

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

SA 2212. Mr. BOOKER (for himself and Mr. BENNET) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2213. Mr. VITTER submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, supra; which was ordered to lie on the table.

SA 2214. Mr. MCCONNELL (for Mrs. FISCHER (for herself and Mr. NELSON)) proposed an amendment to the bill S. 1359, to allow manufacturers to meet warranty and labeling requirements for consumer products by displaying the terms of warranties on Internet websites, and for other purposes.

#### TEXT OF AMENDMENTS

**SA 2178.** Mr. COONS (for himself, Mr. BLUNT, and Mr. REED) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

On page 170, strike lines 20 through 25, and insert the following:

“(A) IN GENERAL.—Each local educational agency shall reserve at least 1 percent of its allocation under subpart 2 to assist schools to carry out the activities described in this section, except that this subparagraph shall not apply if 1 percent of such agency’s allocation under subpart 2 for the fiscal year for which the determination is made is \$5,000 or less. Nothing in this subparagraph shall be construed to limit local educational agencies from reserving more than the 1 percent of its allocation under subpart 2 to assist schools to carry out activities described in this section.”;

**SA 2179.** Mr. CRAPO submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

At the end of the bill, add the following:

#### PART C—LOCAL LEADERSHIP IN EDUCATION

##### SEC. 10301. SHORT TITLE.

This part may be cited as the “Local Leadership in Education Act”.

##### SEC. 10302. PROHIBITIONS IN THE ELEMENTARY AND SECONDARY EDUCATION ACT.

(a) GENERAL PROHIBITIONS.—Section 9527 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7907), as amended by section 9110, is further amended—

(1) by striking subsections (a) and (b) and inserting the following:

“(a) GENERAL PROHIBITIONS.—

“(1) IN GENERAL.—An officer or employee of the Federal Government shall not directly or indirectly, through grants, contracts, or other cooperative agreements under this Act (including waivers under section 9401)—

“(A) mandate, direct, or control a State, local educational agency, or school’s academic standards, curriculum, program of in-

struction, or allocation of State or local resources;

“(B) mandate a State or any subdivision thereof to spend any funds or incur any costs not paid for under this Act;

“(C) incentivize a State, local educational agency, or school to adopt any specific academic standards or a specific curriculum or program of instruction, which shall include providing any priority, preference, or special consideration during an application process based on any specific academic standards, curriculum, or program of instruction;

“(D) make financial support available in a manner that is conditioned upon a State, local educational agency, or school’s adoption of specific instructional content, academic standards, or curriculum, or on the administration of assessments or tests, even if such requirements are specified in this Act; or

“(E) mandate or require States to administer assessments or tests to students.

“(2) RULE OF CONSTRUCTION.—Nothing in this Act shall be construed to authorize an officer or employee of the Federal Government directly or indirectly, whether through grants, contracts, or other cooperative agreements under this Act (including waivers under section 9401), to do any activity prohibited under subsection (a).”;

(2) by redesignating subsection (c) as subsection (a); and

(3) by adding at the end the following:

“(b) PROHIBITION ON ASSESSMENTS IN TITLE I.—Part A of title I shall be carried out without regard to any requirement that a State carry out academic assessments or that local educational agencies, elementary schools, and secondary schools make adequate yearly progress.”.

(b) PROHIBITION ON WAIVER CONDITIONS, REQUIREMENTS, OR PREFERENCES.—Section 9401 (20 U.S.C. 7861), as amended by section 9105, is further amended by striking subsection (h) and inserting the following:

“(h) PROHIBITION ON WAIVER CONDITIONS.—

“(1) IN GENERAL.—The Secretary shall not establish as a condition for granting a waiver under this section—

“(A) the approval of academic standards by the Federal government; or

“(B) the administration of assessments or tests to students.

“(2) EFFECT ON PREVIOUSLY ISSUED WAIVERS.—

“(A) IN GENERAL.—Any requirement described in paragraph (1) that was required for a waiver provided to a State, local educational agency, Indian tribe, or school under this section before the date of enactment of the Local Leadership in Education Act shall be void and have no force of law.

“(B) PROHIBITED ACTIONS.—The Secretary shall not—

“(i) enforce any requirement that is void pursuant to subparagraph (A); and

“(ii) require the State, local educational agency, Indian tribe, or school to reapply for a waiver, or to agree to any other condition to replace any requirement that is void pursuant to subparagraph (A), until the end of the period of time specified under the waiver.”.

“(C) NO EFFECT ON OTHER PROVISIONS.—Any other provisions or requirements of a waiver provided under this section before the date of enactment of the Local Leadership in Education Act that are not affected by subparagraph (A) shall remain in effect for the period of time specified under the waiver.”.

##### SEC. 10303. PROHIBITION IN THE GENERAL EDUCATION PROVISIONS ACT.

Section 438 of the General Education Provisions Act (20 U.S.C. 1232a) is amended—

(1) by striking “No provision of any applicable program shall be construed to authorize any department, agency, officer, or em-

ployee of the United States to” and inserting “A department, agency, officer, or employee of the United States shall not”;

(2) by inserting “(including the development of curriculum)” after “over the curriculum”; and

(3) by striking “to” after “institution or school system, or”.

##### SEC. 10304. PROHIBITION IN RACE TO THE TOP FUNDING.

Title XIV of Division A of the American Recovery and Reinvestment Act of 2009 (Public Law 111-5) is amended by inserting after section 14007 the following:

##### “SEC. 14007A. PROHIBITION ON ASSESSMENTS.

“Notwithstanding any other provision of law, no funds provided under section 14006 of the American Recovery and Reinvestment Act of 2009 (Public Law 111-5, 123 Stat. 283) shall be used to develop, pilot test, field test, implement, administer, or distribute any assessment or testing materials.”.

**SA 2180.** Mr. CRUZ (for himself, Mr. LEE, and Mr. CRAPO) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

On page 28, between lines 6 and 7, insert the following:

“(vi) include in the plan a description of assessments referred to in paragraph (2), or an accountability system referred to in paragraph (3), of subsection (b), nor may the Secretary require inclusion of a description of such assessments or system in a plan or application, or use inclusion of such assessments or system as a factor in awarding Federal funding, under any other provision of this Act; or

On page 28, line 7, strike “(vi)” and insert “(vii)”.

On page 36, strike line 18 and all that follows through line 25 on page 58, and insert the following:

“(2) ASSESSMENTS.—A State may include in the State plan a description of, and may implement, a set of high-quality statewide academic assessments.

“(3) ACCOUNTABILITY.—A State may include in the State plan a description of, and may implement, an accountability system.

On page 146, strike line 1 and all that follows through line 23, on page 166.

On page 183, between lines 6 and 7, insert the following:

##### SEC. 1008A. STATE-DETERMINED ASSESSMENTS AND ACCOUNTABILITY.

After section 1118, as redesignated by section 1004(3), insert the following:

##### “SEC. 1119. STATE-DETERMINED ASSESSMENTS AND ACCOUNTABILITY.

“Notwithstanding any other provision of law, including any other provision of this Act, wherever in this Act a reference is made to assessments or accountability under this part, including a reference to a provision under paragraphs (2) or (3) of section 1111(b)—

“(1) in the case of a State that elects to implement assessments referred to in section 1111(b)(2), a reference to assessments under this part shall be deemed to be a reference to those assessments and shall be carried out to the extent practicable based on the State-determined assessments;

“(2) in the case of a State that elects to implement an accountability system referred to in section 1111(b)(3), a reference to accountability under this part shall be deemed to be a reference to accountability

under that system, and shall be carried out to the extent practicable based on the State-determined accountability system; and

“(3) in the case of any State not described in paragraph (1) or (2), the reference shall have no effect.”.

On page 185, strike line 19 and all that follows through line 2 on page 228 and insert the following:

#### SEC. 1012. REPEAL.

Part B of title I (20 U.S.C. 6361 et seq.) is repealed.

**SA 2181.** Mr. MCCAIN submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

On page 70, line 3, strike the period and insert the following: “; and

“(iii) use funds under this part to support efforts to expand and replicate successful practices from high-performing charter schools, magnet schools, and traditional public schools.

**SA 2182.** Ms. AYOTTE submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

On page 469, line 22, strike “as well as” and insert “or encourage and develop skills that contribute to”.

**SA 2183.** Mr. SCHATZ submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

On page 40, between lines 14 and 15, insert the following:

“(IV) the inclusion of students in programs that use a Native American language, including American Indian, Native Hawaiian, and Alaska Native languages, as the predominant medium language of instruction, including programs funded by the Bureau of Indian Education, who shall have the option to be assessed in a valid and reliable manner in the language of instruction and form most likely to yield accurate data on what such students know and can do in academic content areas, provided that these students are assessed in English in reading or language arts, even where such assessment is also administered in a Native American language;

**SA 2184.** Mr. SCHATZ submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

On page 228, between lines 2 and 3, insert the following:

#### “SEC. 1206. DEMONSTRATION OF NATIVE AMERICAN LANGUAGE MEDIUM EDUCATION.

“(a) PURPOSE.—The purpose of this section is to demonstrate coordinated best practice in carrying out the educational purposes and provisions of the Native American Languages Act (25 U.S.C. 2901) in a variety of existing schools taught predominantly through the medium of Native American languages located on or near lands controlled by a Native American entity.

“(b) AWARDING OF PROJECT.—The Secretary shall award a grant to carry out a demonstration project under this section to an entity that meets the criteria described in subsection (c) and has the most experience in Native American language medium education.

“(c) DEMONSTRATION PROJECT.—The demonstration project shall—

“(1) include established schools or programs that have been in existence for not less than 10 years;

“(2) serve Alaska Natives, Native Hawaiians, and American Indians, with at least 1 example school or program from each of these Native categories assisted under this section;

“(3) include example classes in preschool, elementary school, intermediate school, and high school;

“(4) include a diversity of program types located in a variety of school types, including at least 1 example in each of a Bureau of Indian Affairs school, a public school, a charter school, and a private school;

“(5) be for a period of 3 years with an extension for an additional 2 years at the discretion of the Secretary;

“(6) be visited in whole or in part by the Secretary and the Secretary of the Interior or their designees;

“(7) be lead and coordinated by an entity within a tribal, State, or private institution of higher education with a high level of experience in serving the needs of Native American language medium education at a variety of levels and circumstances on a State and national level; and

“(8) provide opportunities for participation of other tribal, State, and private institutions of higher education.

“(d) WAIVERS.—The Secretary may further the purpose of this section by waiving provisions of this Act that the Secretary determines appropriate and not in conflict with other Federal law.

“(e) FUNDING.—The Secretary may fund the demonstration project under this section with unspent funds from other provisions of this Act.

**SA 2185.** Mr. WHITEHOUSE submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

On page 630, between lines 4 and 5, insert the following:

#### “PART J—INNOVATION SCHOOLS DEMONSTRATION AUTHORITY

##### “SEC. 5910. INNOVATION SCHOOLS.

“(a) PURPOSE.—The purpose of the flexibility authority under this part is to provide local educational agencies with the flexibility to create locally-designed innovation schools in order to achieve increased autonomy and support for innovation schools.

“(b) DEFINITIONS.—In this part:

“(1) ELIGIBLE ENTITY.—The term ‘eligible entity’ means a local educational agency

that receives a local flexibility agreement under this part.

“(2) ELIGIBLE STATE EDUCATIONAL AGENCY.—The term ‘eligible State educational agency’ means a State educational agency that has adopted policies or procedures that allow the development, consideration, and approval of innovation school plans, consistent with the provisions of this part.

“(3) INNOVATION SCHOOL.—The term ‘innovation school’ means a public school that—

“(A) is established for the purpose of generating enhanced opportunities for students to learn and achieve through increased educator and school-level professional autonomy and flexibility;

“(B) is a collaborative initiative enjoying strong buy-in, pursuant to subparagraphs (F) and (G) of subsection (f)(1), from key stakeholders, including parents, education employees, and representatives of such employees, where applicable;

“(C) ensures equitable access for all student populations;

“(D) operates with the same degree of transparency and is held to the same accountability standards applicable to other schools in the school district served by the local educational agency that serves the innovation school; and

“(E) is not a magnet school.

“(c) AUTHORITY.—

“(1) IN GENERAL.—Except as provided in paragraph (2), the Secretary is authorized to allow eligible State educational agencies to receive flexibility authority to provide local educational agencies with flexibility agreements if such eligible State educational agencies—

“(A) demonstrate that flexibility agreements are necessary for the successful operation of innovation schools; and

“(B) provide a description of any State or local rules, generally applicable to public schools, that will be waived, or otherwise not apply, to innovation schools.

“(2) EXCEPTION.—Flexibility authority and flexibility agreements shall not be granted under paragraph (1) with respect to any provision under part B of the Individuals with Disabilities Education Act, title VI of the Civil Rights Act of 1964, or section 504 of the Rehabilitation Act of 1973.

“(d) SELECTION OF LOCAL EDUCATIONAL AGENCIES.—Each eligible State educational agency receiving flexibility authority under subsection (c) shall, to the extent practicable and applicable, ensure that local flexibility agreements made with eligible entities—

“(1) prioritize local educational agencies that—

“(A) serve the largest numbers or percentages of students from low-income families; or

“(B) will use the provided flexibility for innovative strategies in schools identified as in need of intervention and support under section 1114; and

“(2) are geographically diverse, including provided to local educational agencies serving urban, suburban, or rural areas.

“(e) STATE APPLICATIONS AND REQUIREMENTS.—

“(1) IN GENERAL.—An eligible State educational agency desiring to receive flexibility authority under this part shall submit an application to the Secretary at such time and in such manner as the Secretary may require. The application shall include the following:

“(A) DESCRIPTION OF PROGRAM.—A description of the eligible State educational agency’s objectives in supporting innovation schools, and how the objectives of the program will be carried out, including—

“(i) a description of how the State educational agency will—

“(I) support the success of innovation schools;

“(II) inform local educational agencies, communities, and schools of the opportunity for local flexibility agreements under this part;

“(III) work with eligible entities to ensure that innovation schools access all Federal, State, and local funds such schools are eligible to receive;

“(IV) work with eligible entities to ensure that innovation schools receive waivers to all Federal, State, and local laws necessary to implement innovation schools’ innovation plans;

“(V) ensure each eligible entity works with innovation schools to ensure inclusion of all students and promote retention of students in the school; and

“(VI) share best and promising practices among innovation schools and other schools;

“(ii) a description of how the State educational agency will actively monitor each eligible entity in a local flexibility agreement to hold innovation schools accountable to ensure a high-quality education, including by approving, re-approving, and revoking the innovation plan and its attendant flexibility based on the performance of the innovation school, in the areas of student achievement, student safety, financial management, and compliance with all applicable statutes; and

“(iii) a description of how the State educational agency will approve local flexibility agreements, including—

“(I) a description of the application each local educational agency desiring to enter into such a flexibility agreement will submit, which application shall include—

“(aa) the school innovation plan;

“(bb) a description of the roles and responsibilities of local educational agencies and of any other organizations with which the local educational agency will partner to open innovation schools, including administrative and contractual roles and responsibilities;

“(cc) a description of the quality controls that will be used by the local educational agency, such as a contract or performance agreement that includes a school’s performance in the State’s academic accountability system and impact on student achievement;

“(dd) a description of the planned activities to be carried out under the flexibility agreement; and

“(ee) a description of waivers and other flexibility needed to implement the school innovation plan; and

“(II) a description of how the State educational agency will review applications from local educational agencies.

“(B) STATE ASSURANCES.—Assurances from the State educational agency that—

“(i) each eligible entity will ensure that innovation schools have a high degree of autonomy over budget and operations;

“(ii) the State educational agency—

“(I) and each eligible entity entering into a local flexibility agreement under this section will ensure that each innovation school that receives funds under the entity’s program is meeting the requirements of this Act, , part B of the Individuals with Disabilities Education Act, title VI of the Civil Rights Act of 1964, and section 504 of the Rehabilitation Act of 1973; and

“(II) will ensure that each eligible entity adequately monitors and provides adequate technical assistance to each innovation school in recruiting, enrolling, and meeting the needs of all students, including children with disabilities and English learners;

“(iii) the State educational agency will ensure that the eligible entity will monitor innovation schools, including by—

“(I) using annual performance data, including graduation rates and student academic achievement data, as appropriate;

“(II) if applicable, reviewing the schools’ independent, annual audits of financial statements conducted in accordance with generally accepted accounting principles, and ensuring any such audits are publically reported; and

“(III) holding innovation schools accountable to the academic, financial, and operational quality controls outlined in the innovation plan, such as through renewal, non-renewal, or revocation of the school’s innovation plan;

“(iv) the State educational agency will ensure that, to the greatest extent possible, State and local rules, generally applicable to public schools, will be waived, or otherwise not apply, to the extent necessary, to innovation plans at each innovation school;

“(v) eligible entities will ensure that each innovation school makes publicly available information to help parents make informed decisions about the education options available to their children, including information on the educational program, student support services, and annual performance and enrollment data for students in the innovation school; and

“(vi) the State educational agency consulted with local educational agencies, schools, teachers, principals, other school leaders, and parents in developing the State application.

“(2) ADDITIONAL ELEMENTS.—The provisions of peer review, approval, determination, demonstration, revision, disapproval, limitations, public review, and additional information applicable to State plans under paragraphs (3), (4), (5), (6), (7), and (8)(B) of section 1111(a) shall apply in the same manner to State applications submitted under this subsection.

“(f) LOCAL EDUCATIONAL AGENCY APPLICATIONS AND REQUIREMENTS.—A local educational agency that desires to enter into a local flexibility agreement shall submit to the State educational agency such information that the State educational agency shall require, including—

“(1) the plans for all approved innovation schools to be served by the local educational agency, which shall include—

“(A) a statement of the innovations school’s mission and why designation as an innovation school would enhance the school’s ability to achieve its mission;

“(B) a description of the innovations the public school would implement, which may include, innovations in school staffing, curriculum and assessment, class scheduling and size, use of financial and other resources, and faculty recruitment, employment, evaluation, compensation, and extracurricular activities;

“(C) if the innovation school seeks to establish an advisory board, a description of—

“(i) the membership of the board (which may include representatives of teachers, parents, students, the local educational agency, the State educational agency, the business community, institutions of higher education, or other community representatives);

“(ii) its responsibilities in designing and furthering the mission of the innovation school; and

“(iii) how the board will ensure coordination with the local educational agency and State educational agency;

“(D) a listing of the programs, policies, or operational documents within the public school that would be affected by the public school’s identified innovations and the manner in which they would be affected, which shall include—

“(i) the research-based educational program the school would implement;

“(ii) the length of school day and school year at the school;

“(iii) the student engagement policies to be implemented at the school;

“(iv) the school’s instruction and assessment plan;

“(v) the school’s plan to use data, evaluation, and professional learning to improve student achievement;

“(vi) the proposed budget for the school;

“(vii) the proposed staffing plan or staff compensation model for the school; and

“(viii) the professional development needs of leaders and staff to implement the program and how those needs will be addressed;

“(E) an identification of the improvements in academic performance that the school expects to achieve in implementing the innovations;

“(F) evidence that a majority of the administrators employed at the public school support the request for designation as an innovation school;

“(G) evidence that not less than two-thirds of the regularly employed employees at the school vote by secret ballot to approve the school’s innovation school plan;

“(H) evidence that the school has strong parental support, demonstrated in a manner determined appropriate by the State educational agency;

“(I) a description of any regulatory or policy requirements that would need to be waived for the public school to implement its identified innovations; and

“(J) any additional information required by the local educational agency in which the innovation plan would be implemented;

“(2) a description of any rules or regulations that the local educational agency will waive in order to provide autonomy to the innovation schools and why waiving such regulations will benefit students;

“(3) a description of any State regulations that the local educational agency seeks to waive in order to provide autonomy to innovation schools, and why waiving such regulations will benefit students; and

“(4) a description of the process that the local educational agency will use to regularly review the progress of innovation schools, including student performance and performance in the State’s accountability system and decide whether to revoke or continue the innovation school’s autonomy.

“(g) TEACHER CERTIFICATION REQUIREMENTS.—

“(1) IN GENERAL.—Notwithstanding any other provision of this part, except as provided under paragraph (2), not more than 5 percent of the teachers in an innovation school granted flexibility under this part may be unlicensed or uncertified at any one time. Such unlicensed or uncertified teachers shall become licensed or certified within 3 years of being hired.

“(2) STATE REQUIREMENTS.—Innovation schools located in a State with a more lenient teacher license or certification requirement than the requirement described in paragraph (1) may hire teachers in accordance with State teacher license or certification requirements.

“(h) REPORTING REQUIREMENTS AND ASSESSMENTS.—

“(1) REPORTING.—Each eligible State educational agency receiving the flexibility authority granted by the Secretary under this section shall submit to the Secretary, at the end of the third year of the demonstration period and at the end of any renewal period, a report that includes the following:

“(A) The number of students served by each innovation school under this part and, if applicable, the number of new students served during each year of the demonstration period, expressed as a total number and as a percentage of the students enrolled in the State and relevant local educational agencies.

“(B) The number of innovation schools served under this part.

“(C) An overview of the innovations implemented in the innovation schools and the innovation school zones in the districts of innovation.

“(D) An overview of the academic performance of the students served in innovation schools, including a comparison between the students’ academic performance before and since implementation of the innovations.

“(2) EVALUATION.—The Director of the Institute of Education Sciences (or a comparable, independent research organization) shall conduct an evaluation of the program under this part after year 3 and 5 of the program and every 2 years thereafter.

“(i) RULE OF CONSTRUCTION AND PROHIBITIONS.—

“(1) RULE OF CONSTRUCTION REGARDING EMPLOYMENT.—Nothing in this part shall be construed to alter or otherwise affect the rights, remedies, and procedures afforded school or school district employees under Federal, State or local laws (including applicable regulations or court orders) or under the terms of collective bargaining agreements, memoranda of understanding, or other agreements between such employees and their employers.

“(2) PROHIBITION ON FEDERAL INTERFERENCE WITH STATE AND LOCAL DECISIONS.—Nothing in this part shall be construed to permit the Secretary to establish any criterion that specifies, defines, or prescribes the terms governing innovation schools served under this part.

“(j) DURATION OF FLEXIBILITY DEMONSTRATION AUTHORITY AND AGREEMENTS.—

“(1) FLEXIBILITY DEMONSTRATION AUTHORITY.—Flexibility demonstration authority under this part shall be awarded for a period that shall not exceed 5 fiscal years, and may be renewed by the Secretary for 1 additional 2-year period.

“(2) LOCAL FLEXIBILITY AGREEMENTS.—Local flexibility agreements awarded by an eligible State educational agency under this part shall be for a period of not more than 5 years.”.

**SA 2186.** Mr. MURPHY submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

On page 630, between lines 4 and 5, insert the following:

#### **SEC. 5011. PROMISE NEIGHBORHOODS.**

Title V (20 U.S.C. 7201 et seq.), as amended by section 5001, is further amended by inserting after part I, as added by section 5010, the following:

#### **“PART J—PROMISE NEIGHBORHOODS**

##### **“SEC. 5910. SHORT TITLE.**

“This part may be cited as the ‘Promise Neighborhoods Act of 2015’.

##### **“SEC. 5911. PURPOSE.**

“The purpose of this part is to significantly improve the academic and developmental outcomes of children living in our Nation’s most distressed communities, including ensuring school readiness, high school graduation, and college and career readiness for such children, and access to a community-based continuum of high-quality services.

##### **“SEC. 5912. PIPELINE SERVICES DEFINED.**

“In this part, the term ‘pipeline services’ means a continuum of supports and services for children from birth through college

entry, college success, and career attainment, including, at a minimum, strategies to address through services or programs (including integrated student supports) the following:

“(1) High-quality early learning opportunities.

“(2) High-quality schools and out-of-school-time programs and strategies.

“(3) Support for a child’s transition to elementary school, support for a child’s transition from elementary school to middle school, from middle school to high school, and from high school into and through college and into the workforce, including any comprehensive readiness assessment as deemed necessary.

“(4) Family and community engagement.

“(5) Family and student supports, which may be provided within the school building.

“(6) Activities that support college and career readiness.

“(7) Community-based support for students who have attended the schools in the pipeline, or students who are members of the community, facilitating their continued connection to the community and success in college and the workforce.

#### **“SEC. 5913. PROGRAM AUTHORIZED.**

“(a) IN GENERAL.—

“(1) PROGRAM AUTHORIZED.—From amounts appropriated to carry out this part, the Secretary shall award grants, on a competitive basis, to eligible entities to implement a comprehensive, evidence-based continuum of coordinated services that meet the purpose of this part by carrying out the activities in neighborhoods with high concentrations of low-income individuals and multiple signs of distress, which may include poverty, childhood obesity rates, academic failure, and rates of juvenile delinquency, adjudication, or incarceration, and persistently low-achieving schools or schools with an achievement gap.

“(2) SUFFICIENT SIZE AND SCOPE.—Each grant awarded under this part shall be of sufficient size and scope to allow the eligible entity to carry out the purpose of this part.

“(b) DURATION.—A grant awarded under this part shall be for a period of not more than 5 years, and may be renewed for an additional period of not more than 5 years.

“(c) CONTINUED FUNDING.—Continued funding of a grant under this part, including a grant renewed under subsection (b), after the third year of the grant period shall be contingent on the eligible entity’s progress toward meeting the performance metrics described in section 5918(a).

“(d) MATCHING REQUIREMENT.—

“(1) IN GENERAL.—Each eligible entity receiving a grant under this part shall contribute matching funds in an amount equal to not less than 100 percent of the amount of the grant. Such matching funds shall come from Federal, State, local, and private sources.

“(2) PRIVATE SOURCES.—The Secretary shall require that a portion of the matching funds come from private sources, which may include in-kind donations.

“(3) ADJUSTMENT.—The Secretary may adjust the matching funds requirement for applicants that demonstrate high need, including applicants from rural areas or applicant that wish to provide services on tribal lands.

“(e) FINANCIAL HARDSHIP WAIVER.—The Secretary may waive or reduce, on a case-by-case basis, the matching requirement described in subsection (d), including the requirement for funds for private sources for a period of 1 year at a time, if the eligible entity demonstrates significant financial hardship.

“(f) RESERVATION FOR RURAL AREAS.—From the amounts appropriated to carry out

this part for a fiscal year, the Secretary shall reserve not less than 20 percent for eligible entities that propose to carry out the activities described in section 5916 in rural areas. The Secretary shall reduce the amount described in the preceding sentence if the Secretary does not receive a sufficient number of applications that are deserving of a grant under this part for such purpose.

#### **“SEC. 5914. ELIGIBLE ENTITIES.**

“In this part, the term ‘eligible entity’ means—

“(1) an institution of higher education, as defined in section 102 of the Higher Education Act of 1965;

“(2) an Indian tribe or tribal organization, as defined under section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b); or

“(3) one or more nonprofit entities working in formal partnership with not less than 1 of the following entities:

“(A) A high-need local educational agency.

“(B) An institution of higher education, as defined in section 102 of the Higher Education Act of 1965.

“(C) The office of a chief elected official of a unit of local government.

“(D) An Indian tribe or tribal organization, as defined under section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b).

#### **“SEC. 5915. APPLICATION REQUIREMENTS.**

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

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

“(1) A plan to significantly improve the academic outcomes of children living in a neighborhood that is served by the eligible entity, by providing pipeline services that address the needs of children in the neighborhood, as identified by the needs analysis described in paragraph (4), and supported by evidence-based practices.

“(2) A description of the neighborhood that the eligible entity will serve.

“(3) Measurable annual goals for the outcomes of the grant, including performance goals, in accordance with the metrics described in section 5918(a), for each year of the grant.

“(4) An analysis of the needs and assets, including size and scope of population affected of the neighborhood identified in paragraph (1), including—

“(A) a description of the process through which the needs analysis was produced, including a description of how parents, family, and community members were engaged in such analysis;

“(B) an analysis of community assets and collaborative efforts, including programs already provided from Federal and non-Federal sources, within, or accessible to, the neighborhood, including, at a minimum, early learning, family and student supports, local businesses, and institutions of higher education;

“(C) the steps that the eligible entity is taking, at the time of the application, to address the needs identified in the needs analysis; and

“(D) any barriers the eligible entity, public agencies, and other community-based organizations have faced in meeting such needs.

“(5) A description of all data that the entity used to identify the pipeline services to be provided and how the eligible entity will collect data on children served by each pipeline service and increase the percentage of children served over time.

“(6) A description of the process used to develop the application, including the involvement of family and community members.

“(7) A description of how the pipeline services will facilitate the coordination of the following activities:

“(A) Providing high-quality early learning opportunities for children, including by providing opportunities for families and expectant parents to acquire the skills to promote early learning and child development, and ensuring appropriate screening, diagnostic assessments, and referrals for children with disabilities and developmental delays, consistent with the Individuals with Disabilities Education Act, where applicable.

“(B) Supporting, enhancing, operating, or expanding rigorous and comprehensive evidence-based education reforms, which may include high-quality academic programs, expanded learning time, and programs and activities to prepare students for college admissions and success.

“(C) Supporting partnerships between schools and other community resources with an integrated focus on academics and other social, health, and familial supports.

“(D) Providing social, health, nutrition, and mental health services and supports, including referrals for essential healthcare and preventative screenings, for children, family, and community members, which may include services provided within the school building.

“(E) Supporting evidence-based programs that assist students through school transitions, which may include expanding access to college courses for and college enrollment aide or guidance, and other supports for at-risk youth.

“(8) A description of the strategies that will be used to provide pipeline services (including a description of which programs and services will be provided to children, family members, community members, and children not attending schools or programs operated by the eligible entity or its partner providers) to support the purpose of this part.

“(9) An explanation of the process the eligible entity will use to establish and maintain family and community engagement, including involving representative participation by the members of such neighborhood in the planning and implementation of the activities of each grant awarded under this part, and the provision of strategies and practices to assist family and community members in actively supporting student achievement and child development, providing services for students, families, and communities within the school building, and collaboration with institutions of higher education, workforce development centers, and employers to align expectations and programming with college and career readiness.

“(10) An explanation of how the eligible entity will continuously evaluate and improve the continuum of high-quality pipeline services to provide for continuous program improvement and potential expansion.

“(11) An identification of the fiscal agent, which may be any entity described in section 5914 (not including paragraph (2) of such section).

“(C) **MEMORANDUM OF UNDERSTANDING.**—An eligible entity, as part of the application described in this section, shall submit a preliminary memorandum of understanding, signed by each partner entity or agency. The preliminary memorandum of understanding shall describe, at a minimum—

“(1) each partner's financial and programmatic commitment with respect to the strategies described in the application, including an identification of the fiscal agent;

“(2) each partner's long-term commitment to providing pipeline services that, at a minimum, accounts for the cost of supporting

the continuum of supports and services (including a plan for how to support services and activities after grant funds are no longer available) and potential changes in local government;

“(3) each partner's mission and the plan that will govern the work that the partners do together;

“(4) each partner's long-term commitment to supporting the continuum of supports and services through data collection, monitoring, reporting, and sharing; and

“(5) each partner's commitment to ensure sound fiscal management and controls, including evidence of a system of supports and personnel.

#### “SEC. 5916. USE OF FUNDS.

“(a) **IN GENERAL.**—Each eligible entity that receives a grant under this part shall use the grant funds to—

“(1) support planning activities to develop and implement pipeline services;

“(2) implement the pipeline services, as described in the application under section 5915; and

“(3) continuously evaluate the success of the program and improve the program based on data and outcomes.

#### “(b) **SPECIAL RULES.**—

“(1) **FUNDS FOR PIPELINE SERVICES.**—Each eligible entity that receives a grant under this part, for the first and second year of the grant, shall use not less than 50 percent of the grant funds to carry out the activities described in subsection (a)(1).

“(2) **OPERATIONAL FLEXIBILITY.**—Each eligible entity that operates a school in a neighborhood served by a grant program under this part shall provide such school with the operational flexibility, including autonomy over staff, time, and budget, needed to effectively carry out the activities described in the application under section 5915.

“(3) **LIMITATION ON USE OF FUNDS FOR EARLY CHILDHOOD EDUCATION PROGRAMS.**—Funds under this part that are used to improve early childhood education programs shall not be used to carry out any of the following activities:

“(A) Assessments that provide rewards or sanctions for individual children or teachers.

“(B) A single assessment that is used as the primary or sole method for assessing program effectiveness.

“(C) Evaluating children, other than for the purposes of improving instruction, classroom environment, professional development, or parent and family engagement, or program improvement.

#### “SEC. 5917. REPORT AND PUBLICLY AVAILABLE DATA.

“(a) **REPORT.**—Each eligible entity that receives a grant under this part shall prepare and submit an annual report to the Secretary, which shall include—

“(1) information about the number and percentage of children in the neighborhood who are served by the grant program, including a description of the number and percentage of children accessing each support or service offered as part of the pipeline services; and

“(2) information relating to the performance metrics described in section 5918(a); and

“(b) **PUBLICLY AVAILABLE DATA.**—Each eligible entity that receives a grant under this part shall make publicly available, including through electronic means, the information described in subsection (a). To the extent practicable, such information shall be provided in a form and language accessible to parents and families in the neighborhood, and such information shall be a part of statewide longitudinal data systems.

#### “SEC. 5918. PERFORMANCE ACCOUNTABILITY AND EVALUATION.

“(a) **PERFORMANCE METRICS.**—Each eligible entity that receives a grant under this part

shall collect data on performance indicators of pipeline services and family and student supports and report the results to the Secretary, who shall use the results as a consideration in continuing grants after the third year and in awarding grant renewals. The indicators shall address the entity's progress toward meeting the goals of this part to significantly improve the academic and developmental outcomes of children living in our Nation's most distressed communities from birth through college and career entry, including ensuring school readiness, high school graduation, and college and career readiness for such children, through the use of data-driven decision making and access to a community-based continuum of high-quality services, beginning at birth.

“(b) **EVALUATION.**—The Secretary shall evaluate the implementation and impact of the activities funded under this part, in accordance with section 9601.

#### “SEC. 5919. NATIONAL ACTIVITIES.

“From the amounts appropriated to carry out this part for a fiscal year, in addition to the amounts that may be reserved in accordance with section 9601, the Secretary may reserve not more than 8 percent for national activities, which may include research, technical assistance, professional development, dissemination of best practices, and other activities consistent with the purposes of this part.

#### “SEC. 5920. AUTHORIZATION OF APPROPRIATIONS.

“There are authorized to be appropriated to carry out this part such sums as may be necessary for each of fiscal years 2016 through 2021.”

**SA 2187.** Mr. FRANKEN (for himself and Mr. CASSIDY) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

On page 75, line 18, insert “disability category as described in subparagraphs (A)(i) and (if applicable for the State) (B)(i) of section 602(3) of the Individuals with Disabilities Education Act,” after “homeless status,”.

**SA 2188.** Ms. BALDWIN (for herself and Mr. WHITEHOUSE) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

On page 69, between lines 12 and 13, insert the following:

“(M) how the State will ensure the unique needs of students at all levels of schooling are met, particularly students in the middle grades and high school, including how the State will work with local educational agencies to—

“(i) assist in the identification of middle grades and high school students who are at-risk of dropping out, such as through the continuous use of student data related to measures such as attendance, student suspensions, course performance, and, postsecondary credit accumulation that results in actionable steps to inform and differentiate instruction and support;

“(ii) ensure effective student transitions from elementary school to middle grades and

middle grades to high school, such as by aligning curriculum and supports or implementing personal academic plans to enable such students to stay on the path to graduation;

“(iii) ensure effective student transitions from high school to postsecondary education, such as through the establishment of partnerships between local educational agencies and institutions of higher education and providing students with choices for pathways to postsecondary education, which may include the integration of rigorous academics, career and technical education, and work-based learning;

“(iv) provide professional development to teachers, principals, other school leaders, and other school personnel in addressing the academic and developmental needs of such students; and

“(v) implement any other evidence-based strategies or activities that the State determines appropriate for addressing the unique needs of such students;

On page 69, line 13, strike “(M)” and insert “(N)”.

On page 69, line 17, strike “(N)” and insert “(O)”.

On page 772, between lines 14 and 15, insert the following:

“(47) MIDDLE GRADES.—The term middle grades means any of grades 5 through 8.”.

At the end of the bill, add the following:

**SEC. 1020 . REPORT ON THE REDUCTION OF THE NUMBER AND PERCENTAGE OF STUDENTS WHO DROP OUT OF SCHOOL.**

Not later than 5 years after the date of enactment of this Act, the Director of the Institute of Education Sciences shall evaluate the impact of section 1111(c)(1)(M) on reducing the number and percentage of students who drop out of school.

**SA 2189.** Ms. BALDWIN (for herself and Mr. WHITEHOUSE) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

On page 630, between lines 4 and 5, insert the following:

**SEC. 5011. IMPROVING SECONDARY SCHOOLS.**

Title V (20 U.S.C. 7201 et seq.), as amended by section 5001, is further amended by inserting after part I, as added by section 5010, the following:

**“PART J—IMPROVING SECONDARY SCHOOLS**

**“SEC. 5910. PURPOSES.**

“The purposes of this part are to increase the number and percentage of students who—

“(1) successfully matriculate from middle school to high school;

“(2) graduate from high school college- and career-ready with the ability to use knowledge to solve complex problems, think critically, communicate effectively, collaborate with others, and develop academic mindsets;

“(3) earn college-level credit and postsecondary credentials, including industry-based credentials, such as through early college and dual enrollment while in high school;

“(4) successfully complete sequencing of coursework that integrates rigorous academics with career-based learning and real world workplace experiences; and

“(5) graduate from high school prepared to pursue postsecondary degrees in science, technology, engineering, and mathematics, particularly for student groups historically underrepresented in these fields.

**“SEC. 5911. DEFINITIONS.**

“In this part:

“(1) APPLIED LEARNING.—The term ‘applied learning’ means a strategy that engages students in opportunities to apply rigorous academic content aligned with college-level expectations to real world experience, through such means as project-based, work-based, or service-based learning, and develops students’ cognitive competencies and pertinent employability skills.

“(2) ATTRITION.—The term ‘attrition’ means the reduction in a school’s student population as a result of transfers or dropouts and includes students who have been enrolled for a minimum of 3 weeks within the academic year.

“(3) CHRONICALLY ABSENT.—The term ‘chronically absent’, when used with respect to a student—

“(A) means a student who misses not less than 10 percent of the school days at a school; and

“(B) does not include any school days a student misses due to an in-school or out-of-school suspension, or for which a student was not enrolled at such school.

“(4) COMPETENCY-BASED LEARNING MODEL.—

“(A) IN GENERAL.—The term ‘competency-based learning model’ means an education model in which students advance academically based upon multiple demonstrations of competence in defined content-specific concepts and higher order skills, such as critical thinking and problem solving.

“(B) REQUIREMENTS.—In a competency-based learning model the following applies:

“(i) Competencies include explicit, measurable, and transferable learning objectives.

“(ii) Assessment is used to identify gaps in a student’s knowledge and to provide frequent and meaningful feedback on the student’s progression toward filling such gaps and moving on to higher levels of knowledge.

“(iii) Each student receives timely, differentiated support based on the student’s individual learning needs.

“(iv) Student agency is emphasized through transparency of goals and gaps in knowledge, and multiple means to close those gaps.

“(5) ELIGIBLE ENTITY.—The term ‘eligible entity’ means a local educational agency or a consortium of local educational agencies—

“(A) in partnership with—

“(i) 1 or more institutions of higher education; and

“(ii) 1 or more employers, which may be a nonprofit organization, community-based organization, State or local government agency, business, or an industry-related organization; and

“(B) that may include 1 or more external partners, such as a qualified intermediary.

“(6) ELIGIBLE HIGH SCHOOL.—The term ‘eligible high school’ means a high school that—

“(A) does not receive funding under section 1114(c);

“(B) serves a student population of which not less than 40 percent are from low-income families as determined by the local educational agency serving such school; and

“(C) has a 4-year adjusted cohort graduation rate for all students or for multiple subgroups of students at or below 67 percent, except in the case of a high school that, at the time of applying for the grant under this part, is a new high school, as determined by the Secretary.

“(7) ELIGIBLE MIDDLE SCHOOL.—The term ‘eligible middle school’ means a middle school—

“(A) that does not receive funding under section 1114(c);

“(B) that serves a student population of which not less than 40 percent are from low-income families as determined by the local educational agency serving such school; and

“(C) from which a significant number or percentage of students go on to attend an eligible high school.

“(8) INDUSTRY-BASED CREDENTIAL.—The term ‘industry-based credential’ has the meaning given the term ‘recognized postsecondary credential’ in section 3 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3102).

“(9) PERSONALIZED LEARNING.—The term ‘personalized learning’ means a learning environment that addresses students’ academic and non-academic needs and provides students with an individualized sequence of academic content, skill development, support services, and ensures that each student has an advisor designed to enable the student to achieve the student’s individual learning goals and ensure the student graduates on time and ready for college and a career by having developed skills and competencies, including the ability to think critically, solve complex or non-routine problems, evaluate arguments on the basis of evidence, and communicate effectively.

“(10) QUALIFIED INTERMEDIARY.—The term ‘qualified intermediary’ means an entity that has—

“(A) a demonstrated record of working on grant-related middle school and high school redesign activities; and

“(B) expertise in building and sustaining partnerships with entities such as employers, schools, community-based organizations, institutions of higher education, social service organizations, economic development organizations, and workforce systems to broker services, resources, and supports to youth and the organizations and systems that are designed to serve youth (including connecting employers to classrooms, designing and implementing contextualized pathways to postsecondary education and careers, developing integrated curricula, delivering professional development, and connecting students to internships and other work-based learning opportunities).

“(11) STUDENT-CENTERED LEARNING APPROACHES.—The term ‘student-centered learning approaches’ means instruction and curriculum that—

“(A) are—

“(i) based on personalized learning; and

“(ii) mastery oriented or based on competency-based learning models;

“(B) enable students to have supports to take increased responsibility over their education and develop self-regulation skills; and

“(C) are designed to foster the skills and dispositions students need to succeed in college, career, and citizenship, and the competencies described under paragraph (4).

“(12) TRANSFER RATE.—The term ‘transfer rate’ means the rate at which students transfer from one high school to another high school, or from one high school to another education setting, for a reason other than due to a change in primary residence, as verified through written documentation by the local educational agency serving the student at the time of the transfer.

**“SEC. 5912. GRANTS AUTHORIZED.**

“(a) PROGRAM AUTHORIZED.—

“(1) IN GENERAL.—The Secretary shall make grants to State educational agencies with approved State plans to achieve the purposes of this part.

“(2) COMPETITIVE BASIS.—For any fiscal year for which the amount appropriated under section 5916 is less than \$300,000,000, the Secretary shall award grants to State educational agencies under paragraph (1) on a competitive basis.

“(3) FORMULA BASIS.—For any fiscal year for which the amount appropriated under section 5916 is equal to or more than \$300,000,000, the Secretary shall award grants



to State educational agencies from allotments made under subsection (b).

“(b) DETERMINATION OF ALLOTMENTS.—

“(1) RESERVATION OF FUNDS.—For any fiscal year for which the amount appropriated under section 5916 is equal to or more than \$300,000,000, the Secretary shall reserve, from the total amount appropriated under section 5916 for the fiscal year—

“(A) one half of 1 percent, which shall be awarded, on a competitive basis, by the Bureau of Indian Education for activities consistent with the purposes of this part; and

“(B) not more than 2.5 percent for national activities, including evaluation, dissemination of best practices, and technical assistance.

“(2) STATE ALLOTMENT.—For any fiscal year for which the amount appropriated under section 5916 is equal to or more than \$300,000,000, the Secretary shall allot to each State the sum of, from the total amount appropriated under section 5916 for a fiscal year and not reserved under paragraph (1)—

“(A) an amount that bears the same relationship to 50 percent of the sums being allotted as the percentage of students enrolled in high schools in which at least 50 percent of enrolled students are student from low-income families, as determined by the local educational agency pursuant to section 1113, in the State bears to the total of such percentages for all the States; and

“(B) an amount that bears the same relationship to 50 percent of the sums being allotted as the percentage of students enrolled in high schools in the State bears to the total of such percentages for all the States.

“(3) REALLOTMENT.—If any State does not apply for an allotment under this subsection for any fiscal year, the Secretary shall reallocate the amount of the allotment to the remaining States in accordance with this subsection.

“(c) STATE USE OF FUNDS.—

“(1) IN GENERAL.—A State educational agency awarded a grant under this section shall use not less than 95 percent of the grant funds to award subgrants to eligible entities under section 5914.

“(2) STATE ACTIVITIES.—A State educational agency may use not more than 5 percent of the grant funds for evaluation and capacity building activities, including training, technical assistance, professional development, and administrative costs of carrying out responsibilities under this part.

#### “SEC. 5913. STATE APPLICATION.

“(a) IN GENERAL.—In order to receive a grant for any fiscal year, a State shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may reasonably require.

“(b) CONTENTS.—Each application submitted under subsection (a) shall include, at a minimum, the following:

“(1) A description of how the State educational agency will utilize funds reserved under section 5912(c)(2) for State activities.

“(2) A description of the procedures and criteria the State educational agency will use for reviewing applications and awarding funds to eligible entities on a competitive basis.

“(3) An assurance that subgrants awarded to eligible entities under section 5914 will be for a period of 5 years, conditional after 3 years on satisfactory progress on the leading performance indicators described in section 5914(b)(2)(G)(i), and renewable for 3 additional 1-year periods, based on satisfactory progress on the core indicators in section 5914(b)(2)(G)(ii).

“(4) An assurance that the State educational agency will allow eligible entities to utilize funds awarded under section 5914

for planning purposes for not more than 1 year after receiving a subgrant, and withhold subsequent allocations of subgrant funds if the State educational agency determines an eligible plan to be insufficient to effectively achieve the purpose of this part.

“(5) An assurance that funds appropriated to carry out this part will be used to supplement, and not supplant, other Federal, State, and local public funds expended to provide programs and activities authorized under this part and other similar programs.

“(6) A description of how the State educational agency will evaluate the effectiveness of programs and activities carried out under this part, including how performance on leading performance indicators described in section 5914(b)(2)(G)(i) and core indicators in section 5914(b)(2)(G)(ii) will be incorporated into the evaluation.

“(7) An articulation agreement that will be entered into with each institution of higher education that will receive funding under this part that requires credit earned as a result of the successful completion of a dual enrollment course funded under this part to be treated as credit earned at the institution in the same manner as such credit would otherwise be earned at such institution.

“(8) A description of the policies and strategies that will be implemented to improve school climate.

“(c) APPROVAL; DISAPPROVAL; NOTIFICATION; RESPONSE; FAILURE TO RESPOND.—The provisions of approval, disapproval, notification, response, and failure to respond applicable to State applications under subsections (b), (c), (d), (e), and (f) of section 4203 shall apply in the same manner to State applications submitted under this section.

#### “SEC. 5914. SUBGRANTS TO ELIGIBLE ENTITIES.

“(a) IN GENERAL.—A State that receives a grant under this part shall use the portion of the grant funds described under section 5912(c)(1) to award subgrants to eligible entities.

“(b) APPLICATION.—

“(1) IN GENERAL.—To be eligible to receive a subgrant under this part, an eligible entity shall submit an application to the State educational agency at such time, in such manner, and containing such information as the State educational agency may reasonably require.

“(2) CONTENTS.—Each application submitted under paragraph (1) shall include, at a minimum, the following:

“(A) A description of how the eligible entity will use funds awarded under this section to carry out the evidenced-based activities described in subsection (c) and provide personalized learning experiences, applied learning opportunities, and student-centered learning approaches, that are accessible to all students.

“(B) A description of the responsibilities to be carried out by each member of the eligible entity and additional external partners or qualified intermediaries.

“(C) A description of how the eligible entity will sustain the activities proposed, including the availability of funds from non-Federal sources and coordination with other Federal, State, and local funds.

“(D) A description of the comprehensive needs assessment and capacity analysis of the eligible entity, eligible middle schools, and eligible high schools that will be served under the subgrant.

“(E) A plan to use current regional labor market information and engage employers and community-based organizations in the development of work-related learning opportunities, particularly those in STEM-related fields, including computer science, and other curriculum revisions under subsection (c).

“(F) A plan to address the needs of students with disabilities, English language

learners, and students who are significantly over-aged and under-credited, in the activities under subsection (c).

“(G) The performance indicators and targets the eligible entity will use to assess the effectiveness of the activities implemented under this section disaggregated by the categories of students described in section 1111(b)(2)(B)(xi), including—

“(i) leading indicators, which may include—

“(I) annual, average attendance rates and the number and percentage of students who are chronically absent;

“(II) rates, including disproportionality, of expulsions, suspensions, school violence, harassment, and bullying (as defined under State or local laws or policies); and

“(III) annual student mobility rates, transfer rates, and attrition rates;

“(ii) core indicators, which may include—

“(I) graduation rates;

“(II) dropout recovery (re-entry) rates;

“(III) percentage of students who have on-time credit accumulation at the end of each grade, and whom are on track to graduate within 4 years, and the percentage of students failing a core subject course;

“(IV) percentage of students who successfully transitioned from 8th to 9th grade; and

“(V) student achievement data, including the percentage of students performing at a proficient level on State academic assessments required under section 1111(b)(2); and

“(iii) indicators of postsecondary education readiness, which may include—

“(I) percentage of students successfully completing rigorous postsecondary education courses while attending a secondary school, such as Advanced Placement or International Baccalaureate courses;

“(II) percentage of students who have on-time credit accumulation at the end of each grade or who have earned postsecondary education credit;

“(III) rates of workplace experience and other indicators of the acquisition of employability skills, including the number and percentage of students earning a recognized postsecondary credential, as defined in section 3 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3102); and

“(IV) the number and percentage of students completing a registered apprenticeship program (as defined in section 171(b) of the Workforce Innovation and Opportunity Act (29 U.S.C. 3226)).

“(c) REQUIRED USES OF FUNDS.—

“(1) DISTRICTWIDE REQUIRED USES OF FUNDS.—An eligible entity that receives a subgrant under this section shall use not less than 15 percent of the subgrant funds to—

“(A) implement an early warning indicator system in eligible middle schools and eligible high schools to identify struggling students and create a system of timely and effective evidence-based and linguistically and culturally relevant interventions, by—

“(i) identifying and analyzing the academic risk factors that most reliably predict dropouts by using longitudinal data of past cohorts of students;

“(ii) identifying specific indicators of student progress and performance to determine whether students are on track to graduate secondary school in 4 years and to guide decision making, such as academic performance in core courses, postsecondary education credit accumulation, and attendance, including the percentage of students who are chronically absent;

“(iii) identifying or developing a mechanism for regularly collecting and analyzing data about the impact of interventions on the indicators of student progress and performance; and

“(iv) identifying and implementing strategies for pairing academic support with integrated student services and case-managed interventions for students requiring intensive supports which may include partnerships with other external partners;

“(B) provide support and credit recovery opportunities for students with disabilities, English learners, and students who are over-aged and under-credited, at secondary schools served by the eligible entity or other appropriate settings by offering activities;

“(C) provide dropout recovery or re-entry programs that are designed to encourage and support dropouts returning to an educational system, program, or institution following an extended absence in order to graduate college- and career-ready;

“(D) provide evidence-based middle school to high school transition programs and supports, including through curricula alignment and early high school programs that allow students to earn high school credit in middle school;

“(E) strengthen student transitions between schools by implementing a transition strategy based on data collection that monitors the transition between middle school and high school, and high school and postsecondary transitions, and encourages collaboration among elementary school, middle school, and high school grades; and

“(F) provide teachers, principals, other school leaders, non-instructional staff, students, and families with high-quality, easily accessible, and timely information, beginning in middle school, about—

“(i) secondary school graduation requirements;

“(ii) postsecondary education application processes;

“(iii) postsecondary education admissions processes and requirements, including requirements for pursuing postsecondary degrees in STEM-related subjects, including computer science;

“(iv) public financial aid and other available private scholarship and grant aid opportunities;

“(v) regional and national labor market information, including information about national and local STEM-related career opportunities, including in computer science; and

“(vi) other programs and services for increasing rates of college access and success for students from low-income families.

“(2) REQUIRED USE OF FUNDS IN ELIGIBLE MIDDLE SCHOOLS AND ELIGIBLE HIGH SCHOOLS.—An eligible entity that receives a subgrant under this section shall use the subgrant funds in eligible middle schools and eligible high schools to implement a comprehensive approach that will improve academic achievement and increase on-time grade and graduation completion by—

“(A) using early warning indicator and intervention systems described in paragraph (1)(A);

“(B) providing personalized learning and applied learning opportunities;

“(C) implementing organizational practices and school schedules that allow for collaborative teacher, principal, and other school leader participation, team teaching, and common instructional planning time, including across middle school and high school grades to facilitate effective teaching and learning and positive teacher-student interactions;

“(D) increasing the number of teachers certified in the subject area they are assigned to teach;

“(E) providing teachers, principals, and other school leaders with ongoing high-quality professional development, including through the use of professional learning communities and joint training for secondary teachers and postsecondary edu-

cators, coaching, and mentoring, that prepares teachers, principals, and other school leaders to—

“(i) address the academic challenges of students;

“(ii) understand the developmental needs of students and how to address those needs in an educational setting;

“(iii) implement data-driven interventions; and

“(iv) provide academic guidance to students in student-to-staff ratios that allows students to make informed decisions about academic options, including financial aid counseling for postsecondary education, so that students can graduate college and career ready; and

“(F) improving access to rigorous courses by—

“(i) in the case of an eligible middle school, providing all students with the prerequisite coursework necessary to prepare students for participation in rigorous and advanced coursework at the high school level, including in STEM-related areas of coursework, including computer science; and

“(ii) in the case of an eligible high school, providing all students pathways to earn at least 12 postsecondary education credits while in high school;

“(G) promoting the continuous use of student data that results in actionable steps to inform and differentiate instruction and support, including the use of timely data reports that measures attendance, course performance, postsecondary education credit accumulation, and other on-track indicators for all students;

“(H) providing ongoing mechanisms for strengthening family and community engagement;

“(I) providing college and career pathways through such activities as—

“(i) implementing a college- and career-ready curriculum that integrates rigorous academics, career and technical education, and work-based learning for high school students in high-skill, high-demand industries in collaboration with local and regional employers including in STEM-related subject areas, such as computer science, and work-based learning experiences;

“(ii) in the case of eligible high schools, providing dual enrollment, early college, or accelerated learning courses and postsecondary education credit-bearing advanced coursework opportunities, including opportunities to earn industry-based credentials or other recognized postsecondary education credentials, including opportunities for secondary school students who over-age or under-credited and those who have dropped out of school; or

“(iii) designing curricula and sequences of courses, including in STEM-related subjects such as computer science, in collaboration with teachers from the eligible high school and faculty from the partner institution of higher education so that students may simultaneously earn credits toward a high school diploma and earn an associate degree or at least 12 transferable postsecondary education credits toward a postsecondary degree at no cost to students or their families;

“(J) strengthening the transition between middle school and high school and high school and postsecondary education through such activities as—

“(i) providing academic and career counseling, such as through low student-to-counselor ratios, that allow students to make informed decisions about academic and career options, including the use of current labor-market information for students, families, teachers, principals, and other school leaders;

“(ii) providing high-quality, age appropriate, college and career exploration oppor-

tunities, including college campus visits, work-related learning opportunities, particularly in high demand regional industry areas; and

“(iii) providing academic and support services;

“(K) making more strategic use of learning time, which may include the effective application of technology and redesigning or extending school calendars, flexible scheduling, implementation of competency-based learning models, and time for educators to carry out systemic reform, including the activities described under this part; and

“(L) providing integrated services to address the social, emotional, health, and behavioral needs of students.

“(d) SUPPLEMENT NOT SUPPLANT.—An eligible entity shall use Federal funds received under this section only to supplement the funds that would, in the absence of such Federal funds, be made available from other Federal and non-Federal sources for the activities described in this section, and not to supplant such funds.

#### “SEC. 5915. REPORTS.

“Each eligible entity receiving a subgrant under this part shall collect and report annually to the public and the State educational agency, and the State educational agency shall annually report to the Secretary, such information on the results of the activities assisted under the subgrant as the Secretary may reasonably require, including performance on the indicators described in section 5914(b)(2)(I) disaggregated by each of the categories of students, as defined in section 1111(b)(3)(A).

#### “SEC. 5916. AUTHORIZATION OF APPROPRIATIONS.

“There are authorized to be appropriated to carry out this part such sums as may be necessary for each of fiscal years 2016 through 2021.”.

**SA 2190.** Ms. BALDWIN (for herself and Mr. WHITEHOUSE) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

On page 630, between lines 4 and 5, insert the following:

#### “PART J—IMPROVING SECONDARY SCHOOLS

##### “SEC. 5910. PURPOSES.

“The purposes of this part are to support student dropout prevention, intervention, and recovery and increase the number and percentage of students who—

“(1) successfully matriculate from middle school to high school;

“(2) graduate from high school college and career ready with the ability to use knowledge to solve complex problems, think critically, communicate effectively, collaborate with others, and develop academic mindsets;

“(3) successfully complete sequencing of coursework that integrates rigorous academics with career-based learning and workplace experiences, and earn college credit and postsecondary credentials, including industry-based credentials, such as through early college high school courses and dual or concurrent enrollment while in high school; and

“(4) graduate from high school prepared to pursue postsecondary degrees in science, technology, engineering, and mathematics (referred to in this part as ‘STEM’), particularly for student groups historically underrepresented in these fields.



**“SEC. 5911. DEFINITIONS.**

“In this part:

“(1) **ELIGIBLE ENTITY.**—The term ‘eligible entity’ means a State or local educational agency or a consortium of local educational agencies—

“(A) in partnership with—

“(i) 1 or more institutions of higher education; and

“(ii) 1 or more employers, which may be a nonprofit organization, community-based organization, State or local government agency, business, or an industry-related organization; and

“(B) that may include 1 or more external partners, such as a qualified intermediary.

“(2) **ELIGIBLE HIGH SCHOOL.**—The term ‘eligible high school’ means a high school that—

“(A) does not receive funding under section 1114(c);

“(B) serves a student population of which not less than 40 percent are from low-income families as determined by the local educational agency serving such school; and

“(C) has a 4-year adjusted cohort graduation rate for all students or for multiple subgroups of students at or below 67 percent, except in the case of a high school that, at the time of applying for the grant under this part, is a new high school, as determined by the Secretary.

“(3) **ELIGIBLE MIDDLE SCHOOL.**—The term ‘eligible middle school’ means a middle school—

“(A) that does not receive funding under section 1114(c);

“(B) that serves a student population of which not less than 40 percent are from low-income families as determined by the local educational agency serving such school; and

“(C) from which a significant number or percentage of students go on to attend an eligible high school.

**“SEC. 5912. GRANTS AUTHORIZED.**

“(a) **PROGRAM AUTHORIZED.**—The Secretary shall award grants to geographically and regionally diverse, including rural and remote areas, eligible entities to achieve the purposes of this part.

“(b) **GRANT DURATION.**—Grants awarded under this part shall be for a period of 5 years, including 1 year which may be used for planning purposes, and may be renewable based on performance on indicators described in section 5913(b)(5).

**“SEC. 5913. APPLICATIONS.**

“(a) **IN GENERAL.**—In order to receive a grant for any fiscal year, an eligible entity shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may reasonably require.

“(b) **CONTENTS.**—Each application submitted under subsection (a) shall include, at a minimum, the following:

“(1) A description of how the eligible entity will use funds awarded under this section to carry out the evidenced-based activities described in subsection (c) and provide personalized learning experiences, applied learning opportunities, and student-centered learning approaches, that are accessible and developmentally appropriate to all students.

“(2) A description of how the eligible entity will sustain the activities proposed, including the availability of funds from non-Federal sources and coordination with other Federal, State, and local funds.

“(3) A plan to use current regional labor market information and engage employers and community-based organizations in the development of work-based learning opportunities, particularly those in STEM-related fields, including computer science, and other curriculum revisions under subsection (c).

“(4) A plan to address the needs of students with disabilities, English language learners,

and students who are significantly over-aged and under-credited, in the activities under subsection (c).

“(5) The performance indicators and targets the eligible entity will use to assess the effectiveness of the activities implemented under this section disaggregated by the categories of students described in section 1111(b)(2)(B)(xi), including—

“(A) the number and percentage of students who successfully transitioned from 8th to 9th grade;

“(B) student achievement data, including the number and percentage of students performing at a proficient level on State academic assessments required under section 1111(b)(2);

“(C) the number and percentage of students earning credit toward a postsecondary education credential, an industry-based credential, or a postsecondary credential; and

“(D) the number and percentage of students who are on-track to graduate high school, high school graduation rates, and dropout recovery (re-entry) rates.

“(6) A description of the articulation agreement that will be entered into with each institution of higher education that will receive funding under this part that requires postsecondary credit earned as a result of the successful completion of a dual or concurrent enrollment course funded under this part to be treated as credit earned at the institution in the same manner as such credit would otherwise be earned at such institution.

“(c) **REQUIRED USES OF FUNDS.**—An eligible entity that receives a grant under this section shall use funds to—

“(1) provide college and career pathways through such activities as—

“(A) implementing a college- and career-ready curriculum that integrates rigorous academics, career and technical education, and work-based learning for high school, including in STEM-related subject areas, including computer science;

“(B) in the case of eligible high schools, providing dual or concurrent enrollment courses, early college high school courses, or accelerated learning courses and other opportunities to earn transferable postsecondary education credit and industry-based credentials; and

“(C) designing curricula and sequences of courses so that students may simultaneously earn credits toward a high school diploma and earn an associate degree or at least 12 transferable postsecondary education credits toward a postsecondary degree at no cost to students or their families;

“(2) implement an early warning indicator system in eligible middle schools and eligible high schools to promote the continuous use of student data that results in actionable steps to inform and differentiate instruction and support and improve school climate, which may include the use of timely data reports that measures attendance, course performance, disciplinary actions, secondary and postsecondary education credit accumulation, and other on-track indicators for all students;

“(3) in the case of an eligible middle school, provide all students with the prerequisite coursework necessary to prepare students for participation in rigorous and advanced coursework at the high school level, including in STEM-related areas of coursework, including computer science;

“(4) provide credit recovery and dropout recovery programs;

“(5) provide evidence-based middle school to high school, and high school to postsecondary education, transition programs and supports; and

“(6) provide teachers, principals, and other school leaders with ongoing high-quality

professional development to support the activities described under this subsection.

“(d) **SUPPLEMENT NOT SUPPLANT.**—An eligible entity shall use Federal funds received under this part only to supplement the funds that would, in the absence of such Federal funds, be made available from other Federal and non-Federal sources for the activities described in this section, and not to supplant such funds.

**“SEC. 5914. REPORTS.**

“Each eligible entity receiving a grant under this part shall collect and report annually to the public and the Secretary such information on the results of the activities assisted under the grant as the Secretary may reasonably require, including performance on the indicators described in section 5913(b)(5) disaggregated by each of the categories of students, as defined in section 1111(b)(3)(A).

**“SEC. 5915. AUTHORIZATION OF APPROPRIATIONS.**

“There are authorized to be appropriated to carry out this part such sums as may be necessary for each of fiscal years 2016 through 2021.”.

**SA 2191.** Mr. BOOKER (for himself and Mr. BENNET) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

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

“(V) conducting, and publicly reporting the results of, an annual assessment of educator support and working conditions that—

“(i) evaluates supports for teachers, leaders, and other school personnel, such as—

“(I) teacher and principal perceptions of availability of high-quality professional development and instructional materials;

“(II) timely availability of data on student academic achievement and growth;

“(III) the presence of high-quality instructional leadership; and

“(IV) opportunities for professional growth, such as career ladders and mentoring and induction programs;

“(ii) evaluates working conditions for teachers, leaders and other school personnel, such as—

“(I) school climate;

“(II) school safety;

“(III) class size;

“(IV) availability and use of common planning time and opportunities to collaborate; and

“(V) community engagement;

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

“(iv) includes the development and implementation of a plan with the groups described in clause (iii), that shall be publicly reported and shall include, at a minimum, annual benchmarks to address the results of the assessment described in this subparagraph; and

**SA 2192.** Mrs. BOXER (for herself, Mr. BLUMENTHAL, Mr. BROWN, Mr. MARKEY, Mr. MERKLEY, Mr. NELSON, Mr. SCHUMER, and Mr. WYDEN) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every

child achieves; which was ordered to lie on the table; as follows:

At the end of the bill, add the following:  
**SEC. 1020. PROHIBITION ON MARKETING OF ELECTRONIC CIGARETTES TO CHILDREN.**

(a) ELECTRONIC CIGARETTE DEFINED.—

(1) IN GENERAL.—Except as provided in paragraph (2), in this section, the term “electronic cigarette” means any electronic device that delivers nicotine, flavor, or other chemicals via a vaporized solution to the user inhaling from the device, including any component, liquid, part, or accessory of such a device, whether or not sold separately.

(2) EXCEPTION.—In this section, the term “electronic cigarette” shall not include any product that—

(A) has been approved by the Food and Drug Administration for sale as a tobacco cessation product or for other therapeutic purposes; and

(B) is marketed and sold solely for a purpose approved as described in subparagraph (A).

(b) PROHIBITION.—

(1) IN GENERAL.—No person may advertise, promote, or market in commerce in a State described in paragraph (2) an electronic cigarette in a manner that—

(A) the person knows or should know is likely to contribute towards initiating or increasing the use of electronic cigarettes by children who are younger than 18 years of age; or

(B) the Federal Trade Commission determines, regardless of when or where the advertising, promotion, or marketing occurs, affects or appeals to children described in subparagraph (A).

(2) COVERED STATES.—A State described in this paragraph is a State in which the sale of an electronic cigarette to a child who is younger than 18 years of age is prohibited by a provision of Federal or State law.

(c) ENFORCEMENT BY FEDERAL TRADE COMMISSION.—

(1) UNFAIR OR DECEPTIVE ACT OR PRACTICE.—A violation of subsection (b)(1) shall be treated as a violation of a rule defining an unfair or deceptive act or practice described under section 18(a)(1)(B) of the Federal Trade Commission Act (15 U.S.C. 57a(a)(1)(B)).

(2) POWERS OF COMMISSION.—

(A) IN GENERAL.—The Federal Trade Commission shall enforce this section in the same manner, by the same means, and with the same jurisdiction, powers, and duties as though all applicable terms and provisions of the Federal Trade Commission Act (15 U.S.C. 41 et seq.) were incorporated into and made a part of this section.

(B) PRIVILEGES AND IMMUNITIES.—Any person who violates this section shall be subject to the penalties and entitled to the privileges and immunities provided in the Federal Trade Commission Act (15 U.S.C. 41 et seq.).

(C) RULEMAKING.—The Federal Trade Commission shall promulgate standards and rules to carry out this section in accordance with section 553 of title 5, United States Code.

(d) ENFORCEMENT BY STATES.—

(1) IN GENERAL.—In any case in which the attorney general of a State has reason to believe that an interest of the residents of the State has been or is threatened or adversely affected by the engagement of any person subject to subsection (b)(1) in a practice that violates such subsection, the attorney general of the State may, as *parens patriae*, bring a civil action on behalf of the residents of the State in an appropriate district court of the United States—

(A) to enjoin further violation of such subsection by such person;

(B) to compel compliance with such subsection;

(C) to obtain damages, restitution, or other compensation on behalf of such residents;

(D) to obtain such other relief as the court considers appropriate; or

(E) to obtain civil penalties in the amount determined under paragraph (2).

(2) CIVIL PENALTIES.—

(A) CALCULATION.—For purposes of imposing a civil penalty under paragraph (1)(E) with respect to a person who violates subsection (b)(1), the amount determined under this paragraph is the amount calculated by multiplying the number of days that the person is not in compliance with subsection (b)(1) by an amount not greater than \$16,000.

(B) ADJUSTMENT FOR INFLATION.—Beginning on the date on which the Bureau of Labor Statistics first publishes the Consumer Price Index after the date that is 1 year after the date of the enactment of this Act, and annually thereafter, the amounts specified in subparagraph (A) shall be increased by the percentage increase in the Consumer Price Index published on that date from the Consumer Price Index published the previous year.

(3) RIGHTS OF FEDERAL TRADE COMMISSION.—

(A) NOTICE TO FEDERAL TRADE COMMISSION.—

(i) IN GENERAL.—Except as provided in clause (iii), the attorney general of a State shall notify the Federal Trade Commission in writing that the attorney general intends to bring a civil action under paragraph (1) not later than 10 days before initiating the civil action.

(ii) CONTENTS.—The notification required by clause (i) with respect to a civil action shall include a copy of the complaint to be filed to initiate the civil action.

(iii) EXCEPTION.—If it is not feasible for the attorney general of a State to provide the notification required by clause (i) before initiating a civil action under paragraph (1), the attorney general shall notify the Federal Trade Commission immediately upon instituting the civil action.

(B) INTERVENTION BY FEDERAL TRADE COMMISSION.—The Federal Trade Commission may—

(i) intervene in any civil action brought by the attorney general of a State under paragraph (1); and

(ii) upon intervening—

(I) be heard on all matters arising in the civil action; and

(II) file petitions for appeal of a decision in the civil action.

(4) INVESTIGATORY POWERS.—Nothing in this subsection may be construed to prevent the attorney general of a State from exercising the powers conferred on the attorney general by the laws of the State to conduct investigations, to administer oaths or affirmations, or to compel the attendance of witnesses or the production of documentary or other evidence.

(5) PREEMPTIVE ACTION BY FEDERAL TRADE COMMISSION.—If the Federal Trade Commission institutes a civil action or an administrative action with respect to a violation of subsection (b)(1), the attorney general of a State may not, during the pendency of such action, bring a civil action under paragraph (1) against any defendant named in the complaint of the Commission for the violation with respect to which the Commission instituted such action.

(6) VENUE; SERVICE OF PROCESS.—

(A) VENUE.—Any action brought under paragraph (1) may be brought in—

(i) the district court of the United States that meets applicable requirements relating to venue under section 1391 of title 28, United States Code; or

(ii) another court of competent jurisdiction.

(B) SERVICE OF PROCESS.—In an action brought under paragraph (1), process may be served in any district in which the defendant—

(i) is an inhabitant; or

(ii) may be found.

(7) ACTIONS BY OTHER STATE OFFICIALS.—

(A) IN GENERAL.—In addition to civil actions brought by attorneys general under paragraph (1), any other officer of a State who is authorized by the State to do so may bring a civil action under paragraph (1), subject to the same requirements and limitations that apply under this subsection to civil actions brought by attorneys general.

(B) SAVINGS PROVISION.—Nothing in this subsection may be construed to prohibit an authorized official of a State from initiating or continuing any proceeding in a court of the State for a violation of any civil or criminal law of the State.

(e) CONSTRUCTION.—Nothing in this section shall be construed to limit or diminish the authority of the Food and Drug Administration to regulate the marketing of electronic cigarettes, including the marketing of electronic cigarettes to children.

(f) RELATION TO STATE LAW.—This section shall not be construed as superseding, altering, or affecting any provision of law of a State, except to the extent that such provision of law is inconsistent with the provisions of this section, and then only to the extent of the inconsistency.

**SA 2193.** Mrs. BOXER (for herself, Mr. BLUMENTHAL, Mr. BROWN, Mr. MARKEY, and Mr. DURBIN) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

On page 783, between lines 11 and 12, insert the following:

(2) in section 9572 (as redesignated by section 4001(5)), by adding at the end the following:

“(6) SMOKING.—The term ‘smoking’ means the use of any tobacco or tobacco-derived product, including an electronic cigarette.”.

**SA 2194.** Mr. ISAKSON (for himself and Ms. AYOTTE) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

On page 110, strike lines 7 through 17 and insert the following:

“(1) INFORMATION FOR PARENTS.—

“(A) IN GENERAL.—At the beginning of each school year, a local educational agency that receives funds under this part shall notify the parents of each student attending any school receiving funds under this part that the parents may request, and the agency will provide the parents on request (and in a timely manner), information regarding any State or local educational agency policy, procedure, or parental right regarding student participation in any mandated assessments for that school year, in addition to information regarding the professional qualifications of the student’s classroom teachers, including at a minimum, the following:

**SA 2195.** Mr. BLUNT (for himself, Mr. CARDIN, Ms. MIKULSKI, and Ms. COLLINS) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

On page 132, line 1, insert “school-based mental health programs,” after “counseling.”.

**SA 2196.** Mrs. BOXER submitted an amendment intended to be proposed by her to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

At the end, add the following:

**SEC. 10202. SOS CAMPUS ACT.**

(a) **SHORT TITLE.**—This section may be cited as the “Survivor Outreach and Support Campus Act” or the “SOS Campus Act”.

(b) **INDEPENDENT ADVOCATE FOR CAMPUS SEXUAL ASSAULT PREVENTION AND RESPONSE.**—Part B of title I of the Higher Education Act of 1965 (20 U.S.C. 1011 et seq.) is amended by adding at the end the following:

**“SEC. 124. INDEPENDENT ADVOCATE FOR CAMPUS SEXUAL ASSAULT PREVENTION AND RESPONSE.**

“(a) **ADVOCATE.**—

“(1) **IN GENERAL.**—

“(A) **DESIGNATION.**—Each institution of higher education that receives Federal financial assistance under title IV shall designate an independent advocate for campus sexual assault prevention and response (referred to in this section as the ‘Advocate’) who shall be appointed based on experience and a demonstrated ability of the individual to effectively provide sexual assault victim services.

“(B) **NOTIFICATION OF EXISTENCE OF AND INFORMATION FOR THE ADVOCATE.**—Each employee of an institution described in subparagraph (A) who receives a report of sexual assault shall notify the victim of the existence of, contact information for, and services provided by the Advocate of the institution.

“(C) **APPOINTMENT.**—Not later than 180 days after the date of enactment of the Survivor Outreach and Support Campus Act, the Secretary shall prescribe regulations for institutions to follow in appointing Advocates under this section. At a minimum, each Advocate shall—

“(i) report to an individual outside the body responsible for investigating and adjudicating sexual assault complaints at the institution; and

“(ii) submit to such individual an annual report summarizing how the resources supplied to the advocate were used, including the number of male and female sexual assault victims assisted.

“(2) **ROLE OF THE ADVOCATE.**—In carrying out the responsibilities described in this section, the Advocate shall represent the interests of the student victim even when in conflict with the interests of the institution. The Advocate may not be disciplined, penalized, or otherwise retaliated against by the institution for representing the interest of the victim, in the event of a conflict of interest with the institution.

“(b) **SEXUAL ASSAULT.**—In this section, the term ‘sexual assault’ means penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim, including

when the victim is incapable of giving consent.

“(c) **RESPONSIBILITIES OF THE ADVOCATE.**—Each Advocate shall carry out the following, regardless of whether the victim wishes the victim’s report to remain confidential:

“(1)(A) Ensure that victims of sexual assault at the institution receive, with the victim’s consent, the following sexual assault victim’s assistance services available 24 hours a day:

“(i) Information on how to report a campus sexual assault to law enforcement.

“(ii) Emergency medical care, including follow up medical care as requested.

“(iii) Medical forensic or evidentiary examinations.

“(B) Ensure that victims of sexual assault at the institution receive, with the victim’s consent, the following sexual assault victim’s assistance services:

“(i) Crisis intervention counseling and ongoing counseling.

“(ii) Information on the victim’s rights and referrals to additional support services.

“(iii) Information on legal services.

“(C) The services described in subparagraphs (A) and (B) may be provided either—

“(i) pursuant to a memorandum of understanding (that includes transportation services), at a rape crisis center, legal organization, or other community-based organization located within a reasonable distance from the institution; or

“(ii) on the campus of the institution in consultation with a rape crisis center, legal organization, or other community-based organization.

“(D) A victim of sexual assault may not be disciplined, penalized, or otherwise retaliated against for reporting such assault to the Advocate.

“(2) Guide victims of sexual assault who request assistance through the reporting, counseling, administrative, medical and health, academic accommodations, or legal processes of the institution or local law enforcement.

“(3) Attend, at the request of the victim of sexual assault, any administrative or institution-based adjudication proceeding related to such assault as an advocate for the victim.

“(4) Maintain the privacy and confidentiality of the victim and any witness of such sexual assault, and shall not notify the institution or any other authority of the identity of the victim or any such witness or the alleged circumstances surrounding the reported sexual assault, unless otherwise required by the applicable laws in the State where such institution is located.

“(5) Conduct a public information campaign to inform the students enrolled at the institution of the existence of, contact information for, and services provided by the Advocate, including—

“(A) posting information—

“(i) on the website of the institution;

“(ii) in student orientation materials; and

“(iii) on posters displayed in dormitories, cafeterias, sports arenas, locker rooms, entertainment facilities, and classrooms; and

“(B) training coaches, faculty, school administrators, resident advisors, and other staff to provide information on the existence of, contact information for, and services provided by the Advocate.

“(d) **CLERY ACT AND TITLE IX.**—Nothing in this section shall alter or amend the rights, duties, and responsibilities under section 485(f) or title IX of the Education Amendments of 1972 (20 U.S.C. 1681 et seq.) (also known as the Patsy Takemoto Mink Equal Opportunity in Education Act).”.

**SA 2197.** Mrs. GILLIBRAND submitted an amendment intended to be

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

At the end of part B of title X, add the following:

**SEC. 10202. REPORT ON CYBERSECURITY EDUCATION.**

(a) **IN GENERAL.**—Not later than June 1, 2016, the Secretary of Education shall submit to the Committee on Armed Services and the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Armed Services and the Committee on Education and the Workforce of the House of Representatives, a report describing whether secondary and postsecondary education curricula are meeting the need of public and private sectors for cyberdefense. Such report shall include—

(1) an assessment of learning outcomes required for future cybersecurity professionals;

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

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

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

(5) an assessment of which additional resources the Secretary, State educational agencies, and local educational agencies may need to meet the recommendations described in paragraph (4).

(b) **DEFINITIONS.**—In this section, the terms “elementary school”, “local educational agency”, “secondary school”, and “State educational agency” have the meanings given such terms in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

**SA 2198.** Mr. LEE submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

On page 64, strike lines 1 through 14.

On page 126, strike lines 8 through 11.

On page 134, strike lines 10 through 15.

On page 137, strike lines 3 through 7.

Beginning on page 181, strike line 19 and all that follows through line 6 on page 183.

On page 292, lines 16 and 17, strike “, early childhood directors”.

On page 293, lines 8 and 9, strike “, children who are in early childhood education programs”.

On page 346, line 18, strike “early education” and insert “kindergarten”.

On page 346, lines 21 and 22, strike “State-designated early childhood education programs and”.

Beginning on page 349, strike line 21 and all that follows through line 2 on page 350.

On page 350, lines 5 and 6, strike “, or a State-designated early childhood education program”.

On page 350, lines 10 and 11, strike “(which may include State-designated early childhood education programs)”.

On page 352, line 17, strike “early childhood education” and insert “kindergarten”.

Beginning on page 353, strike “The State” on line 23 and all that follows through line 5 on page 354.

On page 357, lines 14 and 15, strike “early education” and insert “kindergarten”.

Beginning on page 358, strike line 7 and all that follows through line 4 on page 361.

On page 363, line 6, strike “early childhood education and”.

On page 364, lines 16 and 17, strike “early childhood education program staff”.

On page 388, line 9, strike “early childhood educators”.

On page 388, line 16, strike “early childhood educators”.

On page 390, lines 22 and 23, strike “, including those in early childhood settings”.

On page 400, lines 2 and 3, strike “, including early childhood education programs”.

On page 405, line 14, strike “, including early childhood educators”.

On page 416, strike lines 14 through 18 and insert the following:

“(6) as appropriate, to coordinate the transition of English learners from early childhood education programs, such as Head Start or State-run preschool programs, to elementary programs;

On page 423, lines 19 and 20, strike “, including children in early childhood education programs”.

On page 443, lines 8 and 9, strike “early childhood, elementary school,” and insert “elementary school”.

On page 448, line 18, strike “early childhood”.

On page 495, line 11, strike “early childhood, elementary school,” and insert “elementary school”.

On page 517, strike lines 16 through 19.

On page 519, strike lines 1 through 5.

On page 578, lines 6 and 7, strike “preschool and”.

On page 579, line 9, strike “Head Start providers”.

On page 579, lines 10 and 11, strike “, early childhood development personnel”.

On page 579, line 14, strike “preschool and”.

On page 580, line 7, strike “preschool and”.

Beginning on page 609, strike line 22 and all that follows through line 4 on page 610.

Beginning on page 611, strike line 12 and all that follows through line 4 on page 630.

On page 668, strike lines 10 through 11.

On page 676, strike lines 1 through 8.

Beginning on page 706, strike line 3 and all that follows through line 5 on page 707.

On page 760, strike lines 1 through 4.

**SA 2199.** Mr. GRAHAM submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

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

“(V) providing educator training to increase students’ entrepreneurship skills; and

**SA 2200.** Mr. BENNET submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

At the end of part B of title X, add the following:

# SEC. \_\_\_\_ . ESTABLISHING A SPECIAL COMMITTEE ON CHILDREN.

## (a) SPECIAL COMMITTEE ESTABLISHED.—

(1) IN GENERAL.—There is established a special committee of the Senate to be known as the Special Committee on Children (hereinafter in this section referred to as the “special committee”).

(2) MEMBERS.—The special committee shall consist of 19 members, including a chairman. The members and the chairman of the special committee shall be appointed in the same manner and at the same time as the members and chairman of a standing committee of the Senate.

(b) TREATED AS A STANDING COMMITTEE OF THE SENATE.—For purposes of paragraph 4 of rule XXV of the Standing Rules of the Senate, and for purposes of section 202 of the Legislative Reorganization Act of 1946 (2 U.S.C. 4301), the special committee shall be treated as a standing committee of the Senate.

## (c) DUTY.—

(1) IN GENERAL.—It shall be the duty of the special committee to conduct a continuing study of any and all matters pertaining to children and their welfare, including—

(A) programs and services relating to the health, welfare, safety, housing, nutrition, education, economic stability, civil rights needs of children, and Federal programs and services that have a purpose of benefitting children or have the effect of benefitting children; and

(B) the effectiveness of such programs and services.

(2) LIMITATION.—No proposed legislation shall be referred to the special committee, and the special committee shall not have power to report by bill or otherwise have legislative jurisdiction.

(d) REPORT.—The special committee shall, from time to time (but not less than once a year), report to the Senate the results of the study conducted pursuant to subsection (c)(1), together with such recommendations as the special committee considers appropriate.

(e) AUTHORIZED ACTIVITIES.—The special committee, or any duly authorized subcommittee thereof, is authorized, in its discretion to—

(1) make investigations into any matter within its jurisdiction;

(2) make expenditures from the contingent fund of the Senate;

(3) employ personnel;

(4) hold hearings;

(5) sit and act at such places and times during the sessions, recesses, and adjourned periods of the Senate;

(6) require, by subpoena or otherwise, the attendance of such witnesses and the production of such books, papers, and documents, administer such oaths, take such testimony, procure such printing and binding, and make such other expenditures as it deems advisable;

(7) take depositions and other testimony;

(8) procure the service of individual consultants or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 4301(i)); and

(9) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, use on a reimbursable basis the services of personnel of any such department or agency.

(f) POWER TO ADMINISTER OATHS.—The chairman of the special committee or any member thereof may administer oaths to witnesses.

(g) SUBPOENAS.—Subpoenas authorized by the special committee may be issued over the signature of the chairman, or any member of the special committee designated by the chairman, and may be served by any per-

son designated by the chairman or the member signing the subpoena.

(h) QUORUM.—A majority of the members of the special committee, or any subcommittee thereof, shall constitute a quorum for the transaction of business, except that a lesser number, to be fixed by the committee, shall constitute a quorum for the purpose of taking sworn testimony.

(i) ENACTMENT.—This section is enacted by Congress—

(1) as an exercise of the rulemaking power of the Senate, and as such it is deemed a part of the rules of the Senate, and it supersedes other rules only to the extent that it is inconsistent with such rules; and

(2) with full recognition of the constitutional right of the Senate to change the rules relating to the procedure of the Senate at any time, in the same manner, and to the same extent as in the case of any other rule of the Senate.

**SA 2201.** Mr. ALEXANDER submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

Beginning on page 37, strike line 24 and all that follows through page 38, line 4, and insert the following:

“(iii) be used for purposes for which such assessments are valid and reliable, consistent with relevant, nationally recognized professional and technical testing standards, objectively measure academic achievement, knowledge, and skills, and be tests that do not evaluate or assess personal or family beliefs and attitudes, or publicly disclose personally identifiable information;

**SA 2202.** Mr. CRUZ submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

At the end of part B of title X, add the following:

# SEC. 10204. DEPARTMENT OF EDUCATION SALARY CAP.

Notwithstanding any other provision of law, the average salary of an employee of the Department of Education shall not be higher than the national average salary for a teacher, as determined by data from the National Center for Education Statistics.

**SA 2203.** Mr. MERKLEY submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

At the end of part B of title X, add the following:

# SEC. 102 \_\_\_\_ . FINDINGS AND SENSE OF THE SENATE.

(a) FINDINGS.—Congress finds the following:

(1) The Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2016 (S. 1695, 114th Congress) (referred to in this section as

the “proposed appropriations Act”), as reported out of the Committee on Appropriations of the Senate on June 25, 2015, reduces investments in critical middle-class priorities by \$3,575,000,000, compared to the appropriation levels enacted for fiscal year 2015.

(2) The proposed appropriations Act reduces investments in critical middle-class priorities by \$13,231,000,000, compared to the Democratic funding alternative that is consistent with pre-sequester funding levels provided in the Budget Control Act of 2011 (Public Law 112-25; 125 Stat. 240).

(3) These funding cuts would bring Federal investments in programs under the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.) to their lowest levels since fiscal year 2002.

(4) Of the lowest-achieving 5 percent of schools that receive funds under part A of title I of such Act (20 U.S.C. 6311 et seq.), about two-thirds of students do not meet grade level standards.

(5) The proposed appropriations Act cuts funding for part A of title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311 et seq.) by \$850,000,000, compared to the President’s fiscal year 2016 budget request and the Democratic funding alternative offered in the Committee on Appropriations of the Senate.

(6) Research consistently shows that high-quality early education is critical to the educational development of every child.

(7) The proposed appropriations Act provides no funding for preschool development grants, a cut of \$750,000,000 compared to the President’s fiscal year 2016 budget request and the Democratic funding alternative offered in Committee.

(8) The education funding cuts in the proposed appropriations Act are largely the result of the artificial and arbitrary spending caps triggered by the lack of a bipartisan budget agreement as envisioned by the Budget Control Act of 2011 (Public Law 112-25; 125 Stat. 240).

(9) Congress has previously provided relief from these cuts in the form of the Bipartisan Budget Act of 2013 (Public Law 113-67; 127 Stat. 1165), which provided relief from sequestration equally for defense and non-defense investments for fiscal years 2014 and 2015.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that—

(1) the fiscal and economic challenges of the United States are a top priority for Congress, and the deep, automatic budget cuts of sequestration remains an unreasonable and inadequate budgeting tool either to address the deficits and debt of the Nation or provide the resources needed to educate our children and grow the economy;

(2) this Act was supported unanimously in Committee;

(3) fulfilling the promise of this Act will require Congress to provide funding at levels above sequestration;

(4) Congress should immediately begin negotiations on a successor to the Bipartisan Budget Act of 2013 (Public Law 113-67; 127 Stat. 1165) that provides equal relief from sequestration for defense and nondefense investments, including education, for fiscal year 2016 and beyond; and

(5) for fiscal year 2016, Congress should provide \$18,554,875,000 for key programs under the Elementary and Secondary Education Act of 1965 and other education programs, as amended by this Act and consistent with the pre-sequester funding levels called for by the bipartisan Budget Control Act of 2011 (Public Law 112-25; 125 Stat. 240), including—

(A) programs under part A of title I of the Elementary and Secondary Education Act of 1965;

(B) the striving readers comprehensive literacy program under part E of title I of such Act, as such Act was in effect on the day before the date of enactment of this Act, or its successor;

(C) the 21st century community learning centers program under part B of title IV of the Elementary and Secondary Education Act of 1965;

(D) English language acquisition grants under title III of such Act;

(E) preschool development grants under title XIV of division A of the American Recovery and Reinvestment Act of 2009 (Public Law 112-10); and

(F) investing in innovation grants under such title.

**SA 2204.** Ms. HIRONO submitted an amendment intended to be proposed by her to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

On page 63, line 3, insert “, including plans for engaging and supporting principals and other school leaders responsible for improving early childhood alignment with their elementary school, supporting teachers in understanding the transition between early learning to kindergarten, and increasing parent and community engagement” after “programs”.

On page 80, between lines 2 and 3, insert the following:

“(xviii) If the State uses funds under this part for preschool services, information that shows how children younger than the mandatory age of school entry are served directly by a local educational agency, or through contract or other collaboration with early childhood programs, including early childhood home visitation programs, as described under section 511 of the Social Security Act (42 U.S.C. 711), including—

“(I) the number of children served, disaggregated by income, race, and disability status;

“(II) a description of the services received; and

“(III) the amount the State spent using grant funds under this part on services for such children.

On page 80, line 3, strike “(xviii)” and insert “(xix)”.

On page 265, between lines 17 and 18, insert the following:

“(xiv) Supporting principals, other school leaders, teachers, teacher leaders, paraprofessionals, early childhood center directors, and other early childhood providers to participate in efforts to align State early learning guidelines with State academic and other standards, curriculum, and assessment practices from prekindergarten to the third grade and promote quality early learning experiences from birth through age 8.

On 265, line 18, strike “(xiv)” and insert “(xv)”.

Beginning on page 283, strike line 22 and all that follows through page 284, line 3, and insert the following: “leadership competencies of principals on instruction in the early grades, developmentally appropriate strategies to measure whether young children are progressing, and principals’ ability to support teachers, teacher leaders, early childhood educators, and other professionals in the school learning community to meet the needs of students through age 8, which may include providing joint professional learning and planning activities for school staff and educators in preschool programs that address the transition to elementary school, and promoting effective prekindergarten through grade 3 alignment;”.

**SA 2205.** Ms. HIRONO submitted an amendment intended to be proposed by her to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

On page 274, between lines 21 and 22, insert the following:

“(xi) increasing and improving opportunities for teachers to take on meaningful leadership roles and responsibilities for additional compensation without having to leave their role as teacher; and

On page 277, between lines 6 and 7, insert the following:

“(F) a description of how the local educational agency will increase and improve opportunities for meaningful teacher leadership in order to positively impact student achievement, build the capacity of teachers, and effectively negotiate or collaborate with principals, teachers and representatives of teachers, and local educational agency leaders.

On page 285, after line 25, insert the following:

“(O) providing additional compensation for teachers or making other systemic changes to create or enhance opportunities for meaningful teacher leadership, such as initiatives that include—

“(i) increased time for common planning, within and across content areas and grade levels;

“(ii) designated time for effective teachers to—

“(I) receive training on mentoring; and

“(II) plan and execute mentoring activities;

“(iii) career ladders and lattices, providing for additional pay for professional growth, which may include hybrid roles in which teachers lead from the classroom;

“(iv) teacher-designed and teacher-implemented professional development activities;

“(v) opportunities for experiential and professional learning, which may include observation;

“(vi) feedback mechanisms for continuous improvement of school environment and activities, including school working conditions and the social-emotional well-being of teachers;

“(vii) the development of policy collaboratively by teachers, and the representatives of teachers, and the leaders of the school, local educational agency, community, or State; and

“(viii) other innovative approaches to leverage teacher leadership; and

On page 296, between lines 4 and 5, insert the following:

“(F) training and supporting principals to identify, develop, and maintain school leadership teams, which shall include teacher leaders and others as designated by the principal, using various leadership models, except that such models shall not include forced or involuntary transfers; and

**SA 2206.** Mr. THUNE (for himself and Mrs. FISCHER) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

At the end of part B of title X, add the following:

**SEC. \_\_\_\_.** CERTAIN EDUCATIONAL INSTITUTIONS EXEMPT FROM EMPLOYER HEALTH INSURANCE MANDATE.

(a) EXEMPTION.—

(1) IN GENERAL.—Section 4980H(c)(2) of the Internal Revenue Code of 1986 is amended by adding at the end the following new subparagraph:

“(F) EXCEPTION FOR CERTAIN EDUCATIONAL INSTITUTIONS.—The term ‘applicable large employer’ shall not include—

“(i) any elementary school or secondary school (as such terms are defined in section 9101 of the Elementary and Secondary Education Act of 1965),

“(ii) any local educational agency or State educational agency (as such terms are defined in section 9101 of such Act), and

“(iii) any institution of higher education (as such term is defined in section 102 of the Higher Education Act of 1965).”.

(2) EFFECTIVE DATE.—The amendment made by this subsection shall apply to months beginning after December 31, 2014.

(b) STUDY OF IMPACT ON EDUCATION.—The Secretary of Education shall—

(1) study the impact of the employer health insurance mandate under section 4980H of the Internal Revenue Code of 1986 as in effect on the day before the date of enactment of this Act and the impact of such mandate as in effect on the day after the date of enactment of this Act on—

(A) in coordination with the national assessment of title I under section 1501 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6491), the ability of State educational agencies, local educational agencies, elementary schools, and secondary schools to meet the purposes of title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.); and

(B) in coordination with the annual data collection conducted through the Integrated Postsecondary Education Data System described in section 132(i)(4) of the Higher Education Act of 1965 (20 U.S.C. 1015a(i)(4)), the ability of institutions of higher education to maintain academic programs; and

(2) not later than one year after the date of the enactment of this Act, submit separate written reports to Congress with respect to the studies conducted under subparagraphs (A) and (B) of paragraph (1).

**SA 2207.** Ms. MIKULSKI submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

On page 630, between lines 4 and 5, insert the following:

**SEC. 5011. PERFORMANCE PARTNERSHIPS PILOT PROGRAM FOR DISCONNECTED YOUTH.**

Title V (20 U.S.C. 7201 et seq.), as amended by section 5001, is further amended by inserting after part I, as added by section 5010, the following:

**PART J—PERFORMANCE PARTNERSHIPS PILOT PROGRAM FOR DISCONNECTED YOUTH**

**SEC. 5911. PURPOSE; FINDINGS.**

(a) PURPOSE.—The purpose of this part is to authorize a performance partnerships pilot program for disconnected youth to promote coordination between Federal agencies in order to improve outcomes for disconnected youth in communities.

(b) FINDINGS.—Congress finds the following:

(1) Recent events in communities across the United States have illustrated, in part, the importance of improving opportunities, outcomes, and services for disconnected populations.

(2) One in 6 youth, nationwide, are not connected to the labor force.

(3) There are 2,500,000 children being raised by parents who were disconnected youth themselves.

(4) The United States has a responsibility to improve outcomes for disconnected youth by investing in innovative strategies to address the needs of disconnected populations.

(5) The Committee on Appropriations of the Senate has recognized the value in investing in such partnerships and has supported Performance Partnership Pilots for Disconnected Youth in recent appropriations bills for the Departments of Health, Human Services, and Education, and related agencies.

**SEC. 5912. PERFORMANCE PARTNERSHIPS PILOT PROGRAM.**

(a) DEFINITIONS.—In this section:

(1) DISCONNECTED YOUTH.—The term “disconnected youth” means an individual who—

(A) is between the ages 14 to 24, inclusive; and

(B)(i) is homeless, in foster care, or involved with the criminal justice system; or

(ii) is not working and not enrolled in an elementary school, secondary school, institution of higher education, or other educational institution.

(2) PARTICIPATING FEDERAL AGENCY.—The term “participating Federal agency” means the Department of Education, the Department of Health and Human Services, the Department of Labor, and the Corporation for National and Community Service, as appropriate based on the specific Performance Partnership Pilot involved.

(3) PERFORMANCE PARTNERSHIP PILOT.—The term “Performance Partnership Pilot” is a project that seeks to identify, through a demonstration, cost-effective strategies for providing services at the State, regional, or local level that—

(A) involve 2 or more Federal programs (administered by one or more Federal agencies)—

(i) which have related policy goals, and

(ii) at least one of which is administered (in whole or in part) by a State, local, or tribal government; and

(B) achieve better results for regions, communities, or specific at-risk populations through making better use of the budgetary resources that are available for supporting such programs.

(4) LEAD FEDERAL ADMINISTERING AGENCY.—The term “lead Federal administering agency” is the Federal agency, to be designated by the Director of the Office of Management and Budget (from among the participating Federal agencies that have statutory responsibility for the Federal discretionary funds that will be used in a Performance Partnership Pilot), that will enter into and administer the particular performance partnership agreement on behalf of that agency and the other participating Federal agencies.

(b) FLEXIBILITY OF FUNDS.—Participating Federal agencies may carry out not more than 10 Performance Partnership Pilots under this section. Each Performance Partnership Pilot shall—

(1) provide flexibility to the entities participating in the Performance Partnership Pilot with respect to discretionary funds under the authority of the participating Federal agencies, as specified in the performance partnership agreement;

(2) be designed to improve outcomes for disconnected youth, by increasing the rate at which disconnected youth achieve success in meeting educational, employment, or other key goals; and

(3) involve Federal programs targeted to disconnected youth, or designed to prevent youth from disconnecting from school or

work, that provide education, training, employment, and other related social services.

(c) PERFORMANCE PARTNERSHIP AGREEMENTS.—Federal agencies may use Federal funds, as authorized in subsection (b), to participate in a Performance Partnership Pilot only in accordance with the terms of a performance partnership agreement that—

(1) is entered into between—

(A) the head of the lead Federal administering agency, on behalf of all of the participating Federal agencies (subject to the head of the lead Federal administering agency having received from the heads of each of the other participating agencies their written concurrence for entering into the agreement), and

(B) the respective representatives of all of the State, local, or tribal governments that are participating in the agreement; and

(2) specifies, at a minimum, the following information:

(A) The length of the agreement (which shall not extend for more than 3 years after the date upon which the parties enter into the agreement).

(B) The Federal programs and federally funded services that are involved in the Performance Partnership Pilot.

(C) The Federal funds that are being used in the Performance Partnership Pilot (by the respective Federal account identifier, and the total amount from such account that is being used in the Performance Partnership Pilot) in accordance with subsection (b)(1), and any period of availability for obligation (by the Federal Government) of any such funds.

(D) The non-Federal funds that are involved in the Performance Partnership Pilot, by source (which may include private funds as well as governmental funds) and by amount.

(E) The State, local, or tribal programs that are involved in the Performance Partnership Pilot.

(F) The populations to be served by the Performance Partnership Pilot.

(G) The cost-effective Federal oversight procedures that will be used for the purpose of maintaining the necessary level of accountability for the use of the Federal discretionary funds.

(H) The cost-effective State, local, or tribal oversight procedures that will be used for the purpose of maintaining the necessary level of accountability for the use of the Federal discretionary funds.

(I) The outcome (or outcomes) that the Performance Partnership Pilot is designed to achieve.

(J) The appropriate, reliable, and objective outcome-measurement methodology that the Federal Government and the participating State, local, or tribal governments will use, in carrying out the Pilot, to determine whether the Performance Partnership Pilot is achieving, and has achieved, the specified outcomes that the Performance Partnership Pilot is designed to achieve.

(K) The statutory, regulatory, or administrative requirements related to Federal mandatory programs that are barriers to achieving improved outcomes of the Pilot.

(L) In cases where, during the course of the Performance Partnership Pilot, it is determined that the Performance Partnership Pilot is not achieving the specified outcomes that it is designed to achieve—

(i) the consequences that will result from such deficiencies with respect to the Federal discretionary funds that are being used in the Performance Partnership Pilot; and

(ii) the corrective actions that will be taken in order to increase the likelihood that the Performance Partnership Pilot, upon completion, will have achieved such specified outcomes.



## (d) AGENCY HEAD DETERMINATIONS.—

(1) IN GENERAL.—A participating Federal agency may participate in a Performance Partnership Pilot (including by providing funds described in subsection (b)(1) that have been appropriated to such agency) only upon the written determination by the head of such agency that the agency's participation in such Performance Partnership Pilot—

(A) will not result in denying or restricting the eligibility of any individual for any of the services that (in whole or in part) are funded by the agency's programs and Federal discretionary funds that are involved in the Performance Partnership Pilot, and

(B) based on the best available information, will not otherwise adversely affect vulnerable populations that are the recipients of such services.

(2) CONSIDERATION.—In making the determination under paragraph (1), the head of a participating Federal agency may take into consideration the other Federal funds described in subsection (b)(1) that will be used in the Pilot as well as any non-Federal funds (including from private sources as well as governmental sources) that will be used in the Performance Partnership Pilot.

## (e) TRANSFER AUTHORITY.—

(1) IN GENERAL.—For the purpose of carrying out the Performance Partnership Pilot in accordance with the performance partnership agreement, and subject to the written approval of the Director of the Office of Management and Budget, the head of each participating Federal agency may transfer the Federal funds described in subsection (b)(1) that are being used in the Pilot to an account of the lead Federal administering agency that includes other Federal discretionary funds that are being used in the Pilot. Subject to the waiver authority under subsection (f), such transferred funds shall remain available for the same purposes for which such funds were originally appropriated, except as provided in paragraph (2).

(2) EXCEPTION.—Funds transferred under paragraph (1) shall remain available for obligation by the Federal Government until the expiration of the period of availability for those Federal discretionary funds (which are being used in the Pilot) that have the longest period of availability, except that any such transferred funds shall not remain available beyond (which shall not extend for more than 3 years after the date upon which the parties enter into the performance partnership agreement).

(f) WAIVER AUTHORITY.—In connection with the participation by a Federal participating agency in a Performance Partnership Pilot, and subject to the other provisions of this section (including subsection (e)), the head of the Federal participating agency to which Federal funds described in subsection (b)(1) were appropriated may waive (in whole or in part) the application, solely to such discretionary funds that are being used in the Pilot, of any statutory, regulatory, or administrative requirement that such agency head—

(1) is otherwise authorized to waive (in accordance with the terms and conditions of such other authority), and

(2) is not otherwise authorized to waive, except that—

(A) the head of the agency shall not waive any requirement related to nondiscrimination, wage and labor standards, or allocation of funds to State and substate levels;

(B) the head of the agency shall issue, for any requirement described in this paragraph a written determination, prior to granting the waiver, with respect to such discretionary funds that the granting of such waiver for purposes of the Performance Partnership Pilot—

(i) is consistent with both—

(1) the statutory purposes of the Federal program for which such discretionary funds were appropriated, and

(II) the other provisions of this section, including the written determination by the head of the agency issued under subsection (d);

(ii) is necessary to achieve the outcomes of the Performance Partnership Pilot as specified in the performance partnership agreement, and is no broader in scope than is necessary to achieve such outcomes; and

(iii) will result in either—

(I) realizing efficiencies by simplifying reporting burdens or reducing administrative barriers with respect to such discretionary funds, or

(II) increasing the ability of individuals to obtain access to services that are provided by such discretionary funds; and

(C) the head of the agency shall provide at least 60 days advance written notice to the Committee on Appropriations of the House of Representatives, the Committee on Appropriations of the Senate, and all other committees of jurisdiction in the House of Representatives and the Senate.

(g) APPLICABILITY TO EXISTING PERFORMANCE PARTNERSHIP PILOTS.—Nothing in this part shall be construed to apply to any Performance Partnership Pilot carried out under the authority of section 524 of the Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2015 (Public Law 113-325; 128 Stat. 2522) or section 526 of the Department of Labor, Health and Human Services, and Related Agencies Appropriations Act, 2014 (Public Law 113-76; 128 Stat. 413).

**SA 2208.** Mr. BENNET submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

On page 72, between lines 19 and 20, insert the following:

“(L) assessments adopted pursuant to subsection (b) require students to spend on average less than 2 percent of the average instructional time taking such assessments (except in the case of assessments that are determined to be performance-based, competency-based, or to justify the additional time), where such calculation of time spent on such assessments shall not include any additional time spent taking assessments provided as an appropriate accommodation to children with disabilities or students with a disability who are provided accommodations under another Act;

**SA 2209.** Mr. BENNET submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

On page 20, line 18, insert “, periodically review those strategies and the resulting data, use that information to continuously improve the strategies,” after “title”.

On page 69, between lines 12 and 13, insert the following:

“(M) how the State will periodically review and evaluate programs and activities under this part to assess progress toward improved student academic achievement, and

how the State will use the results from such review or evaluation to refine and continuously improve such programs and activities;

On page 106, between lines 23 and 24, insert the following:

“(17) how the local educational agency will periodically review and evaluate programs and activities under this part to assess progress toward improved student academic achievement, and how the local educational agency will use the results from such review or evaluation to refine and continuously improve such programs and activities;

**SA 2210.** Mr. BENNET submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

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

“(L) LIMITATION ON ASSESSMENT TIME.—

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

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

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

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

**SA 2211.** Mr. BENNET submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

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

“(2) TESTING TRANSPARENCY.—

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

“(i) the subject matter assessed;

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

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

“(iv) to the extent such information is available—

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

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

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

**SA 2212.** Mr. BOOKER (for himself and Mr. BENNET) submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

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

“(V) conducting, and publicly reporting the results of, an annual assessment of educator support and working conditions that—

“(i) evaluates supports for teachers, leaders, and other school personnel, such as—

“(I) teacher and principal perceptions of availability of high-quality professional development and instructional materials;

“(II) timely availability of data on student academic achievement and growth;

“(III) the presence of high-quality instructional leadership; and

“(IV) opportunities for professional growth, such as career ladders and mentoring and induction programs;

“(ii) evaluates working conditions for teachers, leaders and other school personnel, such as—

“(I) school climate;

“(II) school safety;

“(III) class size;

“(IV) availability and use of common planning time and opportunities to collaborate; and

“(V) community engagement;

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

“(iv) includes the development and implementation, with the groups described in clause (iii), of a plan to address the results of the assessment described in this subparagraph, which shall be publicly reported; and

**SA 2213.** Mr. VITTER submitted an amendment intended to be proposed to amendment SA 2089 submitted by Mr. ALEXANDER (for himself and Mrs. MURRAY) to the bill S. 1177, to reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_ . LIMITATION ON GRANTS TO SANCTUARY CITIES.**

Section 642 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1373) is amended by adding at the end the following:

“(d) LIMITATION ON GRANTS TO SANCTUARY CITIES.—

“(1) SANCTUARY CITY DEFINED.—In this section, the term ‘sanctuary city’ means a State or a political subdivision of a State that has in effect a statute, resolution, directive, policy, or practice that—

“(A) prohibits, or in any way restricts, an officer or employee—

“(i) from sending to, or receiving from, the Department of Homeland Security information regarding the citizenship or immigration status of an individual; or

“(ii) from assisting or cooperating with Federal immigration law enforcement in the course of carrying out the officers’ routine law enforcement duties, including with respect to the issuance of federal detainers; or

“(B) is otherwise not in compliance with the requirements of subsection (a) or (b).

“(2) LIMITATION ON GRANTS.—A sanctuary city is not eligible to receive a grant under the Edward Byrne Memorial Justice Assistance Grant Program established pursuant to subpart 1 of part E of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3750 et seq.).”.

**SA 2214.** Mr. MCCONNELL (for Mrs. FISCHER (for herself and Mr. NELSON)) proposed an amendment to the bill S. 1359, to allow manufacturers to meet warranty and labeling requirements for consumer products by displaying the terms of warranties on Internet websites, and for other purposes; as follows:

On page 3, line 21, strike “on” and insert “for”.

On page 4, line 1, insert “, through electronic or other means,” after “available”.

On page 4, line 3, strike “on” and insert “for”.

**AUTHORITY FOR COMMITTEES TO MEET**

**COMMITTEE ON ARMED SERVICES**

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on July 9, 2015, at 9:30 a.m.

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 9, 2015, at 10 a.m.

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

**COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS**

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on July 9, 2015, at 10 a.m., to conduct a hearing entitled “Understanding America’s Long-Term Fiscal Picture.”

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 9, 2015, at 10 a.m., in room SD-226 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 9, 2015, at 2:30 p.m.

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

**PRIVILEGES OF THE FLOOR**

Mr. REID. Mr. President, I ask unanimous consent that Amy Griffin, a fellow in Senator FRANKEN’s office, be granted floor privileges during the remainder of this Congress.

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

**PRIVILEGES OF THE FLOOR**

Mr. FRANKEN. Mr. President, I ask unanimous consent that Boris Granovskiy, a fellow in my office, be granted floor privileges for the remainder of the 114th Congress.

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

Ms. HEITKAMP. Mr. President, I ask unanimous consent that Molly Johnson, an intern in my office, be granted floor privileges for the duration of today’s session in the Senate.

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

Mr. WYDEN. Mr. President, I ask unanimous consent that the following detailees, fellows, and interns on my Finance Committee staff be granted floor privileges for the remainder of the session: Sara Brundage, Jenni Greenlee, Daniel Hafner, Ernie Jolly, Jennifer Kay, Nolan Mayther, Alexandra Menardy, Tori Miller, J’Lill Mitchell, Nikesh Patel, Angelique Salizan, and Jay Weismuller.

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

**AMENDING THE UNITED STATES COTTON FUTURES ACT**

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 2620, which is at the desk.

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

The senior assistant legislative clerk read as follows:

A bill (H.R. 2620) to amend the United States Cotton Futures Act to exclude certain cotton futures contracts from coverage under such Act.

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

Mr. MCCONNELL. Mr. President, I 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.

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

The bill (H.R. 2620) was ordered to a third reading, was read the third time, and passed.