

#### SEC. 2. FINDINGS.

Congress finds the following:

(1) The Constitution endows Congress with the power "to coin money, regulate the value thereof".

(2) Following the financial crisis known as the Panic of 1907, Congress established the National Monetary Commission to provide recommendations for the reform of the financial and monetary systems of the United States.

(3) Incorporating several of the recommendations of the National Monetary Commission, Congress created the Federal

Reserve System in 1913. As currently organized, the Federal Reserve System consists of the Board of Governors in Washington, District of Columbia, and the Federal Reserve Banks organized into 12 districts around the United States. The stockholders of the 12 Federal Reserve Banks include national and certain state-chartered commercial banks, which operate on a fractional reserve basis.

(4) Originally, Congress gave the Federal Reserve System a monetary mandate to provide an elastic currency, within the context of a gold standard, in response to seasonal fluctuations in the demand for currency.

(5) Congress also gave the Federal Reserve System a financial stability mandate to serve as the lender of last resort to solvent but illiquid banks during a financial crisis.

(6) In 1977, Congress changed the monetary mandate of the Federal Reserve System to a dual mandate for maximum employment and stable prices.

(7) Empirical studies and historical evidence, both within the United States and in other countries, demonstrate that price stability is desirable because both inflation and deflation damage the economy.

(8) The economic challenge of recent years—most notably the bursting of the housing bubble, the financial crisis of 2008, and the ensuing anemic recovery—have occurred at great cost in terms of lost jobs and output.

(9) Policymakers are reexamining the structure and functioning of financial institutions and markets to determine what, if any, changes need to be made to place the financial system on a stronger, more sustainable path going forward.

(10) The Federal Reserve System has taken extraordinary actions in response to the recent economic challenges.

(11) The Federal Open Market Committee has engaged in multiple rounds of quantitative easing, providing unprecedented liquidity to financial markets, while committing to holding short-term interest rates low for a seemingly indefinite period, and pursuing a policy of credit allocation by purchasing Federal agency debt and mortgage-backed securities.

(12) In the wake of the recent extraordinary actions of the Federal Reserve System, Congress—consistent with its constitutional responsibilities and as it has done periodically throughout the history of the United States—has once again renewed its examination of monetary policy.

(13) Central in such examination has been a renewed look at what is the most proper mandate for the Federal Reserve System to conduct monetary policy in the 21st century.

#### SEC. 3. ESTABLISHMENT.

There is established a commission to be known as the "Centennial Monetary Commission" (in this Act referred to as the "Commission").

#### SEC. 4. DUTIES.

(a) STUDY OF MONETARY POLICY.—The Commission shall—

(1) examine how United States monetary policy since the creation of the Board of Governors of the Federal Reserve System in 1913 has affected the performance of the United States economy in terms of output, employment, prices, and financial stability over time;

(2) evaluate various operational regimes under which the Board of Governors of the Federal Reserve System and the Federal Open Market Committee may conduct monetary policy in terms achieving the maximum sustainable level of output and employment and price stability over the long term, including—

(A) discretion in determining monetary policy without an operational regime;

- (B) price level targeting;
  - (C) inflation rate targeting;
  - (D) nominal gross domestic product targeting (both level and growth rate);
  - (E) the use of monetary policy rules; and
  - (F) the gold standard;
- (3) evaluate the use of macro-prudential supervision and regulation as a tool of monetary policy in terms of achieving the maximum sustainable level of output and employment and price stability over the long term;

(4) evaluate the use of the lender-of-last-resort function of the Board of Governors of the Federal Reserve System as a tool of monetary policy in terms of achieving the maximum sustainable level of output and employment and price stability over the long term; and

(5) recommend a course for United States monetary policy going forward, including—

- (A) the legislative mandate;
- (B) the operational regime;
- (C) the securities used in open market operations; and
- (D) transparency issues.

(b) **REPORT ON MONETARY POLICY.**—Not later than December 1, 2016, the Commission shall submit to Congress and make publicly available a report containing a statement of the findings and conclusions of the Commission in carrying out the study under subsection (a), together with the recommendations the Commission considers appropriate.

#### **SEC. 5. MEMBERSHIP.**

(a) **NUMBER AND APPOINTMENT.**—

(1) **APPOINTED VOTING MEMBERS.**—The Commission shall contain 12 voting members as follows:

(A) Six members appointed by the Speaker of the House of Representatives, with four members from the majority party and two members from the minority party; and

(B) Six members appointed by the President Pro Tempore of the Senate, with four members from the majority party and two members from the minority party.

(2) **CHAIRMAN.**—The Speaker of the House of Representatives and the majority leader of the Senate shall jointly designate one of the members of the Commission as Chairman.

(3) **NON-VOTING MEMBERS.**—The Commission shall contain 2 non-voting members as follows:

(A) One member appointed by the Secretary of the Treasury.

(B) One member who is the president of a district Federal reserve bank appointed by the Chair of the Board of Governors of the Federal Reserve System.

(b) **PERIOD OF APPOINTMENT.**—Each member shall be appointed for the life of the Commission.

(c) **TIMING OF APPOINTMENT.**—All members of the Commission shall be appointed not before January 5, 2015, and not later than 30 days after the date of the enactment of this Act.

(d) **VACANCIES.**—A vacancy in the Commission shall not affect its powers, and shall be filled in the manner in which the original appointment was made.

(e) **MEETINGS.**—

(1) **INITIAL MEETING.**—The Commission shall hold its initial meeting and begin the operations of the Commission as soon as is practicable.

(2) **FURTHER MEETINGS.**—The Commission shall meet upon the call of the Chair or a majority of its members.

(f) **QUORUM.**—Seven voting members of the Commission shall constitute a quorum but a lesser number may hold hearings.

(g) **MEMBER OF CONGRESS DEFINED.**—In this section, the term “Member of Congress” means a Senator or a Representative in, or

Delegate or Resident Commissioner to, the Congress.

#### **SEC. 6. POWERS.**

(a) **HEARINGS AND SESSIONS.**—The Commission or, on the authority of the Commission, any subcommittee or member thereof, may, for the purpose of carrying out this Act, hold hearings, sit and act at times and places, take testimony, receive evidence, or administer oaths as the Commission or such subcommittee or member thereof considers appropriate.

(b) **CONTRACT AUTHORITY.**—To the extent or in the amounts provided in advance in appropriation Acts, the Commission may contract with and compensate government and private agencies or persons to enable the Commission to discharge its duties under this Act, without regard to section 3709 of the Revised Statutes (41 U.S.C. 5).

(c) **OBTAINING OFFICIAL DATA.**—

(1) **IN GENERAL.**—The Commission is authorized to secure directly from any executive department, bureau, agency, board, commission, office, independent establishment, or instrumentality of the Government, any information, including suggestions, estimates, or statistics, for the purposes of this Act.

(2) **REQUESTING OFFICIAL DATA.**—The head of such department, bureau, agency, board, commission, office, independent establishment, or instrumentality of the government shall, to the extent authorized by law, furnish such information upon request made by—

- (A) the Chair;
- (B) the Chair of any subcommittee created by a majority of the Commission; or
- (C) any member of the Commission designated by a majority of the commission to request such information.

(d) **ASSISTANCE FROM FEDERAL AGENCIES.**—

(1) **GENERAL SERVICES ADMINISTRATION.**—The Administrator of General Services shall provide to the Commission on a reimbursable basis administrative support and other services for the performance of the functions of the Commission.

(2) **OTHER DEPARTMENTS AND AGENCIES.**—In addition to the assistance prescribed in paragraph (1), at the request of the Commission, departments and agencies of the United States shall provide such services, funds, facilities, staff, and other support services as may be authorized by law.

(e) **POSTAL SERVICE.**—The Commission may use the United States mails in the same manner and under the same conditions as other departments and agencies of the United States.

#### **SEC. 7. COMMISSION PERSONNEL.**

(a) **APPOINTMENT AND COMPENSATION OF STAFF.**—

(1) **IN GENERAL.**—Subject to rules prescribed by the Commission, the Chair may appoint and fix the pay of the executive director and other personnel as the Chair considers appropriate.

(2) **APPLICABILITY OF CIVIL SERVICE LAWS.**—The staff of the Commission may be appointed without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and may be paid without regard to the provisions of chapter 51 and subchapter III of chapter 53 of that title relating to classification and General Schedule pay rates, except that an individual so appointed may not receive pay in excess of level V of the Executive Schedule.

(b) **CONSULTANTS.**—The Commission may procure temporary and intermittent services under section 3109(b) of title 5, United States Code, but at rates for individuals not to exceed the daily equivalent of the rate of pay for a person occupying a position at level IV of the Executive Schedule.

(c) **STAFF OF FEDERAL AGENCIES.**—Upon request of the Commission, the head of any Federal department or agency may detail, on a reimbursable basis, any of the personnel of such department or agency to the Commission to assist it in carrying out its duties under this Act.

#### **SEC. 8. TERMINATION.**

(a) **IN GENERAL.**—The Commission shall terminate on June 1, 2017.

(b) **ADMINISTRATIVE ACTIVITIES BEFORE TERMINATION.**—The Commission may use the period between the submission of its report and its termination for the purpose of concluding its activities, including providing testimony to committee of Congress concerning its report.

#### **SEC. 9. AUTHORIZATION OF APPROPRIATIONS.**

There are authorized to be appropriated such sums as may be necessary to carry out this Act and such sums shall remain available until the date on which the Commission terminates.

By Ms. COLLINS:

S. 1799. A bill to provide authority for certain depository institutions, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

Ms. COLLINS. Mr. President, I rise to introduce the Community Bank Sensible Regulation Act of 2015, a bill which would allow financial regulators to exempt community banks from unnecessary and unduly burdensome requirements, if doing so is in the public interest. My bill would provide this authority to the FDIC, the Office of the Comptroller of the Currency, and the Federal Reserve, and would apply to financial institutions with less than \$10 billion in assets.

The aim of my legislation is to allow the financial regulators to exempt community banks from highly complex regulations designed to protect our financial system from systemic risks that would arise from the failure of larger banks. All banks, large and small, should be well-capitalized and properly regulated, but that does not mean that our financial regulators must impose a “one size fits all” regulatory regime across the board without regard to the risks posed to the financial system by banks with fundamentally different business models and of vastly different sizes.

Some regulations that are appropriate or essential for larger banks may make no sense when applied to community banks. For example, current law requires community banks to demonstrate that they are in compliance with the Volcker Rule—which restricts proprietary trading and hedge fund investments by banks—even though community banks rarely engage in such trading. Even so, community banks must shoulder the burden of complying with this complex regulation. My bill would allow the regulators to exempt community banks from the Volcker Rule.

As the GAO has noted, smaller banks are “disproportionately affected by increased regulation, because they are less able to absorb additional costs.” These costs are significant. According

to industry representatives, the cost of complying with regulations absorbs 12 percent of total bank operating expenses, and is two-and-a-half times greater for small banks than for large banks.

The cost of regulation puts community banks at a competitive disadvantage vis-à-vis larger banks. Over the past 2 decades, the share of the U.S. banking industry represented by community banks has declined from 40 percent to just 18 percent. Over the same period, the share of the market represented by the five largest banks has grown from roughly 18 percent to 46 percent. I am concerned that unnecessary regulation will accelerate these trends, and ironically, contribute to the further consolidation of the banking industry into a handful of “too big to fail” banks.

Community banks play an essential role in meeting the credit needs of their customers, particularly small businesses, homeowners, and farmers. Although community banks represent just 18 percent of total banking assets, they are responsible for half of our nation’s small business loans. With small business formation at generational lows, it is essential that we preserve and protect their access to credit, as they are the major driver of job creation in our country. In addition, community banks provide  $\frac{3}{4}$  of our Nation’s agricultural loans, a line of finance that requires highly specialized knowledge of farming and a long-term perspective suited to agricultural cycles.

Regulators should be able to tailor their regulations to take the distinctive nature of community banks into account. My bill would allow regulators to exempt community banks from unnecessary and burdensome regulations where it is in the public interest to do so. I urge my colleagues to support it.

#### AMENDMENTS SUBMITTED AND PROPOSED

SA 2257. Mr. McCAIN (for himself and Mr. FLAKE) submitted an amendment intended to be proposed by him to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies under the Patient Protection and Affordable Care Act; which was ordered to lie on the table.

#### TEXT OF AMENDMENTS

SA 2257. Mr. McCAIN (for himself and Mr. FLAKE) submitted an amendment intended to be proposed by him to the bill H.R. 22, to amend the Internal Revenue Code of 1986 to exempt employees with health coverage under TRICARE or the Veterans Administration from being taken into account for purposes of determining the employers to which the employer mandate applies

under the Patient Protection and Affordable Care Act; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

#### SEC. \_\_\_\_ . REVIEW AND NOTIFICATIONS OF CATEGORICAL EXCLUSIONS GRANTED FOR NEXT GENERATION FLIGHT PROCEDURES.

Section 213(c) of the FAA Modernization and Reform Act of 2012 (Public Law 112-95; 49 U.S.C. 40101 note) is amended by adding at the end the following:

“(3) NOTIFICATIONS AND CONSULTATIONS.—Not less than 30 days before granting a categorical exclusion under this subsection for a new procedure, the Administrator shall notify and consult with the affected public and the operator of the airport at which the procedure would be implemented.

“(4) REVIEW OF CERTAIN CATEGORICAL EXCLUSIONS.—

“(A) IN GENERAL.—The Administrator shall review a decision of the Administrator made on or after February 14, 2012, and before the date of the enactment of this paragraph to grant a categorical exclusion under this subsection with respect to a procedure to be implemented at an airport to determine if the implementation of the procedure had a significant effect on the human environment in the community in which the airport is located if the operator of that airport requests such a review and demonstrates that there is good cause to believe that the implementation of the procedure had such an effect.

“(B) CONTENT OF REVIEW.—If, in conducting a review under subparagraph (A) with respect to a procedure implemented at an airport, the Administrator, in consultation with the operator of the airport, determines that implementing the procedure had a significant effect on the human environment in the community in which the airport is located, the Administrator shall—

“(i) consult with the operator of the airport to identify measures to mitigate the effect of the procedure on the human environment; and

“(ii) in conducting such consultations, consider the use of alternative flight paths.”.

#### AUTHORITY FOR COMMITTEES TO MEET

##### COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the Committee on Agriculture, Nutrition, and Forestry be authorized to meet during the session of the Senate on July 16, 2015, at 10 a.m., in room SR-328A of the Russell Senate Office Building, to conduct a hearing entitled “Legislative Hearing to Review Pending Forest Service and Forestry Related Bills.”

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

##### COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on July 16, 2015, at 2:30 p.m., to conduct a hearing entitled “The Semiannual Monetary Policy Report to the Congress.”

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

##### COMMITTEE ON FINANCE

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the Com-

mittee on Finance be authorized to meet during the session of the Senate on July 16, 2015, at 10 a.m., in room SD-215 of the Dirksen Senate Office Building, to conduct a hearing entitled “Reviewing HealthCare.gov Controls.”

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

##### COMMITTEE ON FOREIGN RELATIONS

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on July 16, 2015, at 10 a.m., to conduct a hearing entitled “Corruption, Global Magnitsky, and Modern Slavery—Review of Human Rights Around the World.”

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

##### COMMITTEE ON THE JUDICIARY

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate on July 16, 2015, at 11 a.m., in room SD-216 of the Dirksen Senate Office Building.

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

##### SELECT COMMITTEE ON INTELLIGENCE

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on July 16, 2015, at 2:30 p.m.

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

##### SUBCOMMITTEE ON AFRICA AND GLOBAL HEALTH

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the Committee on Foreign Relations Subcommittee on Africa and Global Health be authorized to meet during the session of the Senate on July 16, 2015, at 2 p.m., to conduct a hearing entitled “Wildlife Poaching.”

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

##### SUBCOMMITTEE ON PUBLIC LANDS, FORESTS, AND MINING

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources’ Subcommittee on Public Lands, Forests, and Mining be authorized to meet during the session of the Senate on July 16, 2015, at 2:45 p.m., in room SD-366 of the Dirksen Senate Office Building.

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

##### SUBCOMMITTEE ON REGULATORY AFFAIRS AND FEDERAL MANAGEMENT

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the Subcommittee on Regulatory Affairs and Federal Management of the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on July 16, 2015, at 2 p.m., to conduct a hearing entitled, “Reviewing the Office of Information and Regulatory Affairs’ Role in the Regulatory Process.”

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

ENSURING ACCESS TO CLINICAL TRIALS ACT OF 2015

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Finance Committee be discharged from further consideration of S. 139 and the Senate proceed to its immediate consideration.

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

The clerk will report the bill by title. The legislative clerk read as follows:

A bill (S. 139) to permanently allow an exclusion under the Supplemental Security Income program and the Medicaid program for compensation provided to individuals who participate in clinical trials for rare diseases or conditions.

There being no objection, the Senate proceeded to consider the bill.

Mr. McCONNELL. Mr. President, I further ask unanimous consent that the bill be read a third time and passed, and the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

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

The bill (S. 139) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 139

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

**SECTION 1. SHORT TITLE.**

This Act may be cited as the “Ensuring Access to Clinical Trials Act of 2015”.

**SEC. 2. ELIMINATION OF SUNSET PROVISION.**

Effective as if included in the enactment of the Improving Access to Clinical Trials Act of 2009 (Public Law 111-255, 124 Stat. 2640), section 3 of that Act is amended by striking subsection (e).

MEASURE READ THE FIRST TIME—H.R. 3038

Mr. McCONNELL. Mr. President, I understand that there is a bill at the desk, and I ask for its first reading.

The PRESIDING OFFICER. The clerk will read the bill by title for the first time.

The legislative clerk read as follows:

A bill (H.R. 3038) to provide an extension of Federal-aid highway, highway safety, motor carrier safety, transit, and other programs funded out of the Highway Trust Fund, and for other purposes.

Mr. McCONNELL. Mr. President, I now ask for a second reading and, in order to place the bill on the calendar under the provisions of rule XIV, I object to my own request.

The PRESIDING OFFICER. Objection is heard.

The bill will be read for the second time on the next legislative day.

ORDERS FOR FRIDAY, JULY 17, 2015, AND TUESDAY, JULY 21, 2015

Mr. McCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10:40 a.m., Friday, July 17, for a pro forma session only, with no business being conducted; further, that following the pro forma session, the Senate adjourn until Tuesday, July 21, at 10 a.m.; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; that following leader remarks, the Senate be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each until 12:30 p.m., with the time equally divided in the usual form; and finally, that the Senate recess from 12:30 p.m. until 2:15 p.m. to allow for the weekly conference meetings.

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

ADJOURNMENT UNTIL 10:40 A.M. TOMORROW

Mr. McCONNELL. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 6:04 p.m., adjourned until Friday, July 17, 2015, at 10:40 a.m.

NOMINATIONS

Executive nominations received by the Senate:

NUCLEAR REGULATORY COMMISSION

JESSIE HILL ROBERSON, OF ALABAMA, TO BE A MEMBER OF THE NUCLEAR REGULATORY COMMISSION FOR THE TERM OF FIVE YEARS EXPIRING JUNE 30, 2020, VICE JEFFERY MARTIN BARAN, RESIGNED.

DEPARTMENT OF STATE

SUSAN COPPEDGE AMATO, OF GEORGIA, TO BE DIRECTOR OF THE OFFICE TO MONITOR AND COMBAT TRAFFICKING, WITH THE RANK OF AMBASSADOR AT LARGE, VICE LUIS C. DE BACA, RESIGNED.

MARC JONATHAN SIEVERS, OF MARYLAND, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE SULTANATE OF OMAN.

KENNETH DAMIAN WARD, OF VIRGINIA, A CAREER MEMBER OF THE SENIOR EXECUTIVE SERVICE, FOR THE RANK OF AMBASSADOR DURING HIS TENURE OF SERVICE AS UNITED STATES REPRESENTATIVE TO THE ORGANIZATION FOR THE PROHIBITION OF CHEMICAL WEAPONS.

THE JUDICIARY

MARK A. YOUNG, OF CALIFORNIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE CENTRAL DISTRICT OF CALIFORNIA, VICE AUDREY B. COLLINS, RETIRED.

WITHDRAWAL

Executive Message transmitted by the President to the Senate on July 16, 2015 withdrawing from further Senate consideration the following nomination:

JESSIE HILL ROBERSON, OF ALABAMA, TO BE A MEMBER OF THE DEFENSE NUCLEAR FACILITIES SAFETY BOARD FOR A TERM EXPIRING OCTOBER 18, 2018, (RE-APPOINTMENT), WHICH WAS SENT TO THE SENATE ON FEBRUARY 5, 2015.