

## QUORUM

Rule 6(a). Except as provided in subsection (b), a majority of the Members shall constitute a quorum for the transaction of business of the Committee. Except as provided in Senate Rule XXVI 7(a), a quorum is presumed to be present unless the absence of a quorum is noted by a Member.

(b). One Member shall constitute a quorum for the purpose of conducting a hearing or taking testimony on any measure or matter before the Committee.

## VOTING

Rule 7(a). A recorded vote of the Members shall be taken upon the request of any Member.

(b). A measure may be reported without a recorded vote from the Committee unless an objection is made by a Member, in which case a recorded vote by the Members shall be required. A Member shall have the right to have his or her additional views included in the Committee report in accordance with Senate Rule XXVI 10.

(c). A Committee vote to report a measure to the Senate shall also authorize the staff of the Committee to make necessary technical and conforming changes to the measure.

(d). Proxy voting shall be permitted on all matters, except that proxies may not be counted for the purpose of determining the presence of a quorum. Unless further limited, a proxy shall be exercised only for the date for which it is given and upon the terms published in the agenda for that date.

## SWORN TESTIMONY AND FINANCIAL STATEMENTS

Rule 8(a). Witnesses in Committee hearings may be required to give testimony under oath whenever the Chairman or Vice Chairman of the Committee deems it to be necessary.

(b). At any hearing to confirm a Presidential nomination, the testimony of the nominee, and at the request of any Member, any other witness shall be under oath. Every nominee shall submit a financial statement, on forms to be perfected by the Committee, which shall be sworn to by the nominee as to its completeness and accuracy. All such statements shall be made public by the Committee unless the Committee, in executive session, determines that special circumstances require a full or partial exception to this rule.

(c). Members of the Committee are urged to make public a complete disclosure of their financial interests on forms to be perfected by the Committee in the manner required in the case of Presidential nominees.

## CONFIDENTIAL TESTIMONY

Rule 9. No confidential testimony taken by, or confidential material presented to the Committee or any report of the proceedings of a closed Committee hearing or business meeting shall be made public in whole or in part, or by way of summary, unless authorized by a majority of the Members of the Committee at a business meeting called for the purpose of making such a determination.

## DEFAMATORY STATEMENTS

Rule 10. Any person whose name is mentioned or who is specifically identified in, or who believes that testimony or other evidence presented at, an open Committee hearing tends to defame him or her or otherwise adversely affect his or her reputation may file with the Committee for its consideration and action a sworn statement of facts relevant to such testimony of evidence.

## BROADCASTING OF HEARINGS OR MEETINGS

Rule 11. Any meeting or hearing by the Committee which is open to the public may be covered in whole or in part by television, Internet, radio broadcast, or still photography. Photographers and reporters using

mechanical recording, filming, or broadcasting devices shall position their equipment so as not to interfere with the sight, vision, and hearing of Members and staff on the dais or with the orderly process of the meeting or hearing.

## AUTHORIZING SUBPOENAS

Rule 12. The Chairman may, with the agreement of the Vice Chairman, or the Committee may, by majority vote, authorize the issuance of subpoenas.

## AMENDING THE RULES

Rule 13. These rules may be amended only by a vote of a majority of all the Members of the Committee in a business meeting of the Committee: Provided, that no vote may be taken on any proposed amendment unless such amendment is reproduced in full in the Committee agenda for such meeting at least seven (7) days in advance of such meeting.

## RECOGNIZING THE U.S. COAST GUARD

Mr. SESSIONS. Mr. President, today I honor the 100th anniversary of the U.S. Coast Guard, officially established on this day, January 28, 1915, when President Woodrow Wilson signed legislation merging the Revenue Cutter Service and the U.S. Life-Saving Service into one organization.

The Coast Guard has a long and noble history, dating back to 1790, of defending the shores of our Nation. It remains a vital component of our national security infrastructure—performing law enforcement, lifesaving, and military duties. Whether it is intercepting drug smugglers in the Gulf of Mexico or rescuing stranded fishermen off the coast of Alaska, the Coast Guard always answers the call and performs its mission bravely. Our Nation is safer thanks to the work done by the brave men and women of the U.S. Coast Guard.

I am honored that my home State of Alabama has a significant Coast Guard presence in the city of Mobile. U.S. Coast Guard Sector Mobile is home to over 200 Active-Duty military and civilian personnel who play a crucial role in enforcing our Nation's laws and providing maritime security along the gulf coast of Alabama, Mississippi, and Florida. Mobile is also home to one of the Coast Guard's largest units, the U.S. Coast Guard Aviation Training Center. The Aviation Training Center is home to roughly 600 Active-Duty military and civilian personnel, and it serves as the Coast Guard's aviation

and capabilities development center—responsible for training Coast Guard pilots. It also serves as an operational Coast Guard air station, performing traditional Coast Guard aviation missions such as search and rescue, homeland security, and environmental protection in an area encompassing the Gulf of Mexico from the Louisiana-Texas border to the Florida panhandle.

I am proud of what these Coast Guard installations do to protect the people of the gulf coast and the Nation as a whole. I would like to thank the U.S. Coast Guard for everything it does to enhance and ensure the national secu-

rity of the United States, and I congratulate and honor the Coast Guard on its 100th anniversary.

## SUPPORTING TEACHERS AND SCHOOL LEADERS

Mr. ALEXANDER. Mr. President, I ask unanimous consent that a copy of my remarks at the Senate Health, Education, Labor and Pensions Committee hearing yesterday be printed in the RECORD.

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

## SUPPORTING TEACHERS AND SCHOOL LEADERS

Today's hearing is all about better teaching—how we can create an environment so teachers, principals, and other leaders can succeed.

Governors around the country are focused on one issue: better jobs for the citizens in their states. And it doesn't take very long for a governor, which I once was, to come to the conclusion that better schools mean better jobs and a better life.

Since no one has figured out how to pass a better parents law, it doesn't take long to realize how important a great teacher is.

I certainly came to that conclusion quickly in 1984, when I was governor of Tennessee and I considered the holy grail of K-12 education to be finding a fair way to encourage and reward outstanding teaching.

I spent a year and a half, devoting 70 percent of my time, persuading the legislature to establish a career ladder—a master teacher program that 10,000 teachers voluntarily climbed. They were paid more and had the opportunity for 10- and 11-month contracts.

Tennessee became the first state in the nation to pay teachers more for teaching well. Rarely a week goes by that a teacher doesn't stop me and say, "Thank you for the master teacher program."

It was not easy. A year before I'd been in a meeting of southern governors and one of them said, "Who's gonna be brave enough to take on the teachers union?"

I had a year and a half brawl with the National Education Association before I could pass our teacher evaluation program.

Since then, there's been an explosion of efforts to answer these questions a great number of states and school districts are tackling: How do we determine who is an effective teacher? How do we relate student achievement to teacher effectiveness? And, having decided that, how do we reward and support outstanding teaching so we don't lose our best teachers?

In 1987, the National Board for Professional Teaching Standards began to strengthen standards in teaching and professionalize the teaching workforce. To date, more than 110,000 teachers in all 50 states and DC have achieved National Board Certification.

In 2006, the Teacher Incentive Fund was created to help states and districts create performance-based compensation system for teachers based on evaluation results.

According to the National Center on Teacher Quality, in 2014:

27 states required annual evaluations for all teachers

44 states required annual evaluations for new teachers

35 states required student achievement and/or student growth to be a significant or the most significant measure of teacher performance.

So when I came to Washington as a United States Senator in 2003, everyone expected—since I thought rewarding outstanding teaching was the Holy Grail—that I would make

everyone do it. To the surprise of some, my answer was no—you can't do it from Washington. Nevertheless, over the last 10 years, Washington has tried.

Here is how: No Child Left Behind told states that all teachers of core academic subjects needed to be “Highly Qualified” by 2006, and it prescribed that definition in a very bureaucratic manner. That hasn’t worked. I don’t know of many people who really want to keep that outdated definition—even Secretary Duncan waived the requirements related to highly qualified teachers when he granted waivers to 43 states, the District of Columbia, and Puerto Rico.

Unfortunately, the Secretary replaced those requirements with a new mandate requiring teacher evaluation systems—first in Race to the Top, which gave nearly \$4.4 billion to states, and second, in the waivers.

To get a waiver from No Child Left Behind, a state and each local school district must develop a teacher and principal evaluation system with seven required elements—such as that it will use at least three performance levels; and will use multiple measures, including student growth; and will include guidelines and supports for implementation—and each element must be approved by the U.S. Department of Education.

The problem is that, after 30 years, we are still figuring out how to do this.

Our research work on measuring growth in student achievement and relating it fairly to teacher effectiveness was started in 1984, but former Institute of Education Science Director Russ Whitehurst told the New York Times in 2012 that states “are racing ahead based on promises made to Washington or local political imperatives that prioritize an unwavering commitment to unproven approaches. There’s a lot we don’t know about how to evaluate teachers reliably and how to use that information to improve instruction and learning.”

The second problem is that some states haven’t been willing or able to implement the systems the way the U.S. Department of Education wants them to.

California, Iowa, and Washington state had their waiver requests denied or revoked over the issue of teacher evaluations.

In Iowa’s case, it was because the state legislature wouldn’t pass a law that satisfied the requirement that allowed for teachers and principals to be placed into at least three performance levels—not effective, effective, and highly effective.

California simply ignored the Administration’s conditions when they applied for a waiver, particularly the requirement that teacher evaluation systems be based significantly on the results of state standardized tests.

In April, Washington state’s waiver was revoked by Secretary Duncan because their state legislature would not pass legislation requiring standardized test results to be used in teacher and principal evaluation systems—instead the law in Washington allows local school districts to decide which tests they use.

Whether or not this federal interference with state education law offends your sense of federalism, like it does mine, it has proved impractical.

The federal government in its well-intentioned way, trying to say, “We want better teachers, and we’re going to tell you exactly how to do it, and you must do it now” has created an enormous backlash. It’s made even harder something that was already hard.

Even in Tennessee, despite 30 years of experience and nearly \$500 million in Race to the Top funding, the implementation of a new teacher evaluation system has been described in an article in my hometown newspaper as “contentious.”

Given all of the great progress that states and local school districts have made on standards, accountability, tests, and teacher evaluation over the last 30 years—you’ll get a lot more progress with a lot less opposition if you leave those decisions there.

I think we should return to states and local school districts decisions for measuring the progress of our schools and for evaluating and measuring the effectiveness of teachers.

I know it is tempting to try to improve teachers from Washington. I also hear from governors and school superintendents who say that if “Washington doesn’t make us do it, the teachers unions and opponents from the right will make it impossible to have good evaluation systems and better teachers.”

And I understand what they’re saying. After I left office, the NEA watered down Tennessee’s Master Teacher program.

Nevertheless, the Chairman’s Staff Discussion draft eliminates the Highly Qualified Teacher requirements and definition, and allows states to decide the licenses and credentials that they are going to require their teachers to have.

And despite my personal support for teacher evaluation, the draft doesn’t mandate teacher and principal evaluations.

Rather, it enables States to use the more than \$2.5 billion under Title II to develop, implement, or improve these evaluation systems.

In a state like Tennessee, that would mean \$39 million potentially available for continuing the work Tennessee has well underway for evaluating teachers, including linking performance and student achievement.

In addition, it would expand one of the provisions in No Child Left Behind—the Teacher Incentive Fund that Secretary Spellings recommended putting into law and that Secretary Duncan said, in testimony before the HELP Committee in January 2009, was “One of the best things I think Secretary Spellings has done . . . the more we can reward excellence, the more we can incentivize excellence, the more we can get our best teachers to work in those hard-to-staff schools and communities, the better our students are going to do.”

And third, it would emphasize the idea of a Secretary’s report card—calling considerable attention to the bully pulpit a secretary or president has to call attention to states that are succeeding or failing.

For example, I remember President Reagan visited Farragut High School in Knoxville in 1984 to call attention to our Master Teacher program. It caused the Democratic speaker of our House of Representatives to say, “This is the American way,” and come up with an amendment to my proposal that was critical to its passage. President Reagan didn’t order every other state to do what Tennessee was doing, but the president’s bully pulpit made a real difference.

Thomas Friedman recently told a group of senators that one of his two rules of life is that he’s never met anyone who washed a rented car.

In other words, people take care of what they own.

My experience is that finding a way to fairly reward better teaching is the holy grail of K-12 education—but Washington will get the best long-term result by creating an environment in which states and communities are encouraged, not ordered, to evaluate teachers.

Let’s not mandate it from Washington if we want them to own it and make it work.

#### MESSAGE FROM THE HOUSE

At 11:24 a.m., a message from the House of Representatives, delivered by

Mr. Novotny, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 159. An act to stop exploitation through trafficking.

H.R. 181. An act to provide justice for the victims of trafficking.

H.R. 246. An act to improve the response to victims of child sex trafficking.

H.R. 285. An act to amend title 18, United States Code, to provide a penalty for knowingly selling advertising that offers certain commercial sex acts.

H.R. 350. An act to direct the Interagency Task Force to Monitor and Combat Trafficking to identify strategies to prevent children from becoming victims of trafficking and review trafficking prevention efforts, to protect and assist in the recovery of victims of trafficking, and for other purposes.

H.R. 398. An act to provide for the development and dissemination of evidence-based best practices for health care professionals to recognize victims of a severe form of trafficking and respond to such individuals appropriately and for other purposes.

H.R. 460. An act to direct the Secretary of Homeland Security to train Department of Homeland Security personnel how to effectively deter, detect, disrupt, and prevent human trafficking during the course of their primary roles and responsibilities, and for other purposes.

H.R. 469. An act to amend the Child Abuse Prevention and Treatment Act to enable State child protective services systems to improve the identification and assessment of child victims of sex trafficking, and for other purposes.

H.R. 515. An act to protect children from exploitation, especially sex trafficking in tourism, by providing advance notice of intended travel by registered child-sex offenders outside the United States to the government of the country of destination, requesting foreign governments to notify the United States when a known child-sex offender is seeking to enter the United States, and for other purposes.

#### MEASURES REFERRED

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

H.R. 246. An act to improve the response to victims of child sex trafficking; to the Committee on the Judiciary.

H.R. 350. An act to direct the Interagency Task Force to Monitor and Combat Trafficking to identify strategies to prevent children from becoming victims of trafficking and review trafficking prevention efforts, to protect and assist in the recovery of victims of trafficking, and for other purposes; to the Committee on the Judiciary.

H.R. 398. An act to provide for the development and dissemination of evidence-based best practices for health care professionals to recognize victims of a severe form of trafficking and respond to such individuals appropriately, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

H.R. 460. An act to direct the Secretary of Homeland Security to train Department of Homeland Security personnel how to effectively deter, detect, disrupt, and prevent human trafficking during the course of their primary roles and responsibilities, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

H.R. 469. An act to amend the Child Abuse Prevention and Treatment Act to enable State child protective services systems to